

**Town of Timnath  
Planning Commission  
Regular Meeting Minutes  
July 8, 2008  
7:00 p.m.**

**1. Call to Order**

Chairman Wright called the meeting to order at **7:01 PM**

- a. Roll Call**
- |                   |                 |   |                    |
|-------------------|-----------------|---|--------------------|
| Chairman          | Raymond Wright  | Y |                    |
| Commissioner      | Carl Elliott    | Y |                    |
| Commissioner      | Vacant          |   |                    |
| Commissioner      | Dick Weiderspon | Y | left at 7:40 PM    |
| Commissioner      | Cody Speaker    | Y |                    |
| Alt. Commissioner | Susie Saunders  | Y | arrived at 7:20 PM |
| Alt Commissioner  | Vacant          |   |                    |

Community Development Coordinator Linda Griess, Community Development Director Linda Martin,

**2. Amendments to Agenda**

- a.** There were no amendments to the Agenda

**3. Consent Agenda: Minutes**

- a.** Minutes: May 27, 2008

Commissioner Weiderspon made a motion to approve Minutes from the May 27, 2008, meeting. Commissioner Elliott seconded the motion. Minutes were approved unanimously by voice vote.

**4. Business & Discussion Items**

- a. Discussion/Possible Motion: Timnath South Pool & Clubhouse – Site Plan and Conditional Use Permit**

**1. Site Plan:**

Community Director Linda Martin presented to the Commissioners the Timnath South Pool and Clubhouse site which was identified on the original preliminary plat and was included on the final plat. The site is zoned R-2 Single Family Residential District. This zoning allows pools and community facilities as a Conditional Use.

Commissioner Elliott asked if the pool will be open to the public. Developer Ditullio stated that the pool will be open to the residents of "Old Town" and they will pay a reduced fee to use the pool. Pool will get started as soon as financing is secured.

Staff recommends approval of the Site Plan after the following evaluation:

1. All of the information required by the Land Use Code is shown on the site plan.
2. The lot size and lot dimensions are consistent with what is shown on the final plat.
3. No buildings or structures infringe on any easement.
4. The site grading is consistent with the requirements of the Town's storm drainage criteria for the area.

5. The density and dimensions conform to the Town Code.
6. All Town Code requirements have been addressed and all improvements conform to the Code.

Motion was made to recommend **Approval of the Site Plan for Timnath South, Pool and Clubhouse to the Town Council**. Commissioner Speaker made the motion. Commissioner Weiderspon seconded the motion. The motion passed unanimously by voice vote.

**Conditional Use Permit:**

Staff recommended a Conditional Use Permit be approved after being evaluated by the following criteria:

1. It satisfies the provisions of the Code.
2. It conforms with and further the goals, policies and strategies set forth in the Town Comprehensive Plan.
3. It will be served with public utilities, services and facilities and will not impose an undue burden above and beyond those of the uses in the R-2 district.
4. It will not substantially alter the basic character of the R-2 district, nor will it jeopardize the development potential of the R-2 district.
5. It will result in efficient traffic circulation and will not have adverse impacts on adjacent uses. It will not result in hazardous conditions for pedestrians or vehicles in or adjacent to the site.
6. Potential negative impacts on the rest of the neighborhood have been mitigated through setbacks, architecture, screening, fencing, landscaping, site arrangement and other methods.
7. All applicable local and state permits have or will be obtained by the applicant.

Motion was made to recommend **Approval to the Town Council of a Conditional Use Permit for the Timnath South Pool and Clubhouse**. Commissioner Elliott made the motion. Commissioner Speaker seconded the motion. Motion passes unanimously by voice vote.

**b. Discussion/Resolution/Public Hearing: Graves Annexation and Initial Zoning /Timnath South Rezoning/Timnath South Filing #3 Sketch Plan**

Chairman Wright Opens Public Hearing at **7:15 PM on Graves Annexation and Initial Zoning:**

**Developer Presentation to the Public and Commissioners** – Developer Dino Ditullio presented to Commissioners the proposed Graves Annexation.

**Staff Presentation** – Linda Martin, Community Development Director presented to the Commissioners that all requirements associated with the application for annexation have been completed by the applicant.

**Public Comments** (Please limit to three minutes each)

Resident Sandy Helzer voiced her concerns about this annexation and rezoning. Ms. Helzer owns the property adjacent to the Graves property. Ms. Helzer was under the understanding that the land would stay Agricultural and has concerns on how she will get her hay balers in and out of her property now that the Town and Developer are annexing and platting this property. Would like to see the land close to her property stay RE and not go to R2. Ms. Helzer was also very complimentary to the Developer that he does do a great housing development and also understands that the Graves have the right to sell there land to a developer.

**Planning Commissioners Questions and Comments:**

Commissioner Elliott stated it looks good to him. He is in favor of the larger lot sizes

Commissioner Speaker understands the development but feels the Developer is getting more houses per lot, his concern is how we want to treat our neighbors; he hopes that Developer and Resident Helzer come to some agreement over the zoning and access to her property.

Commissioner Saunders asked what kind of population is going to be brought into this development. She does not feel that this area will bring in a "questionable" environment. She feels that this is a good plan.

Chairman Wright hopes that the concerns of Ms. Helzer's can be settled. Concern brought up on the Townhomes and parking is going to be an on-going concern. Major concern is the number of lots boarding the Helzer property; hopefully something can be done with this concern.

**Additional Public Comments (Please limit to three minutes each) – no additional comments**

Chairman Wright Closes Public Hearing at 8:12 PM

Motion was made to **Approve Resolution 2, 2008, A RESOLUTION OF THE TIMNATH PLANNING COMMISSION APPROVING THE GRAVES ANNEXATION** and to move to recommend approval of the initial zoning. Commissioner Speaker made the motion. Commissioner Saunders seconded the motion. The motion passes unanimously by voice vote.

**Public Hearing on Timnath South Filing #3 Rezoning:**

Chairman Wright Opens Public Hearing at 7:15 PM

**Developer Presentation to the Public and Commissioners:** Developer Ditullio presented to the Commissioners the plan to provide diversity of housing type, Townhomes and Patio homes in this rezoning.

**Public Comments:**

Peter Hunsuck expressed his concern about the Townhomes and if they will be owner owned or rental property?

Russ Hovland, asked will the Multi-family area pay the same fee's for the pool as the single family residents are paying? Is the pool going to be open to the whole Town and how will this affect the Summerfield resident's use of the pool and club house? Is the area along the ditch will these be estate lots? Developer Ditullio answered Mr. Hovland's question on the pool and it being open to the Timnath Old Town Residents, Ditullio stated that every Metro District has to be open to the public.

Ken Gallegos expressed his concern on what the price range will be for the Townhouses, will they be retails or investment property?

Ryan Nobel has owned rental property in the past, wants to know why the townhouses and patio homes are on such prime location. Will there be a staff for the pool area? Developer Ditullio stated that there will be staff for the pool and club house.

Mike Resin expressed his concern on the parking and will there be car's on the street. Will townhouses have garages? Mr. Resin state he is not in favor of car's parking on the street. Developer Ditullio stated that there will be adequate parking.

Pete Hunsuck was asking about the Timnath parks, trails and open space and what is planned for the area by the new school.

**Planning Commissioners Questions and Comments:**

No Comments were presented from the Commissioners

**Additional Public Comments (Please limit to three minutes each)** – no additional comments

Chairman Wright Closes Public Hearing at **8:12 PM**

Motion was made to **recommend Approval of the Timnath South Filing #3 Rezoning with the following amendment. The applicant and Sandy Helzer are to further discuss (1) lot sizes located adjacent to County AG zoned property and (2) continued access to the hayfields west of TROC and east of the project prior to the Town Council Hearing on the project.**

Commissioner Speaker made the motion. Commissioner Saunders seconded the motion. Motion passes unanimously by voice vote.

**Sketch Plan:**

Community Director Martin presented to the Commissioners the Timnath South Filing #3 Sketch Plan recommendation to the Town Council. The recommendation to the Town Council should be based upon the following Sketch Plan Criteria:

- (1) The land use mix within the project conforms to Town's Zoning District Map and Land Use Map and furthers the goals and policies of the Comprehensive Plan. It does this by adding diversity to the Town's housing supply.
- (2) The sketch plan represents a functional system of land use and is consistent with the rationale and criteria set for in this Code and the Town Comprehensive Plan. It does this by having compatible land uses adjacent to one another.
- (3) The utility and transportation design is adequate, given existing and planned capacities of those systems. Town Engineers have determined this to be true.
- (4) Negative impacts on adjacent land uses have been identified and satisfactorily mitigated. There are none.
- (5) There is a need or desirability within the community for the applicant's development and the development will achieve a balance of land use and/or housing types within Timnath according to Town goals.

Chairman Wright feels that the comments brought up by the new residents were good. Concern brought up on the Townhomes and parking is going to be an on going concern. Major concern is the number of lots boarding the Helzer property hopefully something can be done with this concern.

Motion was made to **Recommend Approval of the Timnath South #3 Sketch Plan with the following provision applicant and Sandy Helzer are to further discuss (1) lot sizes located adjacent to County AG zoned property and (2) continued access to the hayfields west of TROC and east of the project prior to Town Council hearing on the project.** Commissioner Speaker made the motion. Commission Saunders seconded the motion. Motion was passed unanimously by voice vote.

**5. Reports**

**a. Community Development Director:**

Downtown Core will have a Saturday Open House on July 26 starting at 9:30.

**6. Current Projects:**

**a. Riverbend Project: Annexation, Initial Zoning and Sketch Plan**

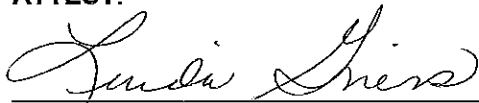
**7. Adjournment**

Commissioner Elliott moved to adjourn the meeting. Commissioner Speaker seconded the motion. The motion passed unanimously by voice vote. Chairman Wright adjourned the meeting at **8:27PM**.

**TOWN OF TIMNATH  
PLANNING COMMISSION**

  
Raymond Wright, Chairman

**ATTEST:**

  
Linda Griess, Community Development Coordinator