



The Regular Meeting of the
Brian Head Planning Commission
Town Hall - 56 North Highway 143 - Brian Head, UT 84719
Zoom Meetings ([click here](#))
Zoom Meeting ID# 828 1216 8961
TUESDAY, APRIL 2, 2024 @ 1:00 PM

MINUTES OF THE PLANNING COMMISSION

Roll Call:

Members Present: Chairperson Doug Deutschlander, Commissioner Carrie Dever, Commissioner Jeff Morgan, Alternate Commissioner Rachelle Lee, Commissioner Sheri Brown.

Members Absent: Commissioner Cecile Wallis.

Staff Present: Lester Ross, Building and Planning Official; Nancy Leigh, Town Clerk; Bret Howser, Town Manager.

A. CALL TO ORDER

Chairperson Deutschlander called the regular meeting of the Brian Head Planning Commission to order at 1:00 p.m.

B. PLEDGE OF ALLEGIANCE

Chairperson Deutschlander led the Commission and others in the Pledge of Allegiance.

C. DISCLOSURES

There were no conflicts of interest with today's agenda items. Chairperson Deutschlander stated that the disclosure statements are on file with the Town Clerk and are available for public inspection during normal business hours.

D. APPROVAL OF THE MINUTES:

March 5, 2024 Planning Commission meeting.

Motion: Commissioner Dever moved to approve the March 5, 2024, Planning Commission minutes. Commissioner Morgan seconded the motion.

Action: **Motion carried 5-0-0. (summary: Yes = 5 Vote: Yes: Chairperson Deutschlander, Commissioner Dever, Commissioner Morgan, Alternate Commissioner Lee, Commissioner Brown. Absent: Commissioner Wallis).**

E. PUBLIC INPUT/ REPORTS (Limited to three (3) minutes) Non-Agenda Items

Lester Ross, Building & Planning Official

1. Updated the Commission on the slow start to the 2024 building season, but the Commission will start to see more subdivisions coming in the next couple of years.
2. Will be meeting with a company to revise the Subdivision Chapter in the Land Management Code since State law changes recently took effect. After July 2024, the Town Council will no longer be the final decision maker for land use decisions, it will now be the

1 Planning Commission who will be the final decision makers. The Town will be amending
2 the Land Management Code to reflect the state changes and the Commission will be
3 presented with the proposed amendments. Lester reported that he would like to see the
4 amendments go into effect by the end of April 2024.

- 5 3. There will be a training for Planning Commission Chairs in Richfield and a recording will
6 also be available.
7

8 **Nancy Leigh, Town Clerk**, reported that the Open Meeting Training is scheduled for April 30,
9 2024, at 1:00 p.m. and is a mandatory annual training.
10

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12 **F. AGENDA ITEMS:**

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14 **1. ADMINISTRATIVE ACTION - FINAL PLAT REVIEW RIDGEVIEW**
15 **TOWNHOMES Final Plat for Mountain Life Ventures subdivision.**
16

17 Lester Ross, Building and Planning Official, presented the Final Plat for the Mountain Life
18 Ventures Townhomes located on Ridge View Street (see attached). Lester explained that a
19 change added two new units and removed five parking spaces. The Town engineer has not
20 completed his review of the project at this time. The delay in the engineer's review is the
21 Town's responsibility and not the applicants.
22

23 The Commission discussed the following:

- 24 1. The water system will be a private water system with an 8" master meter that is
25 according to the Public Works requirements which was approved by the Public
26 Works Department.
27 2. The project requires 35 acre-feet of water rights the applicant has purchased 31.22
28 acre-feet of water rights from Brian Head Acquisition Partners but will need to
29 purchase an additional four (4) acre-feet of water rights from the Town. This will be
30 through a water rights agreement with the Town Council and the Planning
31 Commission will need to submit a recommendation to the Town Council on the water
32 rights as well. The water rights will need to be purchased before the final approval
33 of the subdivision.
34 3. Currently have 137 parking spaces identified for the project and are required to have
35 113 parking spaces. 92 parking spaces are not included with the garages. If the
36 applicant goes over 2,500 square feet on the units, then the parking requirements
37 increase to 3.5 parking spaces per unit instead of 2.5 parking spaces per unit.
38 4. The parking spaces are 21' wide and 23' in length plus there are two (2) additional
39 guest parking spaces per unit.
40 5. The Final Plat does not show snow storage between the driveways as the preliminary
41 plat did originally. The Commission reviewed the snow storage area identified on
42 the Final Plat.
43 6. The sewer line currently runs to the Ridges condominium project. The applicant will
44 relocate the bottom portion of the sewer line to connect to the MLV project as a private
45 sewer line.
46 7. During the preliminary plat review, the applicant was asked that the buildings be
47 staggered to avoid a straight line of buildings.
48 8. Commissioner Dever and Chairperson Deutschlander commented that in reviewing
49 the Final Plat the placement of the buildings looked like they were in a straight line
50 and were not staggered which was requested by the Commission during the
51 preliminary plat stage. It was noted that the buildings were offset by two feet.
52 9. The retaining wall's highest point is under 18' for both retaining walls.

10. The traffic study has been completed and reviewed by the Utah Department of Transportation (UDOT) and approved. There are no additional requirements for Highway 143 for this project.
11. Chairperson Deutschlander inquired if the traffic study included the driveways from both Ridge View Street and Chalet Village. Lester responded that it did include both driveways.
12. The Public Works Department has reviewed the trash enclosures.
13. The proposed Final Plat needs to be corrected since it would require a signature from all of the private utility companies. Staff will follow up on this time before the plat is recorded.
14. Title Report: The applicant owns the lot and the taxes are current.
15. The roads and utilities through the subdivision are private and will be the responsibility of the HOA and/or developer.
16. Lester commented that a future trail was shown but was unsure if the trail was public or private. If the trail was deeded, then he would recommend that the Commission identify the trail be identified on the final plat as part of the motion.
17. Alternate Commissioner Lee inquired as to who would be responsible for the snow removal on their driveways. Lester responded that the HOA would be responsible for snow removal services and the HOA would also be responsible for enforcing the two guest parking spaces as well.
18. Alternate Commissioner Lee commented that the project looked too close to wall #1 for the Town Walking Trail and there are now six walls. Bret reported that there was a lot of discussion when the Town Council reviewed the preliminary plat and the Council approved the preliminary plat with the condition that the walls along Highway 143 are under 12' in height.
19. The private road is 30' in width, which meets the Town's road standards and is identified on the final plat.
20. Bret reported that the Town Council approved the preliminary plat with the following conditions:
 - a) All comments from the Town Engineer are to be addressed in the final plat.
 - b) Applicant will provide a UDOT traffic study for Ridge View Street and the entrance of the subdivision and both intersections of Chalet Village Drive and Ridge View Street and Highway 143 and address the findings.
 - c) The Chalet Village Drive will be improved to the Public Works Standards for roads.
 - d) The proposed hiking trail maintains grades consistent with the existing difficulty rating of the Navajo Loop Trail, and an updated trail (spur trail to Chalet Village) easement is recorded for both trails.
 - e) The requirements for private utility providers are met.
 - f) The retaining walls will be stamped, tinted, and tiered with the east wall not to exceed twelve feet and will meet the Town's Commercial Core Overlay District for landscaping requirements along the east wall systems buffering the Town trail visually.
 - g) A long-term private road maintenance plan is to be submitted to the Town Manager.
21. Chairperson Deutschlander commented that his main concerns are the layout of the buildings and the staggering of the buildings since they do not take advantage of the terrain the applicant was asked to preserve the trees and natural topography of the land and this project does not reflect that.
22. Josh Peterson, engineer, reported that they needed to have a certain number of units to make the project worth developing and they did their best to follow the Town's

requirements and were limited on what they could do with the project on a hillside. Lester responded that the applicant had not altered from the preliminary plans.

23. Alternate Commissioner Lee commented that she believes the applicant may have added three units and not two units as originally reported.
24. A draft agreement for the water rights will need to be approved before the final plat can be recorded for the four-acre feet that are needed from the Town.

Motion: Commissioner Dever moved to approve a favorable recommendation to the Town Council for the Final Plat for the Mountain Life Ventures Townhomes with the following conditions:

1. All comments from the Town Engineer are addressed.
2. Chalet Village Drive will be improved to meet the Town's Public Works Standards.
3. The proposed hiking trail will maintain the grades with the Navajo Loop Trail with a spur trail to the Navajo Ridge Trail and an updated trail recorded for public access.
4. Enhanced landscaping consistent with the Commercial Core Overlay District between the wall and right-of-way.
5. Simulated rock stone Verablock will meet the Town Code.
6. The signature block on the Final Plat will identify the private utility companies.
7. The water acquisition agreement will be approved and completed for four acre-feet of water rights before the Final Plat is recorded.

Commissioner Morgan seconded the motion.

Action: **Motion carried 5-0-0 (summary: Yes = 5 Vote: Yes:** Commissioner Dever, Commissioner Morgan, Commissioner Brown, Alternate Commissioner Lee, Chairperson Deutschlander. **Absent:** Commissioner Wallis).

G. ADJOURNMENT

Motion: Commissioner Morgan moved to adjourn the regular meeting of the Planning Commission for April 2, 2024. Alternate Commissioner Lee seconded the motion.

Action: **Motion carried 5-0-0 (summary: Yes = 5 Vote:** Commissioner Morgan, Commissioner Dever, Commissioner Brown, Alternate Commissioner Lee, Chairperson Deutschlander. **Absent:** Commissioner Wallis).

The regular meeting of the Brian Head Planning Commission was adjourned at 2:11 p.m. on April 2, 2024.

Date Approved

Nancy Leigh, Town Clerk