

**BRIGHAM CITY PLANNING COMMISSION  
BRIGHAM CITY COUNCIL CHAMBERS  
Tuesday, 12/16/2025 6:00 p.m.**

PRESENT:	Roger Manning Cindy McConkie Jason Coppieters Kristen Bogue Garl Waldron Donny Constantineau Isaac Herbert	Commissioner- Chair Commissioner- Vice Chair Commissioner Commissioner Commissioner Commissioner Commissioner
EXCUSED:	Vince Crane Mandi Richens	Commissioner Commissioner
ALSO PRESENT:	Mark Bradley Zane Billings Destry Larsen Derek Oyler Tom Kotter Nicole Cottle (via zoom)	City Planner Assistant City Planner Administrative Assistant City Administrator Finance Director City Attorney

## **AGENDA**

Pledge of Allegiance

Approval of Minutes

## **REGULAR MEETING**

Regular session opened at 6:00 p.m. by Chairman Manning and the Pledge of Allegiance was recited.

## **APPROVAL OF MINUTES**

Commissioner Coppieters moved to approve the minutes for November 18, 2025, meeting. Commissioner McConkie seconded the motion and it passed unanimously.

**Public Hearing<sup>1</sup> / Application #25-097 / Amend Brigham City General Plan –  
Transportation Master Plan / Include Future Proposed Public Roadways that would  
Extend and Connect 100 West Street from 700 South to Fishburn Drive, and Lakeview  
Drive from 200 West to Main Street / Brigham City Corporation**

Chairman Manning introduced Application #25-097, a proposed amendment to the Brigham City General Plan Transportation Master Plan. City Administrator Derek Oyler explained that the amendment, recommended by City staff and the Mayor, is part of long-term planning related to the future of Lakeview Elementary School and is intended to guide potential redevelopment and transportation connectivity, not result in immediate changes. He noted that Lakeview Elementary is expected to remain in operation for approximately 10 more years and that proactive planning will help avoid long-term vacancy or blight. City Planner Mark Bradley added that, at the direction of the Mayor's Office, staff reviewed the Transportation Element and brought forward the amendment to reflect future roadway connections that would occur incrementally with development or redevelopment, with coordination across City departments, and serve as a long-range guide for circulation and connectivity.

Chairman Manning opened Commission discussion, noting receipt of multiple written comments from potentially affected property owners. He stated that many of the concerns mirrored questions he had during his own review and requested clarification regarding which properties could be affected, how the proposed roadway alignments function, and the long-term implications of the amendment.

City Administrator Derek Oyler explained that the proposed future roadway alignments overlay existing homes and businesses, consistent with other long-range designations in the General Plan, and would be triggered only by redevelopment or a change of use. He emphasized that adoption of the amendment would not result in immediate construction, removal of buildings, or changes to current property rights. He further clarified that roadway width and right-of-way details are not established by the General Plan and would be addressed later through public works standards, city code, and normal operating procedures, including an engineering review that considers zoning, access, and parking. City Attorney Nicole Cottle stated she had no additional comments and remained available for questions.

Commissioner Coppieters asked how adoption would affect existing property owners or a potential sale. Mr. Oyler responded that neither adoption nor sale alone would trigger roadway obligations; only redevelopment or a change of use would do so. Existing residential and commercial uses may continue.

Commissioner Bogue asked why 100 West was selected instead of 200 West for the north-south connection. Mr. Oyler stated that staff evaluated both options and selected 100 West based primarily on current zoning patterns, noting that either alignment would impact existing properties.

Commissioner McConkie asked whether the City could purchase properties and construct the roadway. Mr. Oyler stated this is possible but subject to City Council direction and voluntary transactions, emphasizing that eminent domain was not being proposed.

**Motion:** Commissioner McConkie moved to open the public hearing for application #25-097. Commissioner Bogue seconded the motion, which passed unanimously.

**Public Comment – Dennis Gailey, Affected Property Owner**

Mr. Dennis Gailey addressed the Planning Commission as an affected property owner and spoke on behalf of neighboring owners who were unable to attend. He expressed concern that the proposed roadway alignment could limit future development options for properties in the area, particularly given that his home is centrally located within the affected area. He requested clarification on the distinction between a change of use and redevelopment, explaining that he may need to construct an accessory dwelling unit (ADU) in the future to accommodate care-related needs. He expressed concern that such a need could trigger a change of use and restrict future options.

City Attorney Nicole Cottle clarified that an ADU would require a formal application and review process, and that while renting a home does not constitute a change of use, state law requires owner occupancy when an ADU is present. City Administrator Derek Oyler provided additional clarification. Mr. Gailey stated that he did not believe the proposed roadway addressed a current transportation need and expressed concern that the alignment could unnecessarily limit future development. He suggested that alternative alignments could meet long-term connectivity needs without imposing restrictions on existing properties and questioned why nearby developments were not subject to similar requirements.

In response to questions from Commissioner Bogue, Mr. Gailey indicated that he could support a curved east–west roadway but strongly opposed any roadway along First West, stating that such an alignment would significantly impact existing homes and businesses and could require removal of structures. He also noted that portions of the proposed alignment appeared to cross property not owned by the City.

Commissioner Waldron later asked whether Mr. Gailey had an active ADU application. Mr. Gailey responded that he did not and explained that any future application would depend on personal circumstances, potentially within the next two years.

In closing, Mr. Gailey raised concerns regarding the proposed right-of-way width, noting that even a 70-foot roadway would significantly impact the Burger and Scoops building, while a 99-foot right-of-way could require its removal. Chairman Manning acknowledged the concerns and clarified that the current discussion was limited to whether the roadway should be included in the master plan, with detailed impacts to be evaluated later. Mr. Gailey requested that the Commission deny the proposal, return it for further study, or continue the item to allow additional review and public input.

**Public Comment – Monty Worthy, Affected Property Owner**

Monty Worthy, co-owner of Burgers and Scoops, addressed the Commission. He expressed appreciation for the discussion and noted that he had only recently become aware of the proposal. Mr. Worthy shared that he and his wife were considering selling their business as they prepare for retirement and stated that uncertainty surrounding

future roadway planning made it difficult to understand how the property could be used or improved moving forward.

Mr. Worthy questioned whether the proposed roadway would provide a clear public benefit and expressed concern about potential impacts to existing businesses. He emphasized the importance of allowing property owners to maintain flexibility in selling or improving their properties and noted that the business represents a significant personal investment. He asked the Commission to proceed thoughtfully and to consider the impacts on existing property owners should future development occur. Mr. Worthy thanked the Commission and indicated that his questions had been addressed.

#### **Public Comment – Randy David, Affected Property Owner**

Randy David addressed the Commission as an affected property owner. He explained that all three of his properties would be impacted by the proposed roadway and noted that one structure on the northern portion of the site would likely need to be removed. He described this as a necessary step to improve the area but expressed concern that the proposed roadway could significantly limit his ability to move forward with future development plans, particularly given the long-term investment he has made in the properties.

Mr. David further explained that uncertainty surrounding future roadway timing and scope made it difficult to plan responsibly. He expressed concern that property owners could be restricted for extended periods while future development remains undefined and emphasized the importance of preserving property rights until development is clearly necessary.

In response to questions from the Commission, Mr. David clarified that he owns three adjacent parcels along 100 West and had intended to pursue development consistent with current zoning. He expressed concern that the proposed roadway could require dedication of a substantial portion of his land. Mr. Gailey then posed follow-up questions regarding whether development of the parcels would require roadway construction.

City Administrator Derek Oyler explained that while development typically requires construction of the portion of roadway adjacent to the parcel being developed, general commercial development requires public roadway access. As a result, if a parcel zoned for general commercial use were developed and a public roadway did not already exist, roadway construction would be required to provide access to that parcel.

Chairman Manning thanked Mr. David for his comments and noted that several of the questions raised would require further coordination with City staff outside the public hearing process. Mr. David thanked the Commission for the opportunity to speak.

**Motion:** Commissioner Coppieters moved to close the public hearing. Commissioner Herbert seconded the motion, which passed unanimously.

Chairman Manning formally thanked those who had participated in the public hearing, noting that their input was helpful as the Commission worked toward a recommendation. He then opened the floor for Commission deliberation.

Commissioner Coppieters stated that after reviewing the materials, hearing from staff, the City Attorney, and public comment, he continued to have concerns with the proposal. While recognizing that general plans address future possibilities, he expressed concern that constructing an ADU could trigger roadway requirements, particularly given the City's efforts to make ADUs more accessible. He also noted that property owners purchased their homes without knowing such obligations could arise, which weighed heavily in his concerns.

Commissioner Bogue shared that while she understood the importance of long-term planning and future connectivity, particularly along Second West, she also recognized the significant impact such connectivity could have on existing homes and school property. She recognized the value of Brigham City's roadway standards but expressed empathy for residents potentially impacted by a 99-foot roadway.

Commissioner Constantineau expressed concern about the lack of clarity surrounding the school district's long-term plans. While he recognized that development may be many years away, he felt it would be helpful to better understand the district's intentions. He supported extending Second West as a logical connection but acknowledged the impact on nearby homes and thanked residents for their input.

Chairman Manning responded that the school district itself may not yet have definitive plans. City Administrator Derek Oyler added that he and the mayor had met with school district leadership and explained that although the general obligation bond initially contemplated replacing Lakeview Elementary, that plan has since changed. He noted that while the school is aging and future changes are anticipated, no immediate plans are in place. He also explained that the site presents significant access challenges and already experiences traffic congestion, particularly during school drop-off and pick-up. Commissioner Constantineau acknowledged that traffic challenges exist citywide, though Mr. Oyler emphasized that this site presents particularly difficult constraints.

Commissioner McConkie stated that the issue was complex and difficult, noting that while long-term connectivity may be needed, development could be triggered by individual property owners before broader plans are in place. She expressed uncertainty about the best course of action and acknowledged the difficulty of balancing future needs with present impacts. Chairman Manning echoed her sentiments, noting that he had also struggled with the decision. Commissioner Herbert added that while the decision is difficult, growth is inevitable, and the city must plan responsibly for its future.

During further discussion, Commissioner Waldron raised concerns about whether adoption of the amendment could affect a property owner's ability to sell, referencing earlier comments from Mr. Worthy. City Administrator Derek Oyler explained that if a business were sold and the use remained the same, the amendment would not impact

the transaction. However, if a future owner sought to change the use, additional review could be required. Commissioner Waldron noted that this uncertainty could affect a potential sale. Mr. Oyler responded that property owners or prospective buyers could meet with staff to discuss proposals in advance and that determinations would be made based on specific circumstances.

Mr. Oyler further explained that the proposed east–west roadway would likely resemble existing roads such as 800 South, though its full extent remained uncertain. He noted that future development would dictate its reach and reiterated that as long as the existing use remained unchanged, no roadway improvements would be required. Commissioner Waldron acknowledged the explanation and emphasized the importance of balancing community needs with fairness to property owners.

Commissioner Coppieters then raised additional concerns about whether a change in use—while still remaining commercial—could trigger roadway requirements. Mr. Oyler clarified that a simple change in ownership or business type would not constitute a change in use, and that each proposal would be reviewed individually through the standard process. However, he acknowledged that the presence of a planned roadway introduces considerations that would not otherwise exist.

The discussion then returned to accessory dwelling units. Mr. Oyler explained that staff cannot determine ADU eligibility without a formal application and review of zoning, setbacks, and code requirements. City Attorney Nicole Cottle clarified that her earlier comments were limited to whether an ADU could be permitted at all and did not address roadway impacts. City Planner Mark Bradley added that when a roadway is identified in a master plan, new structures are generally restricted within that corridor to avoid future conflicts, which is why such alignments are identified early.

Commissioner Coppieters reiterated concern that this situation differs from typical development scenarios because it affects existing homes rather than undeveloped land. Mr. Oyler acknowledged this distinction and noted that staff anticipates redevelopment in older areas of the city. He explained that past decisions allowing commercial development on private or dead-end roads have created long-term challenges, citing areas near Walmart as examples. For that reason, staff believe it is important to avoid repeating those conditions and to plan infrastructure proactively.

Commissioner Constantineau observed that the proposed roadway would extend only a short distance and questioned whether it would significantly increase traffic flow. Mr. Oyler responded that traffic impacts depend on future development intensity and that general commercial zoning allows for high traffic uses. Because those future uses are unknown, planning must account for potential impacts rather than current conditions. He emphasized that allowing high traffic development without proper roadway connectivity would constitute poor long-term planning.

Chairman Manning then asked whether there were any additional comments before the Commission proceeded toward a motion.

**Motion:** Commissioner Coppieters moved that the planning commission, acting as the recommending body to the city council recommend disapproval of application #25-097 Subject to Staff comments, Findings of Fact, and stipulations as noted. Commissioner Constantineau seconded the motion and it passed by a 4-2 vote.

**Ayes:** Coppieters, Constantineau, Herbert, Bogue

**Nays:** Waldron, McConkie

Following the Commission's action, Commissioner Coppieters explained that his vote reflected concern that the proposal placed an undue burden on existing property owners who did not anticipate such requirements when purchasing their properties. While he supported long-term connectivity in concept, he felt the uncertainty created by the proposal weighed too heavily on current owners.

Chairman Manning thanked those in attendance and noted that the item would proceed to the City Council. City Administrator Derek Oyler clarified that the Planning Commission serves in an advisory role and that the City Council may approve, deny, or return the item for further review. He added that while a public hearing is not required at the City Council level, public comment would still be accepted.

During continued discussion, Commissioner Waldron emphasized the need for greater clarity for property owners, particularly regarding how future development or changes in use could affect them. Commissioner Coppieters reiterated his concern that uncertainty surrounding potential ADUs or redevelopment could unfairly burden property owners. Mr. Oyler explained that development must be evaluated on a case-by-case basis and noted that general commercial development and cul-de-sac access present long-term planning challenges that require careful consideration.

Chairman Manning concluded by thanking the Commission, staff, and members of the public for their thoughtful and respectful participation before moving on to the next agenda item.

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#### **Application #25-100 / Amend Baird-Glauser Subdivision / Baird-Glauser Subdivision Second Amendment, Amending Lots 4 and 5 / 530 South 900 West / David Yates**

Mark Bradley, City Planner, presented the site and background. He noted the applicant previously presented a concept plan and has acquired several westerly properties with future access planned off 1050 West. Mr. Bradley explained City Code and fire access standards limit the number of units served by a single access and require a second access for this type of multifamily development. He stated that a future master-planned road is intended to connect northward toward 400 South, generally paralleling the railroad; however, the applicant's timing is dependent on when adjacent properties develop.

Mr. Bradley reviewed the original Baird-Glauser plat and explained the proposed amended plat changes, including renumbering lots consistent with county recording practices. He stated that

portions of Lot 5 (now referenced as Lot 13) are included due to boundary adjustments associated with creating the secondary access. He described changes that would allow a secondary access between Lot 14 and the Cottonwood Grove subdivision and noted that the rear portion of Lot 14 (including the shed/orchard area) would be separated and combined into Lot 15. He explained that Lot 14 could be sold and function as a stand-alone lot independent of future development on Lot 15, and that Lot 15 was not being assigned a standard address at this time due to future development variability.

Mr. Bradley identified a proposed 26-foot-wide private drive intended to meet two-way ingress/egress and fire lane standards. He noted that fire code may allow narrower width in limited one-way circumstances, but staff has continued evaluating standards and potential adjustments. He stated staff review comments had been provided, and that updated survey documents could be finalized through the normal process prior to recording. He noted this was a "hybrid" procedural area for amended plats without new road dedication, and that the Planning Commission could recommend approval conditioned on addressing review comments.

Commissioner Coppieters asked about fencing along Cottonwood Grove. Mr. Bradley confirmed a precast concrete fence exists and noted the fencing includes a radius that improves visibility near the proposed access location at 900 West. Mr. Bradley explained engineering/public works recommended a concrete apron like a private driveway entrance due to proximity of the access and traffic considerations.

Chairman Manning invited David Yates to the microphone. Mr. Yates thanked the Commission and stated the proposal was intended to solve access challenges and separate the existing home in a way that functions long term. He noted ongoing coordination with City staff and Hansen Engineering and stated he was available for questions.

Chairman Manning asked whether Lot 14 would retain the existing home and whether the driveway radius would be adjusted. Mr. Yates confirmed the intent was to preserve the existing residence while meeting setbacks and allowing the private drive width if required. He explained there had been coordination with a neighbor to acquire sufficient area to meet setbacks and allow the drive and adjusted the rear property line near the existing fence to separate the orchard/shed area.

Commissioner Coppieters raised a concern regarding how the private drive would interact with the existing home's parking/driveway and whether any physical division would be needed. Discussion followed regarding whether access would remain from the private lane or whether direct access could be provided from 900 West, noting public works spacing and access standards would need review. Mr. Bradley stated staff would need to confirm legal and functional access for the existing residence and suggested the solution could include a cross-access agreement if direct access from 900 West is not feasible. Commissioner Coppieters indicated he was comfortable with the application if the cross-access issue is addressed. Other Commissioners indicated no additional questions.

Mr. Yates confirmed he had reviewed and was generally agreeable to staff comments but asked for clarification regarding the requested 15-foot sewer easement, noting he believed an existing sewer easement may already exist (possibly 10 feet) and he wanted to confirm whether an

expansion was necessary. Mr. Bradley explained staff requested sewer department guidance on an appropriate easement width for maintenance and noted staff would review the title report to confirm whether an existing easement exists and its width. Mr. Yates stated he had no objection to maintaining existing easements and wanted to ensure any requested changes were justified. Mr. Yates asked about the address for lot 15, noting an existing water line and a reference to 532 South. City Planner Mark Bradley explained that this is a utility-only address and that no permanent address has been assigned due to the lot's lack of frontage and potential future development options. Mr. Yates thanked staff for the clarification.

Chairman Manning asked about an engineering comment related to storm drainage and detention. Mr. Bradley clarified those comments were primarily future development considerations tied to Lot 15, and that the current amendment was driven mainly by creating second access and ensuring the existing home (530 South) could remain as a compliant, stand-alone lot. Commissioner Coppieters stated any recommendation should include the requirement for a cross-access agreement unless direct access from 900 West is approved.

**Motion:** Commissioner Coppieters moved that the Planning Commission, acting as the recommending body to the Director, the Land Use Authority, recommend approval of application #25-100 noting the need for a cross-access agreement to lot 14 to the private drive if needed, subject to Staff comments, Findings of Fact, and stipulations as noted. Commissioner McConkie seconded the motion and it passed unanimously.

Motion to adjourn

**Motion:** Commissioner Herbert moved to adjourn the meeting. Commissioner Bogue seconded the motion, which passed unanimously.

The meeting was adjourned at 8:00 p.m.

*This certifies that the regular meeting minutes of December 16, 2025, is a true and accurate copy as approved by the Planning Commission on January 20, 2026.*

Signed: \_\_\_\_\_ *Destry Larsen*

*Destry Larsen, Administrative Assistant*