

MINUTES OF THE GRANTSVILLE CITY PLANNING COMMISSION HELD 2/21/2019.

The meeting was held in the Grantsville City Council Chambers at 429 East Main Street in Grantsville, Utah. Those present were Commission Chairman Jaime Topham, Commission Member Gary Pinkham, Commission Member Erik Stromberg, and Alternate Commission Member Shane Watson. Absent was Commission Member Jacob Linares. Also present were Zoning Administrator Kristy Clark, Attorney Brett Coombs, Shay Stark with Aqua Engineering, Fire Marshal Brad Clayton, Christina Peabody Kener, Monte Kingston, Travis Taylor, Reid Dickson, and Barry Bunderson.

CALL TO ORDER AND PLEDGE OF ALLEGIANCE

7:00 P.M. PUBLIC HEARINGS:

a. Proposed amendment to the PUD Requirements for Commercial Development.

Chairman Jaime Topham opened the public hearing at 7:00 p.m. and called for comments.

With no comments offered, Chairman Jaime Topham closed the public hearing at 7:00 p.m.

b. Proposed Rezone of 30 acres of land located at approximately 228 S 1160 W for Joell Dowden to go from an A-10 zone to a RR-5 zone.

Chairman Jaime Topham opened the public hearing at 7:01 p.m. and called for comments.

With no comments offered, Chairman Jaime Topham closed the public hearing at 7:01 p.m.

c. Proposed Commercial Conditional Use Permit Application for Christina Peabody located at 54 East Main Street to have a Dog Kennel and Dog Grooming business in the CN zone.

Chairman Jaime Topham opened the public hearing at 7:01 p.m. and called for comments.

Robin Hensley said to the Commission: I just have a couple of questions to ask her because my property adjoins hers. I know she's going to put in a vinyl fence. Is she going to take my fence down to put her fence up? And what are we going to do with the light post that is on her property and my lilac bush which is on my property?

With no additional comments offered, Chairman Jaime Topham closed the public hearing at 7:02 p.m.

d. Proposed Rezone of 9.7 acres of land at approximately 533 East South Street for Earl F. Larsen to go from an RR-5 zone to a RR-1 zone.

Chairman Jaime Topham opened the public hearing at 7:03 p.m. and called for comments.

With no comments offered, Chairman Jaime Topham closed the public hearing at 7:03 p.m.

e. Proposed Rezone of 1.5 acres of land at approximately 320 West Pear Street for Mountain Vista Development to go from an RM-7 zone to a R-1-21 zone.

Chairman Jaime Topham opened the public hearing at 7:03 p.m. and called for comments.

Richard Johnson stated to the commission: There are a few issues that I have with this. One is that when this development was started, the property was set aside for an egress. That is why they didn't develop the property. Since then, they purchased some other property and made another egress. For me, this isn't a problem because it wasn't my property they bought. My problem is when they began this development, they created some problems that affected my property. The Mayor and City Attorney have been informed of the issues and they have been dealing with them for the last three years. One of the issues is the road in front of my place, I can't get trailers in and out of my driveway. They also were supposed to have a six-foot privacy fence put up all the way around their development. And that hasn't happened. Why should we step up and assist developers and allow them to do more developments when they're not following through on what they were supposed to do with the developments that they already have going? If these developers are going to come out here and half way things, we shouldn't allow them to continue to develop out here when there are other developers that just might do the job a little bit nicer. I think we should hold these developers to what they say, when we give them an approval. If they're going to create problems for the residents that have been here for years, why should we continue to allow that to happen? And that's not just with these developers. It's with any of them. I'm seeing it more and more. Developers come in and develop a property and they leave messes and create problems for the residents. I do believe that there are laws about that where they cannot be allowed to do that. That's where I stand on that. I firmly disagree with it until they do what they were already supposed to be doing.

Rodney Hammond stated to the Commission: I live at 365 South Cooley Street. When they built those homes up there and they brought in all that fill dirt, they raised up the elevation three to four feet which turned my property and my neighbor's property into a catch basin for the run-off. Only half the water goes down the west side of the street. The rest of it shoots straight across that road and into our yards. I say no. Absolutely not. Thank you.

With no additional comments offered, Chairman Jaime Topham closed the public hearing at 7:10 p.m.

- f. **Proposed #2 Amended Concept Plan for Mountain Vista on the Hinckley Park Subdivision at 410 South Cooley Street for the creation of forty-six (46) .5 acre lots instead of forty-three (43) .5 acre lots in the R-1-21 zone and one (1) 1.5-acre lot in the RM-7 zone.**

Chairman Jaime Topham opened the public hearing at 7:10 p.m. and called for comments.

Richard Johnson stated to the Commission: Hi, my name's still Richard Johnson and I still have the exact same complaints. It's the exact same developers on the exact same development. The exact same complaints apply. Why should we work with people that aren't doing what they're supposed to be doing? And I've been dealing with this for three years now. I'm getting kind of disgusted about it.

With no additional comments offered, Chairman Jaime Topham closed the public hearing at 7:11 p.m.

CHAIRMAN JAIME TOPHAM, OFFICIALLY CALLED THE MEETING TO ORDER AT 7:11 P.M.

1. Consideration to recommend approval to amend the PUD Requirements for Commercial Development.

Jaime asked Shay Stark with Aqua Engineering if there were any other changes recommended or just the change of the memo from January 15th. Shay replied that those were basically the only changes. He said that he had one question and stated: We have some other types of facilities that have a residential component to them. Should we exempt all of these from the 50% open space requirement? Are there some that you feel would benefit from that 50% open space requirement or would the residents utilize that open space? Gary replied that if you've got retirement homes, rest homes, or elderly resident facilities, they have as much right to open spaces as an apartment full of kids, so open space should be there. Jaime stated: I had a different viewpoint. Would they actually utilize the open space or would they be better served in having more property available to build amenities for the people that are probably going to be more indoor functioning than outdoor functioning? Shay mentioned that he went through the definitions and other sections of our code and made a list of the facilities that would fall under the requirement of having to go through the PUD process that may or may not utilize a large amount of open space. As this is written, everyone would have to provide a

minimum of 15%. Jaime asked if the change would be for 30%. Shay responded that no, the change says 50% but it's primarily for residential developments that go through that PUD process. Jaime asked what the requirement would be for commercial development. Shay said that it would be the 15%. He stated: Basically it refers back to our open space code which also allows them to pay a fee towards improvement of a nearby park or open space or acquire land in another location. There's some flexibility there for them. Gary asked regarding the sentence "at least 50% shall be open space with at least 30% of the total dedicated to open space and improved open space" why we have two different numbers for open space. Jaime said she thought it should just say "30% dedicated to improved open space." Shay agreed that we probably ought to remove that "to open space and" and leave the "improved open space" in there. Gary stated: As far as the commercial uses that contain a residential component, they should have open space. Now, there may be specific issues that we may need to amend. But the way it reads now, I'd leave it at 50%.

Jaime made the motion to recommend approval to amend the PUD Requirements for Commercial Development as stated in our January 15, 2019 memo. The change in (paren b) removes "open space and" and leaves the "improved open space" so it reads "at least 50% shall be open space with at least 30% dedicated to improved open space." Gary seconded the motion. All voted in favor and the motion carried unanimously.

2. Consideration to recommend approval to Rezone 30 acres of land located approximately at 228 S 1160 W for Joell Dowden to go from an A-10 zone to a RR-5 zone.

Joell Dowden was present for this item. Jaime stated to Ms. Dowden: I was at the City Council meeting last night and we had a conversation about what the City Council was doing with rezones. They're not necessarily approving the rezones because we're in the middle of a revamp of our master general plan and part of that process is going to be potentially revamping our future land use. And when we look at approving rezones we look at what our future land use allows. I just wanted you to be aware of that since this is your next step. As far as your request, it looks like it's appropriate for a future land use and what we currently have in place. Gary stated: They are not asking for small lots, so it's not like we are making a quantum leap. And we aren't having to change the master plan. Jaime stated that there is a lot just on the other side of the section line that's a RR-1. Joell mentioned that she thought about going to the RR-1 but then that would create more lots and then she would have to come back with a Major Subdivision instead of a Minor. Gary asked how many parcels the lot was going to be broken into. Joell stated: Well, right now my house sits on the ten acres and my mom and I own the

20 acres across the street. For right now, I just want to be able to have my daughter or my sister build next door, so my plan is to divide the 10-acre lot into two and the 20-acre lot into two.

Jaime made the motion to recommend approval to Rezone 30 acres of land located approximately at 228 S 1160 W for Joell Dowden to go from an A-10 zone to a RR-5 zone. Robbie seconded the motion. All voted in favor and the motion carried unanimously.

3. Consideration to recommend approval of the Commercial Conditional Use Permit Application for Christina Peabody located at 54 East Main Street to have a Dog Kennel and Dog Grooming business in the CN zone.

Christina Peabody and Barry Bunderson were present for this item. Jaime stated to Attorney Coombs: We were handed a letter while we were in the public meeting, but I didn't have a chance to open it and it's for this item. Should I read the letter into the record? Attorney Coombs stated: It should have been read during the public hearing. Jaime stated: I understand, but I didn't open it until the last agenda item. Attorney Coombs stated: Since the decision hasn't been made yet, you can read it. Jaime read the letter for the record: "Dear Mayor and City Hall members, I'm Brent Anderson and I live next door to the proposed dog grooming kennel. I work straight graveyard shifts in Salt Lake City - twelve hour shifts - and I am opposed to a dog kennel being right next door. A dog grooming shop would be fine, but not a kennel. I called City Hall two times because the owner never turned on the heat and froze water pipes a week ago. My concern is getting sleep during the day. Kennel dogs do not stop barking. She needs to put kennel dogs out away from houses, not downtown Main Street. I hope you will take into account all the other homes of people that live next to me also. It is too close for kennels. Sincerely, Brent Anderson. 62 East Main Street." Jaime addressed Kristy Clark: So this business has been in a residential area. Have we had any complaints? Kristy stated that no, there haven't been any complaints. Jaime then addressed Christina Peabody: If you're kenneling dogs, are they going to be overnight dogs? Obviously we want to address that concern. Christina stated: They'll be overnight. The kenneling will be for the people who go out of town and need dog boarding. Jaime asked what will be done about barking and how the dogs will be handled. Christina answered: The dogs will be inside the building at night and during the day. They'll be let out just about every hour with the supervision of a handler at all times. Jaime said: We had a citizen ask a couple of questions. Do you mind responding to her questions? Christina agreed to respond to the questions. It was decided that for the fence, it would be left up to her and what she wants to do. Christina stated: We discussed it a little bit and she didn't think there was enough room to put two fences butting up against next to each other. The fence will be taken down and we want to pay for all of it ourselves, so she won't have to pay for anything with the fence. Barry Bunderson added: The existing fence is a chain link fence and we're going to put a solid vinyl privacy fence so that the dogs won't be heightened by

something else going on. It just makes sense to put a solid fence up all the way around and take down the old fence as long as she's okay with it. Christina continued: She was also concerned about the fire hydrant and also what we think is a power line. Barry Bunderson added: All of those will stay intact. That pole will remain there. It's a utility owned by a utility company, not the owner, so those will all stay in place. Christina continued: As far as the kenneling, when it's overnight, the dogs are going to be indoors, and we actually have a plan for the material we're going to use for the addition of the building, which is where the dogs will be held. Barry Bunderson added: Obviously, it will be insulated. They're two by six walls, that will have full insulation. Some of those details are still to be worked out. We are looking at a few different types, depending on what is better for sound. She'll also have sound dampening panels mounted on the inside of the walls. Christina stated: If a dog is barking, I'll have 24/7 monitoring with video cameras that I'll have full access to. If a dog is barking continuously, then it is stressed and for me that's not okay. I have a plan that when new customers are going to need kenneling, they will have to do at least one overnight. For example, if they're going on a cruise and they want to leave their dog for three nights, they're going to have to do one overnight with me to test how the dog will handle the situation. If the dog is going to sit there and bark all night, pant, and freak out, then we're going to have to do some training or figure out if this is a good idea or not for the dog. Attorney Coombs asked Madam Chair if there had been any discussion about the sanitation of the property. He asked how it would be kept clean. Jaime answered that there had not been any discussion about that yet. She asked Christina to address this and explain how she will handle that. Christina answered: Yes. So for our outdoor exterior dog run, we're actually going to be using a material which is a fake turf that's specific for animals. The turf requires a sprinkler system that will help with the leaching of the urine. There's going to be a handler with the dogs when they're outside. So whenever a dog uses the restroom, the handler will pick it up right then. We'll have bins that are sanitary and sealable, so when the poop is in there it isn't smelling. Once all the hard stuff's picked up, just the urine is left. So then what happens is rain or the sprinkler system will clean the fake turf and it will leach down into the earth. So we're going to be making sure there is tons of natural leaching that can happen right there in that area. For the indoor area, we're going to be having a lot of drains put in. We're going to have a trough drain that goes down the whole distance between those kennels. Every hour to hour and a half, the handlers will come and take the dogs to go potty. If there is poop in the kennels, it will get picked up right away. The only thing that the trough drains will be used for is urine and water. We're going to be putting in a hose hookup with hot and cold water on that end of the building so that the kennels can be sprayed out. The same thing applies to the indoor play area. Jaime said: It sounds like you've really done your homework. Onto the grooming part of it, the kennel is permitted in that zone, but the grooming part of it is not permitted, so that's what you're actually seeking the conditional use permit for. So is the grooming going to be done by appointment only? Christina answered: Yes. I will have a cage bank upfront in the kennel area for the dogs that

come in to be groomed. I've been grooming for eight years professionally and working with dogs for eight years, so there are a lot of dogs on and off my table.

Jaime made the motion to recommend approval of the Commercial Conditional Use Permit Application for Christina Peabody located at 54 East Main Street to have a Dog Kennel and Dog Grooming business in the CN zone. The conditional use permit is limited to the Dog Grooming. The Dog Kennel is a permitted use in this zone. Shane seconded the motion. All voted in favor and the motion carried unanimously.

4. Consideration to recommend approval to Rezone 9.7 acres of land at approximately 533 East South Street for Earl F. Larsen to go from an RR-5 zone to a RR-1 zone.

Earl Larsen was present and stated to the Commission: When I bought my property many years ago, it was zoned for 10 acres. Then a few years ago they resurveyed it, and then the City sent me a letter saying I now only have 9.7 acres, so I can't split my ground. I'm living alone in a big house. I want to be able to sell my home. I have no plans of subdividing. I just want to be able to sell my house with the one acre that it's on. Jaime asked if then he would sell the rest of the land. Mr. Larsen stated: No. I plan to keep the rest of it, at least for some time because the land's going up in value, the water's going up in value, and I really don't have any reason to sell it, at least not at this time. I don't know what the future will be but I don't plan to. Jaime asked him if he heard her statement to the previous person who was asking for a rezone. She mentioned that we're in the middle of revamping our general plan and that we'll be revamping our future land use maps, so it's entirely possible that the City Council may not approve the rezone. Mr. Larsen answered: No. So they may not let me rezone? Jaime replied: I'm not saying they won't. I'm not saying they will. I'm saying that whatever we do you still have to go to them. The final decision lies with them.

Erik made the motion to recommend approval to Rezone 9.7 acres of land at approximately 533 East South Street for Earl F. Larsen to go from an RR-5 zone to a RR-1 zone. Robbie seconded the motion. All voted in favor and the motion carried unanimously.

5. Consideration to recommend approval to Rezone 1.5 acres of land at approximately 320 West Pear Street for Mountain Vista Development to go from an RM-7 zone to a R-1-21 zone.

Monte Kingston was present for this item and stated to the Commission: I'm here on behalf of Mountain Vista Development. Gary asked him: What do have to say about all the complaints against you? He replied: I don't know anything about those. I've written them down. I'll talk to Derek and Eric about them. This is before me and I don't know. I assume that they developed and built the project per the engineering plans, as far as the elevations. Mayor Marshall asked to speak on this item. The Mayor stated: Madam Chair, Monty Kingston was not the developer of Hinckley

Park. It was Adam Nash, and he has purchased the one and a half acres that is now being discussed. He had nothing to do with Mr. Johnson's situation with the road, and the drop-off that was there. The road and drop-off concerns are real and yes, we have been trying to get them resolved. Adam Nash was the developer of that, not Monty Kingston. Gary asked: Are you and/or the City working with Mr. Nash on that? Mayor Marshall answered that yes, we have been working with him. Jaime asked Monte Kingston why he was seeking this rezone. Monte answered: As you may recall, we came in with a plan for the Multi-Units. It was approved by the Planning Commission. City council was having some heartburn, so they tabled it and asked us to come to an agreement with the Mayor. He proposed a solution to this heartburn with the homeowners in the area, and we felt like we worked out a pretty good compromise. The solution was to move that density over into Wells Crossing into the future phases so that it wouldn't affect any of the surrounding homeowners. It won't affect phase one. Phase one is platted. It might be three or four third-acre lots in each phase so that we have something a little bit more affordable to sell in each phase, but we are not going to clump them into one phase. Jaime asked Councilman Critchlow Neil if the rezone would alleviate the issue that the City is having with that RM-7 zone. She said that it seems like it should've been there. Monte stated: It's a good idea to do the rezone because even if we don't, there's a chance that somebody may buy a house and come back and say, "Hey, we want to subdivide." Jaime asked if this would prevent that property from being subdividing further. Monte answered that yes, it would get rid of that issue and clean it up. Jaime stated if this really addressed all of the issues that the homeowners had in that area with having the higher density. Councilman Critchlow answered that it did. He said that this is good for the City and for the homeowners because everybody up there has half acre lots and this just continues on with that.

Jaime made the motion to recommend approval to Rezone 1.5 acres of land at approximately 320 West Pear Street for Mountain Vista Development to go from an RM-7 zone to a R-1-21 zone. Gary seconded the motion. All voted in favor and the motion carried unanimously.

6. Consideration to recommend approval of the #2 Amended Concept Plan for Mountain Vista on the Hinckley Park Subdivision at 410 South Cooley Street for the creation of forty-six (46) .5 acre lots instead of forty-three (43) .5 acre lots in the R-1-21 zone and one (1) 1.5-acre lot in the RM-7 zone.

Monte Kingston was present for this item. Jaime asked if the Commission had any issues. Gary stated that it looked good.

Jaime made the motion to recommend of the #2 Amended Concept Plan for Mountain Vista on the Hinckley Park Subdivision at 410 South Cooley Street for the creation of forty-six (46) .5 acre lots instead of forty-three (43) .5 acre lots in the R-1-21 zone and

one (1) 1.5-acre lot in the RM-7 zone. Gary seconded the motion. All voted in favor and the motion carried unanimously.

7. Consideration to recommend approval of the Preliminary and Final Plat for Mountain Vista on the Hinckley Park Subdivision Phase 4 at 320 West Pear Street for the creation of three (3) lots in the R-1-21 zone.

Monte Kingston was present for this item. Jaime asked if the Commission had any issues. Gary stated that no, there were not any issues.

Jaime made the motion to recommend approval of the Preliminary and Final Plat for Mountain Vista on the Hinckley Park Subdivision Phase 4 at 320 West Pear Street for the creation of three (3) lots in the R-1-21 zone. Erik seconded the motion. All voted in favor and the motion carried.

Jaime stated to the Commission: We also need to consider the development agreement, the Addendum #1 Development Agreement for Wells Crossing Phases 1-7. I read through it and it looks like it's as you stated, taking the density out of Hinckley Park and putting it into Wells Crossing. You worked that out with the City about how you are going to work through that.

Jaime made the motion to recommend approval of the Addendum #1 Development Agreement for Mountain Vista. Gary seconded the motion. All voted in favor and the motion carried unanimously.

8. Consideration to approve the Preliminary Plans for Reid Dickson with Infinity Consultants and Josh Adams on the Sun Sage Meadows P.U.D. located at 619 West Clark Street for the creation of five (5) single-family lots plus seventy-four (74) multi-housing development in the RM-15 Zone.

Reid Dickson was present for this item and stated to the Commission: We basically have presented the final drawing plans that are required with preliminary plat application. We went to a DRC meeting back in December and thoroughly discussed all the ins and outs of the design. We addressed all of those comments. There were a few second comments that came in later. We've addressed those as well. We received comments from Public Works Sewer, Public Works Water, City Fire, City Engineering, and City Planning. We think our drawings are complete and everything is ready to go. We can answer any questions if there are any. Jaime said to Shay: I have a question for you. In our memo from Aqua Engineering dated February 13, 2019, it states that at the time the Planning Commission package was assembled, there were a few outstanding issues that the developer's engineer is working with the city to address. Have those all been addressed? Shay answered: Yes, I think we have addressed everything that's on there. All the comments that I'm aware of have all been

addressed. Jaime asked if that included the adjustment in some of the elevations at intersections to minimize slopes along the ADA paths and the relocation of some signs shown in the sidewalks and the provision of an access ramp to the storm water basin. Shay answered that yes, all those had been addressed. Gary stated: I have some issues left over from a previous meeting. I don't think everything has been addressed. There have been requested details on the piping and overflows section there and that has never been addressed. Currently the drawings don't match between the plans and the cross-section in the structure detail. There's a total lack of coordination on the engineering there. The oil/water separator issues have never been addressed. On the street details here, I see where one of them calls for thicker sidewalk but it looks like the other one had a bunch of thin sidewalk. We should probably have everything listed as 4-inch because they're basically all driveways. The retention pond appears to have about a 3-foot high vertical drop around it. There's no engineering details on how that's going to be built to retain the soil to keep the houses from falling in. I don't believe this is ready for review and approval. Shay asked Gary what the date was on the drawings that he was looking at. Kristy Clark stated that they were dated 2/11/19. Shay said that he should have the same set of drawings that they do. Kristy answered that yes, he should. Gary stated: Like I said, a lot of the stuff from the DRC meeting has not been brought forward in these plans. Shay, Gary and Reid Dickson went through the plans page by page and concluded that there were a few issues that still needed to be addressed. Shay stated: Let's recap so that we are all on the same page with what items they need to add to this. They need the catch-basin box that will allow a snout to go in with the sub-basin below, along with the APWA detail for that and it needs to be called out on those three boxes. Well, it's technically four boxes, but those three locations are where we're putting the snouts. They need to add a block wall detail for the side of the basin so it's clear that it's a vertical block wall or a concrete wall if somebody wants to do cast-in-place. The thickness of the sidewalk also needs to be addressed. It needs to be delineated where it's six inches versus four inches. Also, there needs to be a note on there for the safety grates on the flared-end sections to keep the kids from crawling up the pipe.

Jaime made the motion to approve the Preliminary Plans for Reid Dickson with Infinity Consultants and Josh Adams on the Sun Sage Meadows P.U.D. located at 619 West Clark Street for the creation of five (5) single-family lots plus seventy-four (74) multi-housing development in the RM-15 Zone provided that the corrections stated by Shay with Aqua were corrected. Robbie seconded the motion. All voted in favor and the motion carried unanimously.

9. Consideration to approve the Preliminary Plans for Travis Taylor on the Northstar Ranch Phase 2 located at approximately 438 South Cardon Ridge Way for the creation of five (5) single-family lots in the R-1-21 zone.

Travis Taylor was present for this item. Gary stated that he is okay with Phase 2. Attorney Coombs mentioned that the Fire Marshal had raised some issues in his memo saying that there was a question regarding the distance of the fire hydrant item number three. Brad stated: The plans that I was provided with at the time indicated that the fire hydrant between lot 23 and 24 needed to be designed to be at 500 feet. Shay stated: They've gone through and added a couple more fire hydrants. I think there's one more in this phase and two or three more in phase three. I went through after I received the updated plans and checked that they had everything under 500 feet. Brad stated: I will review the new set of plans that I received tonight and if I have any issues I will make a note of it. Shay said: If we need to address this further, for example if they need to relocate one somewhere, we can handle that in the pre-construction meeting, too.

Jaime made the motion to approve the Preliminary Plans for Travis Taylor on the Northstar Ranch Phase 2 located at approximately 438 South Cardon Ridge Way for the creation of five (5) single-family lots in the R-1-21 zone. With the condition that the fire hydrants were addressed as per the Fire Marshal. Erik seconded the motion. All voted in favor and the motion carried.

10. Consideration to approve the Preliminary Plans for Travis Taylor on the Northstar Ranch Phase 3 located at approximately 500 West Northstar Ranch Pkwy for the creation of twenty-two (22) single-family lots in the R-1-21 zone.

Travis Taylor was present and asked the Commission if he could pose a general question. He stated: We've changed the sidewalk and the base underneath to six inches everywhere, but I really would rather have an option, and I didn't know it was available to do four inches and tear it out where we cross it with the driveway and put the six-inch in. I think that would end up being better for us. A lot of times they'll get nicked up anyway when they put the drive approach in, so if we're going to do it, we have such wide frontages and big lots, so if that's an option available to us we'd like to do that. Gary stated: It is an option. For most of the developers, the City just said to put it all in at six because it becomes a real accounting problem for us to go back out and make sure everybody's putting in their six inch sidewalks. We end up going back after a year and they've collapsed, and we find out they were only doing four, and we have to figure out who gets to pay that because it is city property. Travis stated: We don't have any plan to sell any, but we plan on building all the homes. But in the future, on future phases, at some point we might sell a super pad or something like that to another builder. But for the foreseeable future, at least for these first six or so phases, we don't plan on selling any lots, just the houses. Gary stated: The big thing is, like you say, that a lot of subdivisions are going in, especially the smaller lots. By the time you pour four, and then you tear a third of the sidewalk, and put back in six, you're into it deeper than you were if you just paved six all the way at the starting place. Travis stated that he didn't think it would make any sense on a small lot to do it. Gary stated that in his case, it might be cheaper in the long run to do all four than to

cut back to sixes. Travis stated: In the DRC, I proposed that we just do one side of the sidewalk on Osborne. It's undeveloped, and all we need to do is get foot traffic out from the subdivision out to West Street. So it really doesn't make sense to build it on two sides of the road, but the DRC committee said that it's not a decision for us but for the Planning Commission and City Council. Jaime asked what side of the road he would go with. Travis stated: I would propose to do it on the north side of the road because of people walking to town and back. There's really nowhere to go in the other direction. So we would have the handicap crossing there before you leave the development to go to the one side of the road. But it didn't make sense. I don't think it's going to be used. It would be in the winter when it doesn't even get shoveled or plowed or taken care of at all. Gary asked if that was on the south side of the city property. Travis stated that both sides were. Jaime said that it made sense to her. Robbie said that you could put a four-wheeler trail or a trail for horses. Gary mentioned that there was also a comment on that particular stretch as well from Aqua. He said that in the DRC meeting, there was a discussion about changing Osborn Trail road to Durfee. Gary asked the Fire Marshal: From your point of view, would guys prefer it to be all one name from West street to the intersection? Brad said that he thought it would be confusing to have it changing in the middle of a section with no intersection. Erik said that if you keep it as Durfee, you're going to end up with a South. Brad said he thought that would be a nightmare, like getting around South Willow Estates in the dark. Erik said that he thought it would make more sense to go from Osborn to West street. Shay stated: The county has come back to us on two or three subdivisions now, and it has basically told us that if you have a road from one intersection to another intersection, it doesn't matter if it goes full circle or what it does. The numbering on that has to be consecutive the full way up. So if the majority of that road is facing south, everything that's addressed or is headed south will be in that south quadrant, and then the addresses will be a south address for them. So in my mind, personally, it makes the most sense just to call that Osborn Trail Road, because where does the transition occur? And even though we're saying right now, nothing's going to develop along this, because the city owns property to the south side, and it's private to the north. Gary stated: The only other thing I had was water separators. You've got the same problem that Sun Sage Meadows has. Travis asked: So we just need to lower the bottoms of those? Attorney Coombs asked: One question I did have on the open space is about the drainage basin. Is it going to be deep enough that there's any concern for liability of kids falling in there? Travis said that a sign warning of danger could be put up.

Gary made the motion to approve the Preliminary Plans for Travis Taylor on the Northstar Ranch Phase 3 located at approximately 500 West Northstar Ranch Pkwy for the creation of twenty-two (22) single-family lots in the R-1-21 zone. The motion was approved under the condition that the storm drain boxes that feed the storm water retention basins or detention basins be modified to have an HD oil separator and that the fire hydrants be checked by the fire department and the section of the street shown

on C-2.4, Osborne/Durfee Street up to lot number 52 has sidewalk on one side of the street and a gravel trail on the other. Robbie seconded the motion. All voted in favor and the motion carried.

- 11. Report from Council Liaison Member, Neil Critchlow.** Councilman Critchlow stated to the Commission: I met with James Waltz and one of his requests was- he's our Public Works Director. As we're requiring parks and open space, that they put in any of those amenities that we're going to have to inspect. He's a certified inspector and they need to hold them up to the ADA specifications. Jaime asked, so when we're approving these things we need to be requiring them, that their parks need to be ADA complaint. Councilman Critchlow answered, yes. Now if you put in playground equipment, they have to be covered. They just have done a lot of different things over the last few years that we haven't kept up on. Jaime asked, are those in ADA guidelines that we can just reference that any park amenities must be compliant with ADA guidelines? Councilman Critchlow stated, we probably should have James come and explain some of those things to you as a group. I think that would be a good idea. There were just a lot of things that he brought up that if we're requiring people to do certain things in their parks and the open space that they give us that they have to meet a certain level or the city's going to get stuck paying for it in the long run because it will eventually come back to us. Now, Reid Dickson didn't have a development agreement. Attorney Coombs stated, they did not. Kristy Clark stated, that he had mentioned bringing in a Development Agreement with his final application. Councilman Critchlow stated, and he has not talked to the people on the other side there about finishing their development agreement for that road or anything else. This is way premature as far as I'm concerned. Attorney Coombs stated, so we have a development agreement we sent to them, they've had a couple phone conferences, they can't get on the same page. At this point it's not for the city to create a development agreement for them, this is between them. Councilman Critchlow mentioned, in fact it was their lovely attorney that mentioned that every place should have a development agreement. I think that's probably a good idea as we go through these developments and we have Gary hanging over and stating, you'll have to put this in your development agreement. I think those are good things for our developers so they don't try to sneak anything by. Jaime stated, I know that there's quite a few times that things leave here with Gary's lots and lots of comments that don't necessarily make it in the motions of the city council, that's an important detail as well. Councilman Critchlow stated,

we need to do that. And I will be a lot more diligent in getting those things in there. Jaime stated, I want to make just one comment since I was at city council last night, I think it's really important from the attorney standpoint that we be very specific in our language and very accurate in our language. Motion was made to purchase water, the specific language I believe was 'the motion is to purchase four shares of water rights for \$6,959 and it should have been each, or per share and it wasn't made that way. If we're not more accurate that's where the loopholes come in, that's where the problems come in when people don't follow up doing what they said that they're going to do and you have the issues like Mr. Johnson brought up on his end. We have to be more careful in our language and we have to have written agreements or written findings. Gary stated, I agree with you because there's a lot of things outside of what we're doing here that should be written down and formalized. You know, we've got issues of fencing, access issues, a lot of different things that go beyond the property line that aren't covered on their drawings and stuff. Councilman Critchlow stated, I think we need a development agreement with Monte Kingston on the Hunter Place. It just needs to be as simple as putting in curb and gutter and sidewalk on the south side, he's just going to put a ribbon along there and that needs to be in writing to maintain our roads so they don't slough off on that side. If Jeff Butler decides that he's going to develop his property at some time and he'll have to put in curb and gutter. Those are types of things that should be in a development agreement and that we need to have in place, because those are simple. That's my thought.

12. Consideration to approve the meeting minutes for the previous P&Z Meeting that was held January 10, 2019.

Erik made the motion to approve the meeting minutes for the previous P&Z Meeting held on January 10, 2019. Jaime seconded the motion. Robbie and Shane abstained and the motion carried.

13. Adjourn: Jaime made the motion to adjourn the meeting at 9:25 pm. Gary seconded the motion. All voted in favor and the motion carried.

Kristy Clark
Zoning Administrator