

MINUTES
ENOCH CITY PLANNING COMMISSION
May 14, 2019 at 5:30pm
City Council Chambers
City Offices, 900 E. Midvalley Road

MEMBERS PRESENT:

Commissioner Paul Hardy
Commissioner Greg Peterson-absent
Commissioner Andrew Meacham
Commissioner Debra Ley
Commissioner Bob Tingey

STAFF PRESENT:

Rob Dotson, City Manager
Katherine Ross, Council Member
Julie Watson, City Recorder

PUBLIC PRESENT: Dallas Buckner, Alex Meisner, Bob Platt, Caroline Jones, Ivan Matheson, Jr., Kirk & Roxanna Allen, Jennie Vossler and Connie Hurley

1. **CALL TO ORDER OF REGULAR MEETING**-By Chairman Tingey at 5:30 pm. He excused Commissioner Peterson who had another commitment tonight.
 - a. **Pledge of Allegiance** –Led by Commissioner Ley
 - b. **Invocation** –Audience invited to participate. Given by Carolyn Jones
 - c. **Inspirational thought**-Given by Commissioner Ley
 - c. **Approval of agenda for May 14, 2019-Commissioner Hardy made a motion to approve the agenda. Motion was seconded by Commissioner Meacham and all voted in favor.**
 - d. **Approval of minutes for April 23, 2019-Commissioner Ley made a motion to approve the minutes. Motion was seconded by Commissioner Hardy and all voted in favor.**
 - e. **Conflict of Interest Declaration**-none stated

2. **PUBLIC HEARING ON ZONE CHANGE FOR PROPERTY OWNED BY THE MATHESON FAMILY TRUST FROM COMMUNITY COMMERCIAL (C-C) TO SINGLE FAMILY RESIDENTIAL R-1-18**

Commissioner Hardy made a motion to close the regular meeting and open the public hearing on the zone change for the Matheson Family Trust. The motion was seconded by Commissioner Meacham and all voted in favor. Chairman Tingey invited public comments.

Connie Hurley said she lives next to the zone change and is in favor of this change.

Ivan Matheson Jr. said they appreciate the time the Planning Commission has put in on this. The zone change will hopefully help them to sell the property due to the issue of gaining access from UDOT off of Minersville Hwy. for commercial development. The residential zone will allow access through the Dairy Glen Subdivision.

There were no other comments.

Commissioner Ley made a motion to close the public hearing and go back to the regular meeting. The motion was seconded by Commissioner Hardy and all voted in favor.

3. **DISCUSS/MAKE RECOMMENDATION TO THE CITY COUNCIL ON ORDINANCE NO. 2019-05-15-A, AN ORDINANCE AMENDING THE GENERAL PLAN LAND USE MAP AND THE ENOCH ZONING ORDINANCE ZONING MAP BY CHANGING THE ZONING OF APPROXIMATELY 11.80 ACRES OF PROPERTY OWNED BY THE MATHESON FAMILY TRUST, PARCEL #A-**

0950-0003-0000 FROM COMMUNITY COMMERCIAL (C-C) TO SINGLE FAMILY RESIDENTIAL (R-1-18)

Chairman Tingey asked if there was any discussion. Commissioner Ley said she thought there could be no access roads off Minersville Hwy. and asked if they do sell it could it be put back to commercial if the buyer wanted to and they could get an access off Minersville Hwy. It was confirmed that could happen by going through the zone change process.

Commissioner Hardy made a motion to send a favorable recommendation to the City Council on Ordinance No. 2019-05-15-A, an ordinance amending the General Plan Land Use Map and the Enoch Zoning Ordinance Zoning Map by changing the zoning of approximately 11.80 acres of property owned by the Matheson Family Trust, Parcel #A-0950-0003-0000 from Community Commercial (C-C) to Single Family Residential (R-1-18). The motion was seconded by Commissioner Meacham and all voted in favor.

4. REVIEW DRAFT CHANGES ON CARGO STORAGE CONTAINERS

Chairman Tingey said this hit us cold last time and now we have had two weeks to go over it and he asked for thoughts. There was considerable discussion before it was noted that there are two copies of the changes in the packet. One is the original and the other is the one with the changes discussed at the last meeting. Some of the issues brought up were already corrected in the revised copy. Once everyone was on the same page there was discussion of stacking the containers which is prohibited. Commissioner Meacham said if they want to do that as part of another structure like a barn it would fall under the building department rather than the cargo storage container ordinance. It was noted the same is true of a building being used for human habitation. In commercial zones containers can't be stacked. In the temporary section it is not addressed. Temporary is for a certain amount of time so it is not necessary to say it. In a residential area you can live in one if it meets building codes. They can't be used for human habitation in commercial or industrial zones or for temporary use. The only thing they did not talk about was a new clause added as "F." and City Manager Dotson explained saying there are self-storage commercial businesses that use storage containers so we wanted to exempt them because they use many containers. Their compliance would be through the business license that would take the place of the permit as they have so many containers. He referred to the self-storage facility on Hwy. 91. The business license would be the permit.

Chairman Tingey asked if there is a provision for those selling cargo containers that they can have stock on hand to sell. City Manager Dotson he could add that to the commercial zone section. Item "f" will be amended to say "for sale or self-storage". Chairman Tingey confirmed everyone was good with human habitation and not stacking containers and they were. Commissioner Ley asked about the clause "structurally sound and in good repair" and how we would enforce that. City Manager Dotson said if something is not listed in the ordinance we can't regulate it. It is tough to enforce, define or determine the condition of the container but if not in there and something happens we have no recourse our City Attorney said. We could be held liable because we have an ordinance. If we say it has to be in good condition we are protected whether enforced or not. Unsafe appearing containers could fall under the Building Department where someone could report it to the City and we could require they get it fixed if unsafe within certain parameters. For risk sake this has to be in there.

City Manager Dotson noted the Brindley's, who sell cargo storage containers are fine with this ordinance now. They will know our standards and give that information to customers. Chairman Tingey said we made a lot of changes to this. City Manager Dotson recapped the changes. One change is 4a will change to take out the stacking and add may not exceed 46 foot in length. If used for human habitation it must comply with building codes. "5a" is taken out and "5c" says same thing and is ok as written. City Manager Dotson said he would work it over and bring it back so we have a clean final form before recommending to the City Council.

5. MAKE RECOMMENDATION TO THE CITY COUNCIL ON ORDINANCE NO. 2019-05-01-B, AN ORDINANCE AMENDING THE ENOCH CITY ZONING ORDINANCE, CHAPTER 10, SECTION 10-4, CARGO STORAGE CONTAINERS

Commissioner Ley made a motion to table the recommendation to the City Council on Ordinance No. 2019-05-01-B, an ordinance amending the Enoch City Zoning Ordinance, Chapter 10, Section 10-4, Cargo Storage Containers until May 28, 2019. The motion was seconded by Commissioner Hardy and all voted in favor.

6. REVIEW/MAKE RECOMMENDATION TO CITY COUNCIL ON CIVIL PLANS AND FINAL PLAT FOR IRON MOUNTAIN SUBDIVISION, PHASE 3, RESOLUTION NO. 2019-05-15-A RESOLUTION APPROVING THE FINAL PLAT OF IRON MOUNTAIN SUBDIVISION, PHASE 3

City Manager Dotson said the Iron Mountain Subdivision preliminary plat was approved earlier. The civil plans (construction drawings) and final plat are here for approval. The civil plans were reviewed extensively and fit all Enoch standards. This is a technicality that the Planning Commission has to approve this as our Subdivision Ordinance is currently written. There are some fees that still need to be paid. The water rights were deeded years ago. He said if passed, the motion needs to say the approval is contingent upon payment of fees and bonding.

Commissioner Ley made a motion to send a favorable recommendation to the City Council on the civil plans and final plat for Iron Mountain Subdivision, Phase 3 contingent on fees and bonding being completed. The motion was seconded by Commissioner Hardy and all voted in favor.

City Manager Dotson added we had previously asked the owners to improve the road from the subdivision to the west but because of other accesses into the subdivision that meet all of the requirements that is not required of the developer. We will use Class C road funds to make road improvements. We will also be meeting with county residents who border this road to talk to them about easements for a 66 foot roadway for this road, 4200 North. This road is on our General Plan Land Use Map and eventually the other subdivision to the east will connect and then it will go on to Hwy. 91 in the future. The right-of-way is not wide enough now so we will ask the residents to give easements.

7. REVIEW/MAKE RECOMMENDATION TO CITY COUNCIL ON THE PRELIMINARY PLAT, CIVIL PLANS AND FINAL PLAT FOR SETTLERS SQUARE SUBDIVISION, PHASE 1, RESOLUTION NO. 2019-05-15-B, A RESOLUTION APPROVING THE PRELIMINARY PLAT, CIVIL PLANS AND FINAL PLAT OF SETTLERS SQUARE SUBDIVISION, PHASE 1

City Manager Dotson said this is a bit different. The owners have been working on this for a long time. We did not do a preliminary plat because it is the same as the final plat and they meet all the criteria so we are doing it all in one process; preliminary plat, civil plans and final plat at the same time. The civil plans were extensively reviewed and are approved by the City Engineer and meet all City standards. This includes the final phase of the NRCS drainage project the City is funding. We met this morning with Precision Pipeline who is contracted to do this. There are 43 lots in this phase. It was noted this looks pretty straightforward. It is zoned R-1-11 but there is only a few lots that are 11,000 SF. Many are larger. This is well thought out and the buffer from smaller to larger lots flows well. City Manager Dotson said we hope other R-1-11 zones will be as good as this one. This has the same issues with fees, bonding and water rights needing to be mentioned in the motion with approval being contingent on that being taken care of.

Commissioner Meacham made a motion to send a favorable recommendation to the City Council on Resolution No. 2019-05-15-B, a resolution approving the preliminary plat, civil plans and final plat of Settlers Square Subdivision, Phase 1, contingent on the water rights, fees and bonding being completed. The motion was seconded by Commissioner Hardy and all voted in favor.

8. UDOT RECAP OF SR-130 IMPROVEMENT PLAN

City Manager Dotson gave a presentation on the plans for SR-130. UDOT appropriated approximately four million to widen the road. After doing studies and engineering the amount came to over 11 million. They are doing this in phases due to that. In conversations with local UDOT engineers they came up with a plan as a stepping stone to widening the highway. Sam Grimshaw is the project engineer for the upgrade. They hired another engineer to see if the money would be best transferred to a new Enoch interchange costing about 25 million. They were trying to determine if it is better to do that than to widen SR-130. They thought the interchange would be on Midvalley Road which they misinterpreted from the initial feasibility study done in 2006. We chose the middle option to the north at milepost 65 or so; not Midvalley Road for the interchange. The money is better suited for SR-130 and is more important. The steps towards what is needed were noted. The problems on the north interchange are severe right now. City Manager Dotson told about the back-up problems which are a big safety issue. The left turn is the problem and will go to three lanes with the left turn being two lanes. Maverik is a bad intersection also and will get a turn light and an added left turn lane. Other options moving north are auxiliary lanes. The other thing talked about is a light at Midvalley and SR-130 and unbeknownst to us they said they like a round-about there. We want to slow traffic down for commercial development and a light there now is not feasible for safety reasons. A round-about is safer than a light. The issues are the cost with a round-about which is approximately \$600,000 and requires more land to install. A light costs around \$300,000. City Manager Dotson noted this is just an update. The time table may be to get this done this fall. The north off ramp is a top priority as are the auxiliary lanes. Widening will not happen for some time. He noted much of the extra cost is due to the need to buy easements along SR-130.

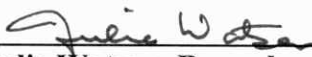
9. PUBLIC COMMENTS-none

10. COMMISSION/STAFF REPORTS

Julie Watson reported on the next meeting for May 28th.

Commissioner Ley said there seems to be a slow down on the Foster's Market and asked what is holding it up. City Manager Dotson said their plans were sent for plan review a piece at a time. It is very slow to get it reviewed in bits and pieces and also things have to be corrected. We are waiting for them to be done with the plan review then they can get their building permit.

11. ADJOURN-Motion to adjourn by Commissioner Hardy. Motion was seconded by Commissioner Meacham and all voted in favor. The meeting ended at 6:30pm.

 5-28-19
Julie Watson, Recorder Date