

MINUTES OF THE GRANTSVILLE CITY PLANNING COMMISSION HELD 5/23/2019.

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, Commission Member Robbie Palmer, and Commission Alternate Shane Watson. Absent were Commission Member Jacob Linares and Attorney Coombs. Also present were Zoning Administrator Kristy Clark, Shay Stark with Aqua Engineering, Fire Marshal Brad Clayton, Stephen Burgess, Mike Quarnberg, Ameilia and Chance Rowley, Rob Brown, Mark Watson, Clint Robertson, Jonathan Aubrey, Mark Anderson, Barry Bunderson, Casey Killian, and Mike Warner.

CALL TO ORDER AND PLEDGE OF ALLEGIANCE

CHAIRMAN JAIME TOPHAM OFFICIALLY CALLED THE MEETING TO ORDER AT 7:01 P.M.

1. Discussion of a Proposed Concept Plan for a possible future 55 or older Senior Living Community with an Assisted Living Center.

John Aubry was present with Clint Robertson and stated to the Commission: I am John Aubry. My friend Clint Robertson who's here with me has owned retirement centers in the past. I was picking his brain and decided I want to build one with him. I asked him where the best place is, and he said Grantsville. That made me excited, because I own property here already, not counting these 20 acres. So we visited with the Mayor and with Kristy and asked if there would be an interest in Grantsville for a nursing home. We were told to come and present our idea to the Planning Commission and City Council. So the biggest challenge with the nursing home is that whoever builds it usually doesn't end up owning it, because they didn't bring enough financing to staff it until it's fully filled, which is why this is ideal. We can build flat level homes that would be ideal for a 55 and older community, and then that would give us the funds needed to sustain the nursing home until it's fully staffed and running on its own. The community, as you can see, is a PUD plan, and there would be a lot of open space. We would have an HOA so that those living there, 55 and older, would not have to take care of it, they'd just be able to enjoy it. There are some really nice things we want to do with that, overall we just want to see if Grantsville is open to looking into something like this before we spend money on engineering and design plans. Jaime Topham stated: That makes sense. How many housing units do you have? John answered: There would be 70 units. Jaime Topham asked: How many rooms would you have in your care facility? Clint Robertson answered: A minimum of 60. Shane Watson asked: What's the maximum? Clint Robertson stated: The maximum would be 90 rooms. I'll tell you a little bit, the part that I was trying to tell John on the planning early on, in smaller communities we own nursing homes in Arizona, Kansas, Nebraska, Utah, we've had them all across the Midwest basically, every little small community had a nursing home built back in the 70's by Beverly Enterprises, and every single one of them was struggling. We started by buying them and turning them from 120 bed buildings to 30 bed buildings. So most communities this size can support about a 30 bed nursing home. The only way you can start to increase that and really make them profitable is to try to bring in a feeder system with that, so that's why you would have the 55 and older community around it because now those people move in, they

start to age in place and you've got your feeder system built into this. Now, the caveat that I've gone through with Utah, I'm gone through with Arizona, Nebraska, a couple of the states, is instead of just a pure nursing home, you would make it a multi-dimensional facility. So you would have one wing of it actually be true nursing home beds, where you've got the 24-hour care, the nurses, everything. Then you would step it down into assisted living for the other wing, that's why it's kind of been a triangle here, and then you'd have more of a memory care on the last wing. So you'd truly have all that. You have to do at least 60 beds for a nursing home and have it labeled as semi-private and get a 120 bed license, or you can't get a Medicare or a Medicaid license. There's a moratorium on nursing home beds. So, you're basically building it to 120 bed standard, with 60 rooms, knowing that you're probably only going to use 20 or 30 of them at the very most for the nursing home section. Shane Watson asked: So would you build them all at once? Clint Robertson answered: Yes, you'll build them all at once. That's the only way you're going to get your Medicare license. I'm sure that you as a city, you don't want what comes with just having a nursing home that only has a Medicaid license. It's really not going to bring in anything other than more of your indigent clientele. So it really does behoove the city to want to have at least a 60 room building that's licensed for 120 beds so you can get the Medicare license, you can get the HMO licenses, you can bring the other things in that you'd need. So, that's why the plan is such that you would have a building that would support getting the licensure you'd need to bring in the higher clientele. Jaime stated: From my point of view, it seems like this is something that our community is eventually going to need. Will the 70 units fit in the current zone? Attorney Coombs stated: I don't think so. I think they are going to have to rezone this. Kristy Clark stated that they are going to have to rezone to an RM-15 or RM-7. Clint Robertson stated: That's all we're asking is if you think it's feasible. I mean, we're not asking for a commitment tonight, but we don't want to go spend all the money on the plans and soil studies and everything we need to do to figure out what it's going to cost until we've got an idea of whether it's something the city wants to pursue. If not here, then where? Jaime stated: I think you're probably going to need to look at property that's already zoned RM-15, because there's nothing in that area that is compatible with an RM-15. Everything is either R-1-21 or larger. I think that's going to be your biggest hurdle. I think the idea is a good one, and I think that it's something that we definitely need and it's well thought out with lots of open space, which we're always asking for. I think the property is going to be problematic, just the zoning of the property is a problem. John asked: Is there any way we could get a copy of the zoning chart so we can try to find a property where this would fit? Jaime stated: Absolutely, Kristy can assist with that. John stated: Great, Thank you!

2. Consideration to approve the Sportsman's Permit for Chance and Amelia Rowley located at 350 West Durfee Street to be able to keep up to five (5) dogs.

Chance and Amelia were present for this item: Jaime stated, welcome back! It looks like you guys took our advice and made the changes that were discussed. Jaime asked Attorney Coombs, have they resolved their other issues? Attorney Coombs answered, yes. Attorney Coombs added, the City Council did approve the change on the definition for the Sportsman Permit that stated purebred dogs to just say dogs. Jaime stated, I don't have any issues, does anyone else have any comments?

Jaime made the motion to approve the Sportsman's Permit for Chance and Amelia Rowley located at 350 West Durfee Street to be able to keep up to five (5) dogs. Shane seconded the motion. All voted in favor and the motion carried unanimously.

3. **Consideration to recommend approval of the Minor Subdivision** for Dev & Dixie Brown located at 151 East Durfee Street dividing 1.62 acres of land from one (1) lot into three (3) lots in the RM-7 and R-1-8 zone.

Dev and Dixie Brown were present for this item: Jaime asked Gary Pinkham: Do you have any comments or concerns? Anyone? Comments or concerns? Shane Watson asked: What are you breaking this into? Dev answered: Half acre lots. Shane asked: So you've got two acres? Dev answered: No, it's 1.6 acres. I think they each come out to be a little less than half an acre, especially when you factor in the private lane. Shane stated: I don't see any issues. Brad Clayton asked: How long is the private drive? Gary stated that it looks to be about 400 feet or so. Brad stated: My only comments would be that it would have to be compliant with the international fire code. It looks like they've got the hammerhead down there. There needs to be water access at the back if there's not a fire hydrant close enough.

Jaime made the motion to recommend approval of the Minor Subdivision for Dev & Dixie Brown located at 151 East Durfee Street dividing 1.62 acres of land from one (1) lot into three (3) lots in the RM-7 and R-1-8 zone, contingent on it being compliant with the international fire code and a fire hydrant close enough to the back lot. Robbie seconded the motion. All voted in favor and the motion carried unanimously.

4. **Consideration to recommend approval of a Final Plat Amendment** for Robert Brown on the Cal Brown Minor Subdivision at approximately 287 East North Street in the split zone RM-7 and A-10.

Robert Brown was present for this item: Jaime stated: I'm kind of an, "I told you so," kind of person. That's all I'm going to say. Mr. Brown stated: This is my stupid sticker. Jaime stated: This looks great to me, like a good change. What inspired the change? Mr. Brown stated: Probably as my first son finished his house and he ended his driveway at his property line, and I said, "Why did you stop right there?" And he said that's my property line. Also, my other son that's got lot number four wasn't going to build, now he is and so I've changed them all. Not only did I get rid of that 60 feet, but I gave them each a half acre total. So I gave them more room in the back and made each lot a half acre lot. If only we could look to the future. It would've saved me a lot of money. That's the only change going from the 9,000 square foot lots to half acre lots.

Jaime made the motion to recommend approval of a Final Plat Amendment for Robert Brown on the Cal Brown Minor Subdivision at approximately 287 East North Street in the split zone RM-7 and A-10. Robbie seconded the motion. All voted in favor and the motion carried unanimously.

5. **Consideration to recommend approval of a Rezone** for Dave Webster to go from an RM-7 zone to a RM-15 zone for the property located at 328 East Main.

Dave Webster was present for this item: Jaime asked Kristy Clark: Why are we doing a rezone from an RM-7 to an RM-15? Kristy stated that he came in last month on a concept plan and was directed to come in for a rezone because he wants to add more units and under the RM-7 he is maxed out with the units that are already existing. Jaime asked: Doesn't the

RM-7 allow smaller density than the RM-15? Kristy stated: No, the RM-7 is a minimum of 7,000 square foot lot size with 6,000 square feet of additional lot area for each additional dwelling unit and has a maximum of 7 units per acre. The RM-15 is an 8,000 square foot minimum lot size with 2,300 square feet for the additional lot area for each additional dwelling unit and has a maximum of 15 units per acre. Jaime stated: That must be in our actual code, not on our map. Kristy stated: Yes. Gary stated: I noticed that the drawing hasn't changed from when we first talked about this. Dave Webster answered: That's correct. Gary stated: We had some issues regarding parking, RV storage, and things of that nature, so you might lose housing number two to make space. So, I just want to make sure that you're aware that we're not approving anything to do with the attached sketch with the rezone, and once you come back we'll need to address those issues. Dave Webster stated: Absolutely. Jaime stated: The last time that we were here, in May, there were comments from the public. Do you remember the comments? Mr. Webster answered: Yes. Jaime asked: Can you address some of the concerns that the neighbors had brought up? Dave stated: Mr. Warner, who's in attendance, and I actually met with him after the meeting and we went on site. He expressed to me their biggest concerns were because in the code, it allows buildings to go up to 55 feet and what we're proposing is main level units, no higher than the existing units. Our complete purpose is to improve the whole piece of ground, including all the existing units as well. The road that's there now doesn't meet code, so we want to widen it to 20 feet. Also, our intent is to put affordable housing units in there that are going to flow with the existing ones. However, the existing ones are run down and we're going to improve all those as well. So we're going to put new exteriors on the existing stuff so that it flows with the new product that's going in. The whole project will end up being completely remodeled. Robbie stated: I lived on Main Street at one point, so when I would mow my lawn, someone would say, "Hey, you got a new lawn mower," they noticed because you're on Main Street and everyone sees and knows what you're doing. Gary brought it up last time with the parking and stuff, there's are 30 vehicles in there every day, and some of them I don't think are even mobile, and when it's trash day I was noticing that some of the tenants aren't even pulling their trash back because they don't even have room to put their trash cans back on their own property and they just leave them out towards the front. So I'm concerned as a citizen, and on the planning and zoning that are we opening up the door getting just more of that? Or is it really going to be an improvement? Mr. Webster stated: I'm actually glad you brought that up, let me address that. Let me give you some details on it and explain why we're doing it. So, not only are we improving all the units in there, but all the vehicles, which includes RV's, ATV's, and any debris or any appliances that are sitting on the lawn, they're going to have to be cleaned up. Everybody's going to have a new lease agreement. In that lease agreement, they will have designated parking, no debris, no ATV's, nothing of the sort can be on the property whatsoever. Right now, we have a property management group that's basically doing onsite inspections once every six months. So, when we got together as a group when we're doing this, we're going to have the property management group come by and do inspections once a month, to make sure that there are no vehicles or debris on the property. The fact is that we budgeted well over a million dollars for this project. So if you're going to improve it, and improve it to a class A type of area, then we need to maintain it that way as well. So, implementing these things with a new lease agreement, the onsite inspections, and then enforcing them is going to be a must for the investment. Shane asked: Is there a possibility of putting dumpsters at the location so you don't have to have trash cans laying around like that, when they're not bringing them from the road? Robbie stated: It may actually be more space savings than having two cans per unit. Brad stated: The one concern I have with this is and we've talked about it, is that it's right at the minimum for fire access of 20 feet, without a fire hydrant.

How are we going to control that absolutely nobody on Super bowl Sunday or the Fourth of July is back there lighting fireworks in the back, starts a grass fire, and we can't get back there because it's plugged up with cars? How are you going to keep that from happening? We require unrestricted access that has to be maintained 24/7. Mr. Webster stated: I don't have the complete answer to that. In the meeting that we had, I told them when we go to plat, I was going to have to come and meet with you and start discussing that and figuring that out. There are obviously a lot of things we need to implement into this preliminary plan right now. Shane stated: We probably should bring this back to the zoning issue. Jaime stated: I think it's good to have a conversation about what the future plans are though, because there was a lot of the concern with the people that came before us and asked the questions, and we want those comments to have some meaning, so we appreciate you taking the time to answer those questions. I just wanted to reiterate what I said in the conceptual discussion that as you're looking at this, and considering this, you recognize that there are probably going to be some exceptions asked for. I mean, if you look at the setbacks, they don't meet the code, and there are probably going to be some other exceptions asked for. So as you're thinking about this, is the benefit of improving this property enough of a value to the city that you'd be willing to accept that this is going to come in with some exceptions to be able to make it work? Jaime stated: I think the property does need to be improved and obviously when you come in front of us and we have the DRC, that there will be a lot of discussion about making these properties better.

Jaime made the motion to recommend approval of a Rezone for Dave Webster to go from an RM-7 zone to a RM-15 zone for the property located at 328 East Main. Shane seconded the motion. All in favor? Jaime called roll, Shane –Aye, Jaime – Aye, Gary – Aye, Robbie – Nay and the motion carries.

6. Consideration to recommend approval of a General Plan Amendment

Application for Andy Lewis at approximately 948 South Quirk for 63.34 acres to go from a “Rural Residential -1” designation to a “Low Density Residential” designation.

Andy Lewis and Barry Bunderson were present for this item and stated to the

Commission: Barry stated, there weren't any public comments on this, correct? Jaime answered, there were not. They were asked for but no comments were received. Jaime stated, as I'm looking at this, I see that the neighborhood to the north is low density residential and the property to the south is all on one acre lots. Robbie stated that the property to the south is actually all different size lots. Kristy mentioned that was done under a PUD and that's how they were able to do smaller lots. Robbie asked didn't we have something come through over on Hale Street? Barry stated that he remembered Newman Construction coming in for a rezone on that property. Kristy stated that it did but it was tabled by the City Council. Jaime stated, I think one of the hang-ups for us is that we're in the middle of updating our master plan, and looking at our land use maps. So for me, it's a no. It's not consistent with the neighborhood that's behind it. You're asking us to make a change to the future land use map, which we are currently trying to update. We've got a meeting schedule for the public on June 20th so they can give us their comments. Barry stated, since you brought that up, there is a map, I know it's not an official map and that it's not been adopted. I'm not sure if everyone has seen it, but it shows that this area is low density residential, allowing a maximum of two dwelling units per acre. We know that that's imminent, that's coming and subject to change

from what's currently shown on the map. We don't want to kill this, but I think if the consensus is, "This isn't a good idea to do this now," the general plan will be updated to something, in about six months, right? Jaime stated, it's not going to be even six months. We're looking at wrapping it up in June, July. In my experience of things that have come in on a rezone recently, particularly where you're asking to change the master plan, the City Council has been rejecting them. So, if it were me, I would probably ask to have it tabled. Councilman Critchlow stated, we're not going to make a decision to change anything until we get through the master plan process. Barry stated, if you all think that it's in our best interest to come back in a couple months so we aren't handcuffed for two years, then that is what we would rather.

Gary made the motion to Table the General Plan Amendment Application for Andy Lewis at approximately 948 South Quirk for 63.34 acres to go from a "Rural Residential - 1" designation to a "Low Density Residential" designation until the new master plan is put forth and approved. Robbie seconded the motion. All voted in favor and the motion carried unanimously.

- 7. Consideration to recommend approval of a Rezone for Andy Lewis at approximately 948 South Quirk for 63.34 acres to go from an RR-1 zone to a R-1-21 zone.**

Andy Lewis and Barry Bunderson were present for this item:

Gary made the motion to Table of a Rezone for Andy Lewis at approximately 948 South Quirk for 63.34 acres to go from an RR-1 zone to a R-1-21 zone until item six is brought back and approved. Robbie seconded the motion. All voted in favor and the motion carried unanimously.

- 8. Consideration to approve the meeting minutes for the previous P&Z Meeting that was held March 14, 2019.**

Jaime made the motion to approve the meeting minutes for the previous P&Z Meeting that was held March 14, 2019. Gary seconded the motion. Robbie abstained. All voted in favor and the motion carried unanimously.

- 9. Consideration to approve the meeting minutes for the previous P&Z Meeting that was held April 11, 2019.**

Gary made the motion to table the meeting minutes for the previous P&Z Meeting that was held April 11, 2019. Robbie seconded the motion. All voted in favor and the motion carried unanimously.

- 10. Consideration to approve the public hearing comment minutes** from the previous P&Z Meeting that was held on May 9, 2019.

Jaime made the motion to approve the public hearing comment minutes for the previous P&Z Meeting that was held April 11, 2019. Gary seconded the motion. All voted in favor and the motion carried unanimously.

- 11. Report from Council Liaison Member, Neil Critchlow.** Councilman Critchlow stated to the Commission, I apologize for not being at the last meeting. Councilman Critchlow asked, where are we at with the auto parts store? Kristy Clark stated, they are working on the application. I think they are really close to bringing it in. Councilman Critchlow stated that the City Council approved the West Main Street development agreement. They came in with an addendum but then they didn't show up for the meeting so it failed and we are still going with the agreement that was approved. Gary asked where are we with the standard development agreement? Councilman Critchlow stated to Attorney Coombs we probably should give a copy to the Commission and let them review the boiler plate agreement. Jaime asked, is the City Council going to be requiring an agreement with all developments or how are we handling that? Shay stated, the way the boiler plate is set up, every development will have the development agreement in it. Because there's just some basic requirements that they're signing on to. What we have is a generic boiler plate agreement and then there's a section there where we can add an exhibit that is specific to that project. Attorney Coombs stated, I'm currently drafting an ordinance that will hopefully come to your next meeting for you to review that will require all minor and major subdivisions to have a development agreement. Jaime reminded everyone that there was going to be a public meeting for the General Plan on June 20, 2019 at the High School at 6:00 pm.

- 12. Adjourn. Jaime made the motion to adjourn the meeting at 8:09 pm. Gary seconded the motion. All voted in favor and the motion carried.**

Kristy Clark
Zoning Administrator