

**BRIGHAM CITY PLANNING COMMISSION
BRIGHAM CITY COUNCIL CHAMBERS
ELECTRONIC MEETING
Tuesday, June 16, 2020 6:00 p.m.**

PRESENT:	Dean Lester Steve Barsuhn Scott Mildenhall Reed Hancey Holly Bell	Commissioner- Chair Commissioner- Vice Chair Commissioner Commissioner Commissioner
ABSENT:	Cindy McConkie Curtis Hoehn	Commissioner Commissioner
ALSO PRESENT:	Mark Bradley Sarah-Jane Martin Tony Ekins Don and Ann Peart McGarvey Corey Thompson	City Planner Administrative Assistant Associate Planner Applicant Applicant Applicant

Parker

AGENDA

Approval of Minutes

Public Hearing¹ / Application #20-034 / Amend Brigham City Code Title 29 Zoning / Section 29.05.080 Yards to be Unobstructed - Exceptions / Allow front porches within the front yard setback area / Don and Ann Peart

Public Hearing¹ / Application #20-035 / Rezone from R-1-8 (Residential District) to R-M-7 (Multiple Residential) on 34.26 acres / 909 N. Main (old golf course property) / Visionary Homes

Application #20-041 / Planned Unit Development / North Point Subdivision / 909 N. Main Street (old golf course property) / Visionary Homes

Application #20-042 / Conditional Use Permit ¹ - PUD Application / North Point PUD / 909 N. Main Street (old golf course property) / Visionary Homes

Application #20-037 / Submission of Development Plan Per Utah Code 10-9a-305 / New parking lot at Box Elder High School / 380 S 600 W / Box Elder School District

REGULAR MEETING

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

APPROVAL OF MINUTES

Commissioner Bell made a motion to approve the minutes as amended for June 2, 2020 meeting. The motion was seconded by Commissioner Barsuhn and passed unanimously.

Public Hearing¹ / Application #20-034 / Amend Brigham City Code Title 29 Zoning / Section 29.05.080 Yards to be Unobstructed - Exceptions / Allow front porches within the front yard setback area / Don and Ann Peart

Mr. Ekins gave a brief explanation of application #20-034. This has been an area of consideration by the Community and Economic Development Department over the past several years. Several residents have expressed interest in constructing new front porches and entranceways. Many have not been able to proceed because their home is built right at the setback. Current code allowed for a projection in the rear yard allowing them to project up to 8 feet past their rear setback.

This item has been part of our zoning update items to discuss. The City received an application by the Pearts for a 6 foot allowance. We recommend an eight-foot allowance in the front yard setback area for interior lots up to a maximum of two-thirds (2/3) of the width of their home and not to obstruct the off-street parking. The structure should not be more than one story high and the porch wall should not exceed 42" in height. We also recommend allowing the rear yard to increase from fifty percent (50%) the two-thirds (2/3) for patios. The rear yard already has the allowance of the eight feet (8').

Commissioner Bell wanted to understand the protocol for older homes that already encroach into the front yard setback. Mr. Ekins explained that if the home already encroaches on the front yard setback a porch can be added, but it cannot extend past the minimum required setback for each zoning district and gave an example of 22' for the R-1-10 zoning district with a 30' setback. It was determined that specific wording should be added to the ordinance for clarification.

Public Hearing

Motion: Commissioner Barsuhn made a motion to open the public hearing. Commissioner Bell seconded the motion and it was passed unanimously.

There was no public comment

Motion: Commissioner Bell made a motion to close the public hearing.

Commissioner Barsuhn seconded the motion and it passed unanimously.

Motion: Commissioner Hancey made a motion to recommend approval to the City Council application #20-034 with the stipulations and Findings of Fact as written and with a recommendation that if current minimum setback is not met, the 8-foot extension will be reduced by the distance to the current minimum setback.

The motion was seconded by Commissioner Bell and passed unanimously.

Public Hearing¹ / Application #20-035 / Rezone from R-1-8 (Residential District) to R-M-7 (Multiple Residential) on 34.26 acres / 909 N. Main (old golf course property) / Visionary Homes

Mr. Bradley gave a brief explanation of the application. Visionary Homes is asking to change the zoning district from R-1-8 (Residential District) to R-M-7 (Multiple Residential District). A concept plan was discussed with the applicant in April. They are under contract with the owner and have decided to proceed with the R-M-7 zoning

district with a planned unit development for mixed housing. There are three applications on the agenda for this project (see #20-041 PUD Subdivision and #20-042 CUP). This property is primarily designated as a Medium Density Residential area on General Plan Land Use Map with a little Neighborhood Commercial. The zoning districts for Medium Density Residential are R-1-6 and R-M-7. Consistency with the General Plan Land Use Map will need to be considered. The Neighborhood Commercial portion of the property will need to be addressed with an application to amend the general plan requesting it be changed to Medium Density Residential. There is an appendage that is surrounded by the Brigham Willow Subdivision which would be R-M-7 surrounded by the R-1-8. This is consistent with the General Plan, but options will be talked about between the developer and the property owners of Brigham Willows about acquiring that property. This would clean up that area of the General Plan.

The Staff supports the rezone with the exception of the Neighborhood Commercial that would need to be addressed with the General Plan amendment.

Mr. McGarvey addressed the appendage property and their willingness to work with the adjacent property owners. He felt it could be handled through quit -claim deeds or a plat amendment with the residents to clean that area up.

Commissioner Hancey wanted to know the width of the appendage. Mr. Bradley stated it is approximately 20' wide.

Public Hearing

Motion: Commissioner Bell made a motion to open the public hearing.

Commissioner Barsuhn seconded the motion and it was passed unanimously.

Questions pertaining to the application #20-041 or #20-042 will be added to the pertaining application.

Kevin Brown wanted to know the reasoning behind rezoning the application as he felt the current zone would provide enough housing on the land. Commissioner Lester explained that it was the desire of the developer to rezone to a higher density housing then it is currently zoned for. It was also explained that the General Plan already specifies the discussed location as a Medium Density Residential and the rezone application reflects that plan.

Kevin Brown is aware of the high water table and wants to know where the water will go and the impact of the land.

Commissioner Hancey addressed the concerns he has heard from residents near the proposed North Point Subdivision. Residents would like to see the zone stay at an R-1-8 with fewer houses and a smaller impact on this part of town. He also reminded the committee of the previous discussion about limiting the size of PUD.

Vance Marler wanted to know what Medium Density Residential means. Mr. Bradley explained that a Medium Density Residential includes zoning districts of R-1-6 and R-M-7 and ranges between 4 to just under 8 dwelling units per acre.

Chuck Mock wanted to know if Brigham City's utilities would support this many additional homes. Commissioner Lester explained that the developer is responsible for paying the city to make the required upgrades.

Nancy Kennedy concerned that placing high-density housing at this location does not make for a welcoming entrance for people coming into Brigham City. She is aware of the need for high-density housing in Brigham City but does not believe we need the amount of density that is being discussed. Mr. McGarvey believes that excessive green space, trails, pavilions, and parks accomplish that purpose. Also, there will not be a large concrete fence along SR-13, rather the townhomes will be facing the highway with nice streetscapes.

Motion: Commissioner Barsuhn made a motion to close the public hearing.

Commissioner Bell seconded the motion and it passed unanimously.

Motion: Commissioner Barsuhn made a motion to continue application #20-035 until the next scheduled meeting.

The motion was seconded by Commissioner Bell and passed unanimously.

Application #20-041 / Planned Unit Development / North Point Subdivision / 909 N. Main Street (old golf course property) / Visionary Homes

Application #20-042 / Conditional Use Permit ¹ - PUD Application / North Point PUD / 909 N. Main Street (old golf course property) / Visionary Homes

Application #20-041 and #20-042 were discussed together as one item.

Mr. Bradley gave an explanation of the applications. The planned unit development subdivision application allows for mixed housing development and flexibility with certain zoning standards. Visionary Homes is proposing a total of 256 units (218 alley loaded townhomes and 38 single-family homes). The PUD density would have allowed 263 units. They have an open space of 12.61 acres. Two-car garages for each unit will be provided. Townhome units will be 3-4 bedrooms. Square footage of the townhomes will range from 1800- 2400 square feet. The single-family lots will lay adjacent to the Brigham Willow subdivision and along the west and north property line. There will be two sub streets on the north that will tie into the future phases of the North Forty subdivision. There will be two entrances off of Main Street and no access from SR-13. The townhome units will have an alley leading to the garages. The development will have a series of trails throughout that will tie into the public sidewalks. There are many Staff Review comments that will need to be addressed. Approval will be subject to the wetland study and UDOT access approval.

Mr. McGarvey gave a brief overview of the project. Roughly one-third of the project is dedicated open space that will be maintained by an HOA. Consistent with the General Plan there is a trail system through the property that is designed for all of Brigham City, not just the residents of North Point. There are multiple access points from the public sidewalks allowing citizens to enjoy the park spaces, pavilions, and playgrounds.

Commissioner Hancey voiced the concerns he has heard from the community about the number of units. He recommended that there be fewer townhomes units and a little more residential homes in the development.

Commissioner Mildenhall likes the layout and design of the subdivision. However, a slightly different ratio on single-family dwellings vs townhomes would be received more favorably by the community.

Commissioner Lester asked Mr. McGarvey if he has read all comments from the Staff. Mr. McGarvey had one question regarding item 10 from the Engineering Department: *We recommend the application link the SR-13 sidewalk to the existing sidewalk in the Willow Creek Subdivision to provide connectivity to 500 west.* Mr. McGarvey was unclear if that is in UDOT's or Brigham City's jurisdiction and what improvements would be needed. Mr. Bradley stated he would do some research and get back to Mr. McGarvey.

Public Comment was opened up to the general public.

Ashley Wilson had two questions. 1) Is there a plan to put a roundabout at the 5-way intersection on 900 North? 2) Whose responsibility is it have that put in? Mr. Bradley explained that the intersection is managed by UDOT. There has been a discussion about a potential roundabout but a determination has not been made. It would be the responsibility of UDOT to provide the roundabout. She also wanted to know if the development was low-income housing and/or rentals.

Kevin Brown is aware of the high water table and wants to know where the water will go and how this will impact the land.

Wendy McKee is wondering if other options such as patio homes or twin homes have been discussed.

Lared Hansen had 4 questions. 1) How does this subdivision benefit the community? 2) Will Brigham City be getting more parks to compensate for the number of homes projected to be built in the North Point Subdivision? 3) He also wanted to know how they plan on stopping children from running into the highway if there is no barrier between the townhomes and SR-13. 4) How are they going to keep people from parking along the highway in front of the townhomes with no barrier separating the development from the road? Commissioner Barsuhn answered the first two questions. 1) Brigham City needs houses in a "Starter Home" price range. 2) Green spaces are provided in the subdivision and the proposal for more parks was defeated by the public in the last election.

Alan Shakespear is concerned about water rights. Right now water is conveyed across the proposed development. There is also spring water that originates on this parcel that he has rights to. He wants to make sure that those water rights are protected. If Visionary Homes plans on piping the water, Mr. Shakespear would prefer to see it in a public right of way where he has access to maintain it.

Vance Marler wanted to know the price range of the townhomes and single-family dwellings.

Lindsey Loscher wanted to know if these homes were going to be rental houses.

Mr. McGarvey answered the questions above.

- They are working on how to capture and convey the spring water as well as the irrigation water. It is mostly in public right of ways or open spaces. There might be roughly 100 feet that are not in easy accessible public areas.
- They meet the code requirements of two stalls per townhomes in the garage with 20 feet of driveway pads that can be used for guest parking at each unit. UDOT does not allow parking on highways, but they do not enforce it. Enforcement would defer to the City.
- The development has provided 40-45 feet of setback from the highway to deter children from running into the street. Also, SR-13 is higher than the elevation of North Point creating a natural barrier.
- Townhomes will run roughly mid \$200,000 - \$300,000. Single-family dwellings will be in the low \$300,000 – mid \$300,000.
- Twin homes have not been considered for this development because Visionary Homes doesn't build that product.
- This development is targeted for private residences. However, the development nor Brigham City can stop someone from renting their homes.

Mr. Marler rebutted the need for townhomes that are in the price range of other single-family dwellings being built in Brigham City. Why is there such a large number of high-density housing being built if it is in the same price range as the single-family dwellings?

Mr. Hansen does not believe that the price range of \$250,000 - \$300,000 is not for "Starter Homes". He also doesn't believe that the 40 feet of setback from the highway is sufficient and that a physical barrier is needed.

Commissioner Reed doesn't believe there is enough parking for visitors. He believes the townhomes are packed in too tightly and more parking is needed. He likes the open space and the connectivity of the development with other developments, and that the green spaces are open to the public.

Commissioner Barsuhn is concerned about the density of the housing and the narrowness of the alleys.

Motion: Commissioner Bell made a motion to recommend continuation for application #20-041 and #20-042 until the next scheduled meeting.

The motion was seconded by Commissioner Barsuhn and passed unanimously.

Application #20-037 / Submission of Development Plan Per Utah Code 10-9a-305 / New parking lot at Box Elder High School / 380 S 600 W / Box Elder School District

Mr. Bradley gave a brief explanation. Box Elder School District plans to create a new parking lot west of the Box Elder High School classroom wings and east of 800 West Street. The initial access plan would be from the service road off 800 West Street and from the south parking lot accessed from 400 South Street. There is a parcel ownership cleanup that would need to take place. A revised site parking plan was shown with an updated access from 800 West Street eliminating the initial access through the service road/fire lane.

Corey Thompson stated that more parking is needed at the high school. Currently, students are parking on the street along 800 west and in the church parking lot kitty-corner to the school. Also, on 400 south and in neighbored south of the school. As

enrollment grows over the next few years, they see a need for more parking. Mr. Thompson showed the parking lot plan and discussed the key elements:

- Entrance and exit on the East that connects into exiting the faculty parking. This option is still being discussed. Special needs buses come into the faculty parking lot. They are worried about traffic conflict as students are dropped off and picked up on those buses.
- There are 94 parking stalls. If the entrance/exit on the East that connects to the faculty parking lot is eliminated, there may be some additional parking stalls gained. However, it is uncertain how the new approach and curb cut on the West side would work out. If it would be wide enough, or if it would need to be wider.
- On street parking on the East side of 800 west would need to be eliminated because of visibility lines.

Commissioner Lester wanted clarification on whether there are water drainage concerns. Mr. Thompson explained that there is a sewer manhole that will need to be addressed with some grading.

Commissioner Lester verified that Mr. Thompson had read all Staff comments and was in agreement. Mr. Thompson stated that he had read them and was willing to comply with all comments.

Commissioner Hancey is concerned with the number of parking spaces and only one entrance/exit to the parking lot. Additional options were discussed among Mr. Thompson, Mr. Bradley, and the commissioners.

Motion: Commissioner Barsuhn stating that the Planning Commission acting as the Land Use Authority accept the plan as presented by the Box Elder School District with the recommendation that there be a viable second exit/entrance, subject to Staff comments, stipulations, and Findings of Fact.

The motion was seconded by Commissioner Mildenhall and passed unanimously.

Motion to adjourn

Motion: A motion was made by Commissioner Bell to adjourn. The motion was seconded by Commissioner Hancey and passed unanimously.

The motion passed unanimously and the meeting was adjourned at 8:17 p.m.

This certifies that the regular meeting minutes of June 16, 2020, is a true and accurate copy as approved by the Planning Commission on July 7, 2020.

Signed: _____

Sarah-Jane Martin, Administrative Assistant