

**BRIGHAM CITY PLANNING COMMISSION
BRIGHAM CITY COUNCIL CHAMBERS
ELECTRONIC MEETING
Tuesday, July 7, 2020 6:00 p.m.**

PRESENT:

Steve Barsuhn	Commissioner- Vice Chair
Reed Hancey	Commissioner – Acting Chair
Holly Bell	Commissioner
Cindy McConkie	Commissioner
Curtis Hoehn	Commissioner

ABSENT:

Dean Lester	Commissioner- Chair
Scott Mildenhall	Commissioner

ALSO PRESENT:

Mark Bradley	City Planner
Christina Boss	City Recorder
Tony Ekins	Associate Planner
Parker McGarvey	Applicant
Ben Steele	Applicant
Josh & Heather Bell	Applicant

AGENDA

Approval of Minutes

Public Hearing¹ / Application #20-048 / Amend General Plan Land Use Map / Change Neighborhood Commercial to Medium Density Residential / Northwest corner of 900 North and Main Street Intersection / Parker McGarvey, Visionary Homes

Continuation / 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

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

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

Application #20-044 / Subdivision Amendment / Eagle View Subdivision - P.U.D. Phase III Amendment No. 2 / Combine Lots 14 and 15 / 932 South 500 East / Josh and Heather Bell

Application #20-049 / Amendment to Brigham City Planning Commission By-Laws / Brigham City Corporation

Discussion Item:

A. Multiple Family and PUD Developments

REGULAR MEETING

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

APPROVAL OF MINUTES

Commissioner Bell made a motion to approve the minutes for June 16, 2020 meeting. The motion was seconded by Commissioner Barsuhn and passed unanimously.

Public Hearing¹ / Application #20-048 / Amend General Plan Land Use Map / Change Neighborhood Commercial to Medium Density Residential / Northwest corner of 900 North and Main Street Intersection / Parker McGarvey, Visionary Homes

Public Hearing

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

Mr. Bradley gave a brief explanation of the application. The General Plan Land Use Map shows a Neighborhood Commercial designation in the southeast corner of the property that Visionary Homes would like to develop. In previous years there has been discussion on what type of neighborhood commercial development could occur at this location. A convenience store and gas station were brought up frequently. Restricted access to this area has discouraged businesses due to the current design of UDOT roadways in the area. A property ownership map was displayed showing that a piece of property owned by Scott Marabella which sits at the northwest corner of the intersection would be affected by this change. The rezone application is consistent with the General Plan Land Use Map of Medium Density Residential, but not consistent with the Neighborhood Commercial designation.

Chris Nielson wanted to know if the zone change is approved, will Visionary Homes purchase the Marabella land and include it into the development and if so, how will that property be used? Mr. McGarvey stated that they would love to purchase the land, but the property owner wants to keep the land and use it.

Parker McGarvey with Visionary Homes addressed the committee. He agreed with Mr. Bradley's narrative of the application and added that he believes the site to be a poor commercial site due to the access restrictions. Access to the business would probably have to be accessed through their development. The best use would be to include it as residential and integrate it into a project.

Motion: Commissioner Barsuhn made a motion to close the public hearing. Commissioner McConkie seconded the motion and it passed unanimously.

Commissioner Hancey asked for comments from each of the commissioners.

Commissioner Bell remarked that she saw something similar with Envision Utah and how they utilized an odd piece of land similar to this one by creating a gathering spot for the community being built. She wondered if there is a possibility for Visionary Homes to purchase the property from Scott Marabella and use the whole space as a gathering spot for the planned community.

Commissioner McConkie had no questions at this time.

Commissioner Barsuhn had hoped to see the site used for commercial, but understands the problems related to the accessibility of the site. For that reason, he is in support of the application.

Commissioner Hancey believes it would be beneficial to zone this piece of property to match the surrounding zone. However, he would rather wait until it is determined if the additional applications from Visionary Homes are approved before approving the zone change.

Commissioner Hoehn and Barsuhn expressed similar thoughts.

There was a discussion about whether the application could be approved contingent upon the approval of all related applications. Mr. Bradley stated there needs to be an order in the land use applications and there can't be contingents placed upon a zone change.

Motion: A motion was made by Commissioner Barsuhn to continue application #20-048 until after all related applications had been discussed during this meeting. At that time they will make an additional motion for approval, denial, or continuance. It was seconded by Commissioner Bell. It was approved unanimously.

Continuation / 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 stated that this application had been continued primarily because of the nature of the General Plan. The site map was displayed and key points discussed. 1) Changing the subject site to an R-M-7. 2) Visionary Homes would leave the appendage piece that cuts through the subdivision on the southwest as an R-1-8, so it can possibly be cleaned up later.

Commissioner Hancey stated that he has a similar concern as with the previous application. He hesitates to approve the application because if the project falls through, then anyone who buys the property can develop it as they like within the confines of an R-M-7. He would like to approve all zone changes in conjunction with the approval of all related applications. Commissioner Barsuhn and Hoehn agreed.

Mr. Bradley stated that overall the Staff is very supportive of the project. There are some things hinging upon the development such as the wetland study. However, they also have those same concerns and thought a development agreement tying the applications together might be a viable option.

Mr. Steele commented that he thought Visionary Homes would be comfortable with a development agreement that ties the applications together. He was curious if this would hold up the approval process with the Planning Commission or if it was something that could be completed for City Council. Mr. Bradley explained that it is something the Planning Commission would see first. It should be recorded against the property tied to the PUD application.

Mr. Steele understands the position the city is in to protect the land if the project doesn't get developed. He wondered if it was possible to get a conceptual approval which would entail. 1) Where townhomes, single-family dwellings, and green space will be located. 2) The density cap. 3) What amenities would be mandated.

The discussion moved towards application #20-041 and #20-042, so it was proposed to make a motion to come back to this application after the other applications were discussed. All comments that directed towards either of the above applications have been moved to that agenda item.

Motion: Commissioner Bell made a motion to reorder the agenda items in which application #20-041 and #20-042 would be discussed before coming back to #20-035. It was seconded by Commissioner Hoehn 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 briefly reviewed the application. There will be 38 single-family homes and 218 townhomes for a total of 256 units in the development. The R-M-7 means seven dwelling units per acre. They could potentially have 7.7 dwelling units per acre with a 10% increase based on the planned unit development. A cross-section of the townhome alleyways was displayed showing the alleyways being 26 feet wide and the driveways 20-22 feet long.

Mr. Bradley displayed the newest set of plans while Mr. McGarvey explained how guest parking was added through the development giving access to trail systems as well as homes. Fencing was added to address child safety concerns along Main Street and SR-13. Phasing of the project was discussed but not finalized.

Elevation of each unit were displayed and corresponding features were discussed. The following questions were asked regarding the 5 Plex townhome model. 1) Would trash cans fit in the connective space between driveways? 2) Are there only two entrances to each unit through the garage door and the front door? 3) How wide are the driveways and garage doors? 4) What type of landscaping is in the 4-foot space between driveways? 5) Can women and children open a garage door if the electrical component was not working in the event of a fire and the front door is blocked?

Mr. McGarvey answered each question. 1) Trash can would fit in the 4-foot space between driveways. 2) The only entrances to the home are through the front door and garage door. 3) Driveways are 20-22 feet wide with garage doors being 16-18 wide. 4) In other developments, the space between driveways has been filled with gravel and water-wise plants. 5) In the event of a fire, the alleyways are wide enough for fire apparatus to maneuver.

Commissioner Hancey is concerned that certain vehicle models, such as trucks, will not fit in the driveway or garage. He wonders if the driveways could be slightly wider and longer. A possible option would be to combine two driveways leaving larger spaces

were a tree and grass could be grown. Also, he feels the guest parking is still too far away from the interior units.

Mr. McGarvey went through the elevations for the five different single-family dwelling models. Owners would be able to choose which model they wanted to build. Models range from 3-4 bedrooms with 2.5-3 bathrooms. The homes average square footage is 2400 square feet. Basements, overall, will not be an option with the exception of a few sites on the northeast side of the property where conditions might be acceptable.

Commissioner Hancey stated that he would like to see the property develop into something that is nice and a benefit to the city. He likes the trails, connectivity of roads, and mixed-use. Stating the development has the basis for a very good development. He believes that he as well as the rest of the committee would support the application if two concerns are addressed. 1) Over-crowding in the townhome area with insufficient guest parking. 2) The number of units going into the development. Commissioner Bell agreed.

Mr. Steele stated that there is some flexibility as far as the requested density. There is potential to have some wetland spots throughout the site that would have to be avoided or left as open space. Knowing that some of the citizens are concerned about the density, they are flexible with lowering number of units. Mr. McGarvey added that they are able to reduce the total number of units by 30 townhomes.

Commissioner Hancey allowed for public comments:

Jared Turner wanted to give his support for the project. He feels that Brigham City needs more housing to support business growth.

Evan Nelson, a resident of Brigham City who works in North Ogden, wrote an email and it was read to the committee.

Hey Mark,

Would you be able to send me the packet material for the Planning Commission meeting this coming week? I'm curious to learn about the development of the old Golf Course. I saw there was opposition to the project. From a financial perspective, building denser projects is a benefit to the city because the revenue generated per acre is much higher. So theoretically we end up with a smaller maintenance obligation per capita. Are the garage access roads to those townhomes proposed to be private roads? So the City would not have to maintain them?

We get pushback in North Ogden on higher density projects. There's an idea that higher density leads to higher crime and other negative outcomes. I don't know what the data shows on that in Utah, but I think that many of the negative possible outcomes can be mitigated through high quality architecture and landscape design.

I don't think the concern about school crowding is a strong one. The school district has the continual challenge of planning for growth and meeting the demand of development. I think they do a pretty good job and have the means to continue meeting demand.

I don't know what the cost of these units will be, but the price of housing right now is so high. Townhomes may be one of the solutions to providing more affordable options.

Is there a plan for redevelopment of the property on the south east corner of this development? It seems like improving that property would really help the look and feel to that entrance to the City.

So there are my thoughts.

Thanks Mark,

Evan

Mr. Bradley agreed with the point of high-quality design and landscaping.

Mr. McGarvey responded that the alleys would be privately owned and maintained by an HOA.

There was much discussion on what to do next. It was decided to postpone the application to the next meeting and in the interim, a development agreement will be created and Commissioners will have time to visit a constructed development and see the look and feel of the development. This will also provide the opportunity to see the revised drawing with up to 30 townhomes removed and additional parking added with a modified safety fence along Main Street and SR-13.

Motion: Commissioner Barsuhn made a motion to recommend continuation for application #20-048, #20-035, #20-041, and #20-042 until the next scheduled meeting. The motion was seconded by Commissioner Bell and passed unanimously.

Application #20-044 / Subdivision Amendment / Eagle View Subdivision - P.U.D. Phase III Amendment No. 2 / Combine Lots 14 and 15 / 932 South 500 East / Josh and Heather Bell.

The applicants are the property owners of Lots 14 and 15 of the Eagle View Subdivision P.U.D. Phase III. Their home is built on Lot 15 (932 S 500 E). They acquired Lot 14 and wish to combine the two lots to construct a detached accessory building. There is an existing storm drain line that runs between the two lots that will remain in place along with the associated 10-foot wide public utility easement.

Commissioner Hancey asked the applicants if they have read and are in agreement with all Staff recommendations and Finding of Fact. The applicants stated they agree with all recommendations and Finding of Fact.

Motion: Acting as the Planning Committee who is the recommending body for this Land Use application, Commissioner Bell recommends approval of application #20-044 with Staff recommendations and Finding of Fact. The motion was seconded by Commissioner McConkie and passed unanimously.

Application #20-049 / Amendment to Brigham City Planning Commission By-Laws / Brigham City Corporation

Mr. Bradley gave a brief explanation. The amendment is to incorporate electronic meetings authorization and requirements and a word change reference from "shall" to "should" regarding how by-laws are to be directed and guided with reference to Robert's Rules of Order. The amendment has been advised and recommended by the City Attorney. This amendment is not to encourage lack of attendance at meetings, but rather give flexibility when unforeseen circumstances prevent commissioners from attending, but can reasonably still participate. Section H was discussed and Mr. Bradley was going to look into concerns about quorums of three and it will be discussed at the next meeting.

Motion: Commissioner Barsuhn made a motion acknowledging the 14 days period with the agenda item to be published on next agenda. A recommendation will be made at the next scheduled meeting. The motion was seconded by Commissioner Bell and passed unanimously.

Discussion Item

Multiple Family and PUD Developments

Commissioner Hancey wanted to discuss the nature of spreading multiple family housing projects throughout the community and reduce the large mass concentrated developments. He referenced Planned Unit Development Title 29.25 section D.

The Planning Commission shall require such arrangements of structures and open spaces within the site development plan as necessary to assure that adjacent properties will not be adversely affected: 1. Density of land use intensity shall in no case be more than twenty-five percent (25%) higher than allowed in the zoning district, except not more than ten percent (10%) higher in residential districts. 2. Where feasible, least height and intensity of buildings and uses shall be arranged around the boundaries of the development. 3. Lot area, width, yard, height, density and coverage regulations shall be determined by approval of the site development plan.

Commissioner Hancey wondered if they should consider adding additional criteria such as:

- The total number of multi-family residential unit in a PUD is limited to 200 (this is an example).
- A minimum of 1500 feet (this is an example) must separate any two PUD with multi-family units.
- The total number of family residential units in a PUD is limited to 150 or 50% (these are examples) of the total residential units provided, whichever is greater.

All present commissioners like these ideas. Commissioner Barsuhn is concerned that at some point there could be legal ramifications if density concerns are not clarified.

It was decided to have commission members think about what kind of number stipulations should be used as well as gather some additional information on the number of units required for an HOA to function efficiently in regards to collecting dues and maintaining a common area.

Motion to adjourn

Motion: A motion was made by Commissioner Barsuhn to adjourn, seconded by Commissioner Hoehn and passed unanimously.

The meeting was adjourned at 8:27 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