

**MINUTES OF A REGULAR MEETING
OF THE EPHRAIM CITY PLANNING COMMISSION
EPHRAIM CITY BUILDING, 5 SOUTH MAIN, EPHRAIM, UTAH
WEDNESDAY, March 24, 2021
6:00 PM**

Commission Members Present: Planning Commission Chair Lisa Murray, Stephen Cornelsen, Jan Jonson,

Commission Members Present via Zoom: Darren Glather

Commission Members Absent: Craig Rasmussen and Dennis Nordfelt

Staff Members Present: Community Development Director Bryan Kimball, City Planner Devan Fowles, City Manager Shaun Kjar, Recreation Director Michael Patton and Recorder Megan Spurling

Others Present: Lindsey Field, Dale Strickland, Sarah Perry, Denny Perry, Shaun Layton

Planning Commission Chair Lisa Murray called the meeting to order at 6:05 p.m.

PUBLIC HEARING

City Planner Devan Fowles addressed the Commissioners to cover the first three items at once. It is one application, and we are addressing the land amendment first. Devan referred to the zoning map that was provided. The applicants would like to change the zone over 44 W. Center from R1A to commercial, it is then adjoining the existing C1 zone adjoining by Manti Telephone. If approved, the general plan amendment for the piece in purple indicated on the map, will change the general plan from medium density residential to high density residential and you would be able to rezone the property 64 W. Center from an R1A to R4. If this were done in reverse and the request for commercial was denied, you would have a R1A zone surrounding a R4 zone.

Both Devan and the applicant have talked with Manti Telephone about their willingness to have their property rezoned from R1A to C1 and they approve the rezoning.

The question was raised by one of the Commissioners present as to why Manti Telephone is not requesting the rezoning if they are the ones that own the property. Devan explained you can rezone multiple properties in the same application that you do not own if the other property owners give their approval. There is also a state statute included in the notification letter stating anyone whose property is proposed to be rezoned may write a letter if they are opposed to it. It is a legal process up to this point. The owner of the 44 W. Center property is on board with their property being rezoned from single family to commercial.

The next property to the west of Manti Telephone is the applicant's property at 64 West Center street. Based on the last Planning Commission meeting there was discussion about having the applicants revisit

their application to change it from commercial to residential. Discussion of R4 was had between the Planning Commission and the applicant. The applicant decided to apply for the R4 zoning so they can utilize the most density if they choose to. The applicant is applying to amend the General Plan from a medium residential to a high residential zone.

Commission Member Darren Glather asked what the yellow and red colors represent on the map. Devan went on to explain the yellow color represents a medium residential zone in the General Plan, what the property currently is, and red represents commercial in the General Plan. The yellow currently allows you to rezone it up to a R3 and the commercial allows up to a R4 in terms of use. The zone change was discussed in the last meeting between the Planning Commissioners and the applicant. Devan explained the difference in residential zones and stated a commercial zone allows up to a R4 use so you can have high density. The initial application was to have high density over the property. Previously the Commission proposed to have the property be a high-density residential zone instead of commercial. The applicant is asking for the same density as in their first application. An R4 zone will allow a total of 5 units, because the lot size restricts the number of units. They can have up to three units in an R3 zone and R2 you may have two units, R1 can have one.

Lisa asked if anyone would like to make a comment about the change of the General Plan to HDR from MDR.

Sarah Perry came forward to gain clarity on why the applicants wanted to go to a commercial zone or even an R4 based on the plan that was conveyed about putting in three tiny homes. It seems like it is a density issue based on the discussion. Sarah asked if the proposed plan was to put in as many units as possible.

Dale Strickland came forward to address the questions posed by Sarah Perry. Dale explained when he and Lindsey first had the idea, discussion was had with all his surrounding neighbors. He further explained their plan is to do three tiny homes and eventually eliminate their home and put another tiny home there. By what he submitted prior he believed his neighbors were on board. He made the comment that they do not live in a residential area. As an example, semis are unloaded in front of their homes. When Dale spoke with Manti Telephone, they relayed that they thought the property was already zoned as a commercial property. He also noted all properties are taxed by usage and he is being taxed as a commercial zone. When Dale and Lindsey came up with the application, they realized parking is an issue. An application was placed for a commercial zone based on parking. He addressed the concerns others had about what might be done with the property if they were to ever sell it. He gave other examples of the surrounding properties being used for commercial use. Dale observed that out of 12 properties 8 of them are businesses and that is why the application for a commercial zone was submitted. Dale also stated that there was a concern about Carl, the owner of Hermansen's, not being in favor of the rezoning and he has a document showing Carl is in favor for R4 or a commercial zone. Commissioner Steve Cornelsen asked Dale to clarify his plan and asked if his intention was to build five units instead of the three initially proposed. Dale plans to build whatever will fit on his property, while keeping the integrity of the area.

Lisa addressed Mr. Strickland stating she felt the R4 zone was a compromise. She understands what he wants to do but brought up the concerns his neighbors have if the property is sold, and what the new owner would do with a commercially zoned property. She stated the Commission

is on board with an R4 zone if that is what Mr. Strickland and Ms. Fields agree to. Lisa stated that the R4 zone is a good compromise and would allow for parking.

Dale stated that whatever he does do with property it will increase the value and have his neighbors in mind. Dale stated he would take the R4. Sarah Perry expressed her concern for the future and the work they have put into their home and wanting to maintain the integrity of the property.

Commission Member Steve Cornelsen did confirm that as a planning commission they do have to look at all the possibilities that could happen as a result of a zone change.

Lisa asked if there were any more comments and Denny Perry commented that he and Sarah are officially against the proposed rezone. Denny Perry stated he is concerned as a resident. He bought in a historic residential area and he would like it to stay that way. Commission Member Jan Johnson referred to Denny Perry saying he would do something like the Strickland's on the back part of his property. Denny stated initially that was not his plan, but if he is going to be in a commercial neighborhood he will sell and do something similar.

Planning Commission Member Jan Johnson moved to close the Public Hearing portion of the meeting. Planning Commission Member Darren Glather seconded the motion. All were in favor. The motion carried.

BUSINESS

A. Land Use Map Amendment: Lindsey Field - petition to amend the Ephraim City Land Use Map by rezoning property located at 44 West Center Street from Single-Family Residential Zone (R1A) to Central Business District Commercial Zone (C1).

Devan again stated the property owner of Manti Telephone agrees to the change. The property owner stated he thought all along the property was commercial because he was being taxed as such. Commissioner Jan Johnson asked Devan if changing Manti Telephone to a commercial zone cleans things up as far as zoning goes. Devan referred to the map and explained if you change Manti Telephone's property to commercial and the Strickland's to an R4 then you have two high density zones right next to each other.

Planning Commission Member Steve Cornelsen moved to recommend the City Council approve the petition for a Land Use Map Amendment from Lindsey Field, rezoning property located at 44 W Center Street from Single-Family Residential Zone (R1A) to Central Business District Commercial Zone (C1). Planning Commission Member Jan Johnson seconded the motion. All were in favor. The motion carried.

B. General Plan Amendment: Lindsey Field – Petition to amend the Ephraim City General Plan on property located at 64 West Center Street from Medium Density Residential (MDR) to High Density Residential (HDR).

Darren Glather addressed Denny Perry and his concern about owning historical land and asked for clarification on their concerns. Steve Cornelsen explained the original purpose of the land was to be a historical area and the Perry's restored their property with that in mind. As more businesses have come in that has not been the case. The property owner would like it to stay more of a historic residential area. It was explained that if someone submits something that falls within City regulations, it must be approved. With this situation there was some interpretation involved. No city codes were ever adopted to enforce the historical area. This plan fit within the intention and the City cannot deny it.

Lisa echoed the above comment. The plan does fit what the City has been trying to do in this area. This motion compromises a bit. We are also trying to protect the people that are there. Both parties agree that this is a good compromise.

Planning Commission Member Jan Johnson moved to recommend the City Council approve the petition for a General Plan Amendment by Lindsey Field, changing the zoning of the property located at 64 W Center Street from Medium Density Residential (MDR) to High Density Residential (HDR). Planning Commission Member Darren Glather seconded the motion. All were in favor. The motion carried.

C. Land Use Map Amendment: Lindsey Field - Petition to rezone property located at 64 West Center Street from Single-Family Residential Zone (R1A) to High Density Residential Zone (R4).

No comment. Moved to approval.

Planning Commission Member Steve Cornelsen moved to recommend the City Council approve the petition for a Land Use Map Amendment by Lindsey Field, to rezone property located at 64 W Center Street from Single-Family Residential Zone (R1A) to High Density Residential Zone (RA). Planning Commission Member Jan Johnson seconded the motion. All were in favor. The motion carried.

Lisa commented that the motions have passed in Planning Commission, they must now be presented to the City Council. Devan Fowles reiterated this is a recommendation of approval to the City Council of the above motion. This information will be presented to them, there will be a forum to express questions and comments just like in Planning Commission, and then they will make the final decision. If approved, the map will change and become ordinance. The City Council will review it two weeks from tonight.

D. Conditional Use Permit: Advanced Properties - conditional use permit request for a 20-unit multifamily development on their property located at approximately 155 East 700 North.

Devan Fowles addressed the Board and explained this is a conditional use permit proposed by Advanced Properties. Currently the property being discussed is only being used agriculturally. A zone change approval has already taken place and it is now a C2 zone, which does allow for high-density, which is what this would be. The property is just under 3 acres. The number of units being proposed to be built on this property is lower than what the density will allow. Devan referred to the multifamily checklist he provided in the packets, so the Board can see the requirements that are reviewed by staff for approval.

Lisa asked if the plan was to put in five town homes with four units in each.

Shaun Layton explained the copies of the provided plan and explained where garages and other things will be placed.

Devan explained the property is not in the flood zone and is zoned correctly for multifamily as far as density goes. 20 units are planned here and when looking at the acreage of the property, that is more than double what would be allowed.

Shaun Layton said that the square footage of each unit is about 1700 square feet, in response to Commission Chair Lisa Murphy's question.

Steve Cornelsen asked questions regarding the property to which Devan Fowles answered that fencing would be required and at least 20 percent of the property he is developing would need to be landscaped. Shaun Layton commented that there will be backyards for these units and would be completed in phase two of the development.

Devan stated that if Shaun Layton could check all the boxes and meet all the requirements, the City would issue the zoning permit. A general review has been complete based on Shaun Layton's concept plan. We will be getting engineered plans before issuing a zoning permit. Some things would need to be worked out between the staff and applicant. Devan asked that if the Board chooses to approve the CUP, that one of the conditions be that the applicant comply with staff recommendations as the review process is completed. Parking for the units was also discussed and meets guidelines.

Bryan Kimball addressed the Board and referred them to the check list. He stated that they might consider how this development would fit in to the neighborhood, as it would set the tone for new development with potential for future phases. Steve Cornelsen commented that this does seem to fit within the plan and what is in the surrounding area. Bryan Kimball talked about how they considered other zoning and the neighbors of the property into consideration.

Planning Commission Member Jan Johnson moved to recommend the City Council approve a Conditional Use Permit for Advanced Properties to build a 20-unit multifamily development on their property located at approximately 155 East 700 North, with condition that he comply with the current Ephraim City ordinances and staff recommendations recommendation. Planning Commission Member Steve Cornelsen seconded the motion. All were in favor. The motion carried.

Steve Cornelsen did express some concern about the condition of staff approval and Devan Fowles assured him that the staff approval only meant that they would be enforcing the checklist provided and that they will make sure the plans adhere to ordinance.

E. Recreation Department Update: Recreation Director Michael Patton - Presentation regarding current and future recreation plans in Ephraim City.

Recreation Director Michael Patton introduced himself and began with his presentation. He explained that he was there to answer questions and let the Planning and Commission members know what is going on and what plans are.

While the presentation was being brought up Shaun Kjar addressed the Commissioners about a special meeting with the City Council regarding developments in Ephraim City. Concerns about water and power were addressed. Requests from outside the city are received regularly and requests that were granted in the past have created a buffer, where the incentive now is to keep going. It was suggested the City deny the approval of outside connections until the ordinance is updated. Shaun Kjar stated that at some point there will be a future meeting where he would like the Planning Commission's input and expertise on this issue. Jan Johnson brought up what other cities do if a developer is coming in and wants to develop property. The developer needs to secure water right and then turns it over to the city. Jan wanted clarification if that is how Ephraim City proceeds. Shaun Kjar said instead it is incumbent on Ephraim City to turn them into water rights, and we have been able to do it with good success, but it does require extra steps. Most other communities require water rights before connection to the City. Jan expressed that water is the commodity and we cannot continue to build without requiring water. Shaun Kjar reiterated that wheels are still turning. Water rights are going to cost more if they buy them individually than if the City purchases them in larger chunks. There is more a strength to what we are doing.

Michael Patten gave a brief history of when he started with the City about a year ago. The focus then was youth supports. The department wanted to establish a mission and goals that also focused outside of youth sports and keeping the city's growth in mind.

Michael explained in addition to recreation, he also has an economic background, consequently the department is also focused on economic development for the community as well, and with that in mind developed a 5-year plan. A survey was conducted amongst the community about what sports people participate in and what facilities they utilize in Ephraim. Over 400 people participated in the survey.

Michael stated that people in our community love the access to the mountains and trails. People want more high-quality facilities and programs without incurring additional fees. We had people purpose a lot of ideas. A master plan was created for each park while keeping in mind what people enjoyed about each one. Michael did refer to a slide show that was created to outline what ideas they have for each park and how they can be improved.

Library park: 75 people participated in this survey and the department discovered people have not really visited this park recently. The feedback received is that there is nothing to do at this park. Michael expressed they would like to make each park unique, so we can attract people from outside Ephraim as well. He said they would like to create an all-abilities park. The library has also been consulted about the plans and what they would like is also being taken into consideration.

Canyon View Park: Survey results were discussed. The findings revealed minor improvements were wanted, such as adding shade and water fountains. This park is easier to improve as there is a huge area that is undeveloped. That space will be developed as a skate park and outdoor basketball court. We would also like to add more trees and picnic tables.

Pioneer park: The survey findings for this park were also discussed. It was discussed that there is not much to do at this park but, residents feel it is a historic part of the city. The Rec Department would really like to magnify the historic aspect of this park and make it a more mature park. We would like to add cement walking trails, more boards with the history of the park and a fun aspect by adding concrete games like corn hole and checker boards, things to make it unique. This is one of the Rec Departments top projects right now and we are working with the DUP. They have some grants to help with this project and Ephraim City also contributed to help with this. We are hoping to have some portions of this project done before the Scandinavian Festival. Shaun Kjar commented that the concrete sidewalk will be finished by then.

Michael said that the Family Park and the pocket parks do not have any master plans on them, as Snow College owns the Family Park and not enough people are aware of the pocket parks.

The master plans to City Council and they have all been adopted. The next upcoming project is the all-abilities park, for which a \$50,000 grant has been received. The playground itself would cost about \$150,000 and our goal is to fund it through grants. We are trying to tie the restroom at the facility in with the project, so the grants cover the cost.

Michael further explained that the skate park at Canyon View is also one of the top projects. A consultation group that specializes in skate parks throughout the country conducted a survey and developed a conceptual design, along with cost estimates. The initial designs were smaller, and based on the survey, the community wants something larger. The project estimate is now about 1million dollars. Bikes, skateboards and other

things would be able to be used on it. They are also talking about putting a little pool that bikes could ride through. The Rec Department is also trying to find some grants to help fund this project as well.

Commissioner Jan Johnson asked Michael about the possibility of some pickleball courts. Both Shaun Kjar and Michael commented about how there are already 6 lighted courts in Ephraim at the tennis courts where pickleball lines have been painted on. A lot of the feedback received is that there are not enough recreational facilities in Ephraim. Snow College does have a rec center, but they are growing, and they cannot fit everyone. The Rec Department would like to develop a piece of land in Ephraim that would accommodate indoor and outdoor athletics. Studies are being done to determine the cost and if there are ways to offset that cost. Jan also brought up a place to ice skate and Shaun Kjar said that was also being looked at in the feasibility study.

PLANNER'S REPORT

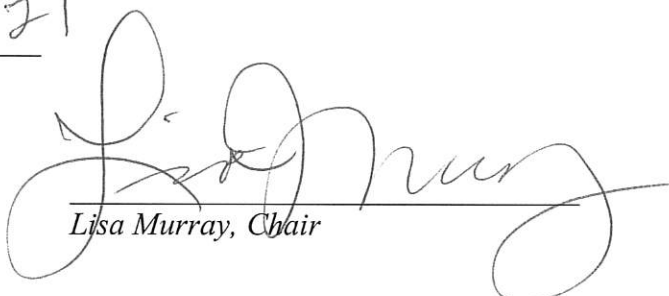
No Comments.

ADJOURNMENT

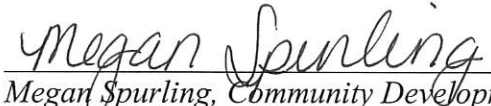
Planning Commission Member Steve Cornelsen moved to adjourn the meeting at 7:09 pm. Planning Commission Member Jan Johnson seconded the motion. All were in favor. The motion carried.

Minutes approved on:

12/28/21


Lisa Murray, Chair

Attest:


Megan Spurling, Community Development Clerk