

**MINUTES OF A REGULAR MEETING
OF THE EPHRAIM CITY PLANNING COMMISSION
EPHRAIM CITY BUILDING, 5 SOUTH MAIN, EPHRAIM, UTAH
WEDNESDAY MAY 19, 2021
5:00 PM**

Commission Members Present: Planning Commission Chair Lisa Murray, Stephen Cornelsen, Jan Jonson, Dennis Nordfelt, Darren Glather and Craig Rasmussen

Staff Members Present: Community Development Director Bryan Kimball, City Planner Devan Fowles

Others Present: Logan Maffett, Alan Rindusbacher, Lindsey Field, Joseph Gallaher and Rashell Durrant

Planning Commission Chair Lisa Murray called the meeting to order at 5:00 p.m.

APPROVAL OF MINUTES

The Commission reviewed the minutes of the May 12, 2021 Planning Commission meeting.

Planning Commission Member Craig Rasmussen moved to approve the May 12, 2021 meeting minutes as presented. The motion was seconded by Planning Commission Member Darren Glather. All were in favor. The motion carried.

PUBLIC MEETING

Conditional Use Permit – Luke Kochniuk – Review of a 14-unit multifamily development on property located at 746 N. 50 E. in the C2 zone.

This is further review from the application received last Wednesday May 12, 2021. The Planning Commission should now approve, approve with conditions, or deny the application.

A Commission Member asked Devan how long this has been a mixed-use zone. Devan explained this property has been in that zone for a very long time. Devan believes the existing property owners bought based on it being a commercial subdivision and being an approved use under the C2 zone. The property lines were discussed and where they are in correlation to the surrounding businesses. The new developments, which have previously been approved, that are going in the surrounding areas were also discussed, including nearby commercial, residential, and mixed-use developments that were recently approved or under consideration.

Steve Cornelsen referred to items in the CUP requirements listed in the current city code. He does not feel this proposed residential development is compatible with the use of the surrounding commercial structures, which is one of the review criteria listed in the code for conditional use permits. He also expressed concerns about the fencing and landscaping requirements being

adequate to create a buffer between neighboring properties. Devan explained the fence needs to be at least 6 feet high and site obscuring around the sides and rear of the property. The concern of Robby Layton's adjacent auto body shop and impound yard were brought up once again. Robby operates late into the evening, including a 24-hour towing service, and has a barbed wire fence he is worried about. Robby specifically moved out of a residential area to avoid these types of issues and complaints from residents next door. Steve also feels that giving disclosures about the surrounding businesses and their operations should be a condition of approval, if approved.

Lisa reminded those present that the Planning Commission needs to consider the concerns of both the applicant and the neighbors, but also do what is best for Ephraim City overall.

Luke Kochniuk addressed the commission. He explained they did consider doing a mixed-use building, but with building costs and site layout restrictions and conflicts between covered residential parking and commercial parking and uses, it is not feasible for them. Luke explained if they were to build with commercial on bottom and residential on top then the same concerns of having residential next to commercial would still be present. Luke also brought up the town homes that are proposed to be built two parcels to the east, around the corner from this proposed application. He expressed the two projects are very similar. Luke stated they designed the project with these concerns and safety issues in mind, including specifically placing the building further back in the lot so residential tenants would be further away from the street and adjacent driveways and they also included green space behind the building which will allow the kids a place to play behind the building behind the fence. He also said they are trying to provide affordable housing for Ephraim, which they feel a lot of the state of Utah needs. They feel this development proposed as condos will be more affordable and better suited for first time owners as compared to other developments.

Bryan Kimball went over the map and where the potential town homes will be located. With the future 100 East street there will be a little bit of a buffer there. Devan talked about step down zones and transitioning. The previously approved town homes on 800 N and 100 E meets those step-down zones. It was expressed that there is a difference between being next to or near a commercial development versus being directly surrounded by it.

One of the Commission Members stated he and his family patronize the businesses in the area often, he does not feel there will be a safety hazard for children. He feels it is close enough to where the other town homes are going to be.

Lisa expressed she does not feel this application is not compatible with the surrounding structures and is concerned about the look and feel of Ephraim City.

Logan Maffett, who owns real estate in Centerfield, commented that a condo complex does not typically go into a residential neighborhood. He feels that condo complexes go where people can walk to work. The people who may potentially live in this area will utilize the surrounding businesses. He mentioned other cities have pushed out all affordable house and now it is difficult to live there because the homes are between \$600,000 to \$700,000. Logan, also stated apartments complexes are not for sale, if you want to encourage home ownership and to be able to purchase

something at an entry level this is almost their only option. We want these people to be able to walk to work or go to the grocery store without getting into their car.

Discussion was had about HOA's and what that could entail. Bryan stated he is against conditions that would put staff in the middle of a private contract.

Planning Commission Member Dennis Nordfelt moved to recommend the City Council approve Conditional Use Permit – Luke Kochniuk – Review of a 14-unit multifamily development on property located at 746 N. 50 E. in the C2 zone.

Planning Commission Member Stephen Cornelsen moved to amend the motion adding the following conditions; 1. the HOA is required to maintain at least 50% owner to renter ratio, 2. that there is a full disclosure statement of hazards and noise elements of the neighborhood and 3. adequate fencing that matches existing neighbors around the property to separate the uses. Planning Commission Member Darren Glather seconded the motion to amend. Stephen Cornelsen, Dennis Nordfelt, Lisa Murray, Craig Rasmussen and Darren Glather were in favor. Jan Johnson was opposed. The vote was 5-1. The motion carried.

The Planning Commission member Dennis Nordfelt voted to recommend the City Council approve Conditional Use Permit – Luke Kochniuk – Review of a 14-unit multifamily development on property located at 746 N. 50 E. in the C2 zone with the following amendment; 1. the HOA is required to maintain at least 50% owner to renter ratio, 2. that there is a full disclosure statement of hazards and noise elements of the neighborhood and 3. adequate fencing that matches existing neighbors around the property to separate the uses. Craig Rasmussen seconded the motion. Steve Cornelsen, Dennis Nodfelt, Craig Rasmussen and Darren Glather voted in favor. Jan Johnson and Lisa Murray were opposed. The vote was 4-2. The motion carried.

ADJOURNMENT

Planning Commission Member Dennis Nordfelt moved to adjourn the meeting at 5:45 pm. Planning Commission Member Darren Glather seconded the motion. All were in favor. The motion carried.

Minutes approved on: 5/26, 2021


Lisa Murray, Chair

Attest:



Megan Spurling, Community Development Clerk