

**MINUTES OF THE GRANTSVILLE CITY PLANNING COMMISSION
HELD 02/11/2021. THE WORK MEETING AND THE REGULAR MEETING
WERE HELD IN THE GRANTSVILLE CITY HALL AT 429 EAST MAIN
STREET AND ON ZOOM.**

Commission Members Present: Chairman Jaime Topham, Commission Member Gary Pinkham, Commission Member John Limburg, Commission Member Erik Stromberg and Commission Member Brian Pattee.

Commission Members that were present on Zoom:

Commission Members that were absent:

Appointed Officers and Employees Present: Zoning Administrator Kristy Clark, Grantsville Fire Marshall Brad Clayton, City Engineer Timm Dixon, and City Council Liaison Darrin Rowberry.

Appointed Officers and Employees that were present on Zoom: Attorney Brett Coombs and Shay Stark with Aqua Engineering

Citizens and Guests Present: and many members of the community attending the meeting through Zoom.

**THE REGULAR MEETING WAS OFFICIALLY CALLED TO ORDER BY
CHAIRMAN, JAIME TOPHAM AT 7:06 P.M.**

PLEDGE OF ALLEGIANCE

PUBLIC HEARINGS:

- a. **Proposed Preliminary Plat for Grantsville Heights, LLC and Paul Linford on the Peak Crossings Subdivision located approximately at 1100 West Main Street for the creation of forty-five (45) lots in the R-1-21 zone.**

Chairman Jaime Topham opened the public hearing at 7:06 p.m. and called for comments.

Chairman, Jaime Topham read into the record an email from Julie Mackley that stated to the Commission: I appreciate that input is desired from property owners that are impacted by this new development. As you may remember, I objected to the Zone request change on the initial application for this same property last year. I have no initial concerns with the application for this development, at this point. I am glad to see at least ½ acre lots. I also like that it feels like it is an extension of Little Reno, and not separated

from it. I am also glad to see that it connects into both Clark street and Main Street. I would like to know what the concept is for the rest of the development. I would love to see more open space in each phase and know what it will look like when finished. I'm concerned that it feels like it's an afterthought, instead of part of the design features. It would also be nice to see available parking spaces for the parks on the proposed plans. Thank you for time. Many thanks, Julie Mackley

Chairman, Jaime Topham read into the record an email from Angelyn Kempe that stated to the Commission: I don't know if it is too late to submit information for the meeting tonight, but the only thing we would like to add is that we would prefer more open (green) spaces such as parks and trails as we reside in the middle of all their land. We have horse property and it would be nice to access the mountains easily from our home by horse. Thanks for your consideration, Joe and Angie Kempe

With no additional comments offered, Chairman Jaime Topham closed the public hearing at 7:08 p.m.

b. Proposed Commercial Conditional Use Permit for Ryan Orgill located at 163 South SR 112, Suite 107 in the Grantsville Professional Park in the CD zone.

Chairman Jaime Topham opened the public hearing at 7:08 p.m. and called for comments.

With no comments offered, Chairman Jaime Topham closed the public hearing at 7:08 p.m.

c. Proposed Rezone of 73.22 acres for Marlo Meno, Mary Chappell and Kirk Matthews located at approximately 550 East Main Street to go from an RM-7, an R-1-12, and an A-10 zone to a Mixed Use zone.

Chairman Jaime Topham opened the public hearing at 7:08 p.m. and called for comments.

Chairman, Jaime Topham read into the record an email from Jeremy Watkins that stated to the Commission: I do not support any change to the land or zoning as it is now. I do not support changing the agricultural landscaping/use of the land to housing, regardless of density. It takes away of the rural feel of our city and will negatively impact the surrounding neighbors and scenery. Thank you, Jeremy Watkins.

With no additional comments offered, Chairman Jaime Topham closed the public hearing at 7:09 p.m.

CHAIRMAN JAIME TOPHAM OFFICIALLY CALLED THE MEETING TO ORDER AT 7:09 P.M.

1. Election of a Chairman to serve for one year starting January 2021.

Erik made a motion to nominate Brian Pattee to serve as Chairman for one year starting January 2021. Gary seconded the motion. All voted in favor and the motion carried unanimously.

2. Election of a Vice Chairman to serve for one year starting January 2021.

Erik made a motion to nominate John Limburg to serve as Vice Chairman for one year starting January 2021. Gary seconded the motion. All voted in favor and the motion carried unanimously.

3. Consideration to approve the Temporary Construction Living Conditional Use Permit for Ronald K. Bassett located at 393 Utah Drive in the RM-7 zone.

Ronald Bassett was present for this agenda item:

Jaime Topham:

Ronald, it looks like you submitted a site map for us. Are you in the process of construction right now?

Ronald Bassett:

I am. I'm nearly 90% complete. Maybe even a little more.

Jaime Topham:

Okay. Anybody have any questions or concerns?

Gary Pinkham:

I went by there yesterday and the trailer is set up and he is keeping the site clean. He's established the utility service with the city's water and garbage. He's pulling the trailer over here by the fairgrounds to take care of the waste.

Jaime made the motion to approve the Temporary Construction Living Conditional Use Permit for Ronald K. Bassett located at 393 Utah Drive in the RM-7 zone. Brian seconded the motion. All voted in favor and the motion carried unanimously.

4. **Consideration to approve the Commercial Conditional Use Permit for Ryan Orgill located at 163 South SR 112, Suite 107 in the Grantsville Professional Park in the CD zone.**

Ryan Orgill was not present for this agenda item.

Jaime made the motion to table the Commercial Conditional Use Permit for Ryan Orgill located at 163 South SR 112, Suite 107 in the Grantsville Professional Park in the CD zone. Gary seconded the motion. All voted in favor and the motion carried unanimously.

5. **Concept Plan Discussion with Marlo Meno, Mary Chappell and Kirk Matthews about the property located at 550 East Main Street in the RM-7, R-1-12, and A-10 zone.**

Mary Chappell, Marlo Meno, and Kirk Matthews were not present for this agenda item:

Jaime made the motion to table the Concept Plan Discussion with Marlo Meno, Mary Chappell and Kirk Matthews about the property located at 550 East Main Street in the RM-7, R-1-12, and A-10 zone. Brian seconded the motion. All voted in favor and the motion carried unanimously.

6. **Consideration to recommend approval of the Rezone of 73.22 acres for Marlo Meno, Mary Chappell and Kirk Matthews located at approximately 550 East Main Street to go from an RM-7, R-1-12 and an A-10 zone to a Mixed-Use zone.**

Mary Chappell, Marlo Meno, and Kirk Matthews were not present for this agenda item:

Jaime made the motion to table of the Rezone of 73.22 acres for Marlo Meno, Mary Chappell and Kirk Matthews located at approximately 550 East Main Street to go from an RM-7, R-1-12 and an A-10 zone to a Mixed-Use zone. John seconded the motion. All voted in favor and the motion carried unanimously.

7. **Consideration to recommend approval of the Preliminary Plat for TP Grantsville, LLC and Shawn Holste on the Parkinson Meadows Subdivision located approximately at 198 East Pear Street for the creation of thirty-six (36) lots in the R-1-21 zone.**

Shawn Holste was present for this agenda item and stated to the Commission: We actually changed the lot count to 35. If you remember, we were trying to clean up the unclaimed land. It's too hard to resolve so we've just gone back to our defined property

and lost a lot and we're in our boundaries, and I think that was the only condition we had last time and you guys liked everything else.

Jaime Topham:

I did see that we had an updated memo from Aqua. It looks like everything is clean. There was a statement about the private detention pond. Has that been addressed?

Timm Dixon:

No, it has not.

Jaime Topham:

Do we need to address that tonight?

Timm Dixon:

We can discuss it. The city is in discussions to see how to best move forward with this. I have made Shawn aware of it. Shawn, I think this would probably be a great time to have you make some comments on how you feel about the private detention pond.

Shawn Holste:

Okay, so this is where I'm at. This goes for the open space also. I would rather benefit community rather than pay a fee in lieu of open space. But the problem is, you guys aren't prepared to maintain the park or the detention pond. Last year my boys played flag football every Saturday and two nights a week in a small to large, grassed detention pond anywhere we played, and it was great. It would make more sense to give you guys a lot that looked like that. We talked about this with James and we know where he's coming from. He doesn't have the manpower to maintain it. So, we continue to put these ponds in everyone's backyard and Timm has brought up good points. There's a lot to maintain with these ponds. It's an unresolved issue. What do we do? Keep doing the same old thing or do we try to start improving it?

Jaime Topham:

I see you have a memorandum from Focus and there's a detailed drawing in there, and it looks like on that drawing you have the detention pond as separate lot with what looks like access. Is that accurate? It does not match your detailed drawings but is that what you were proposing?

Shawn Holste:

I think that's our question. We don't know what direction to go in.

Timm Dixon:

To be honest, we don't have an answer at this time. I would feel comfortable moving him forward until there's a resolution with the city on how to proceed in regard to these retention ponds.

Jaime Topham:

So moving forward so that they can get before city council and you guys will address this issue before city council meets?

Timm Dixon:

Correct, and if it turns out to where it becomes a city retention pond or a private retention pond in someone's private lot, then Shawn will have to resubmit something showing the separation between the property and the retention pond.

Shawn Holste:

I'm good with that. I feel we're so close that we can go to city council and get what they feel, and then when we go to our next DRC, have those corrections so next time you see it, it'll be 100%.

Timm Dixon:

Correct.

Jaime Topham:

Does the city attorney have any input on that as far as if we allow it to go forward? If you're going to change how that ultimately works, then they're going to have to redo all these drawings, right?

Attorney Coombs:

It really comes down to what the city engineer thinks. So, the commission could approve the plans as they are drafted now but if the city council were to determine that those detention basins need to be put into a separate lot. I think the city engineer would need to make a determination if that would create a material change to the plans that are here. If it creates a material change, then it would need to come back for this body to review and make a new recommendation.

Timm Dixon:

Shawn stated that he would be okay doing that, but we have to have the discussion not only with this body but also with city council.

Shawn Holste:

The only thing is, I can't afford to lose any more time on this. I'd like to do it right and add to the community. The easiest way to do it would just say, "the ponds need to be in the backyard," and be done with it. So, as long as I can go forward and be in front of city council and see what they think, and continue to move forward and not move backwards, then yes, I agree with all that.

Jaime Topham:

Shawn, I think I was just bringing that up so that there is a discussion if it has to be materially changed, you understand that you would have to come back to us. I definitely see your point of view that you can't lose any more time. You need to be moving forward and this certainly isn't necessarily your issue, and we do appreciate that you're trying to do the best for the community. But if it does turn out that that needs to be a separate piece, that potentially will have to be redrawn. I'm about transparency and looking down the road to the future and not being surprised by things, so that's why I wanted clarification, and I appreciate you taking the time to clarify.

Timm Dixon:

Yeah, and everything else looks good on this. It's just that matter of we just need to have some clarification on how to best move forward for the city.

Gary Pinkham:

Before we get away, this set of drawings have some issues that need correction. I don't know if that will affect how we go forward here tonight but note three has the incorrect lot numbers for that access issue to South Street. It includes an interior lot. There note should be lots 107 and 108, 118, and 119 should not have secondary access to South Street and then eliminate the 120 that's in the note because that's an interior lot. On sheet C3, street detail, we need to list six-inch concrete sidewalk, and the three, six, and eight roadway section that the city requires.

Shawn Holste:

I apologize on that one. They know that. We've discussed that. I think they must have just copied and pasted.

Jaime Topham:

It looks like on that issue of your notes, six picks up 107, 108, and 119. Note six addresses those but it doesn't have 118.

Gary Pinkham:

You actually got two notes, note three and note six on that plat sheet address the same issue. You can eliminate one note but make sure that the note states that there are four lots that the access to South Street are restricted.

Brian Pattee:

What are you doing as far as the curbing? Because South Street has a different curb cross-section on the other side. It's got the flat curb.

Shawn Holste:

We previously decided to match the flat ribbon.

Timm Dixon:

So, it just doesn't match. I don't know the detail it needs to match what's out there. Like Shawn said, I think they just copied and pasted the wrong one in there. I've seen the detail that showed the correct sidewalk, road base and the ribbon curb. So, I'm not sure how it didn't make it to the plans that are here tonight. We can make sure those issues meet code when we get the construction plan set. We leave it up to the design engineers to work on their drainage and carry that around. I'm assuming that they are doing that to have some of the drainage go into the interior street of the subdivision to caught there. So, I'll have to look at that a little bit closer when we get the final construction plans.

Gary Pinkham:

Okay, so they'll need to add a half width street detail for South Street in that plan?

Timm Dixon:

Correct.

Jaime Topham:

Anything further?

Brian Pattee:

No, I think we've talked about this detention ponds in people's backyards before and it needs to be resolved one way or the other. I don't see any reason we can't move forward with this right now and let him get going on this project.

Erik Stromberg:

So, just to clarify, it's 35 lots, not 36, correct?

Shawn Holste:

Yeah.

Erik made the motion recommend approval of the Preliminary Plat for TP Grantsville, LLC and Shawn Holste on the Parkinson Meadows Subdivision located approximately at 198 East Pear Street for the creation of thirty-five (35) lots in the R-1-21 zone. Brian seconded the motion. All voted in favor and the motion carried unanimously.

- 8. Consideration to recommend approval of the Preliminary Plat for Grantsville Heights, LLC and Paul Linford on the Peak Crossings Subdivision located approximately at 1100 West Main Street for the creation of forty-five (45) lots in the R-1-21 zone.**

Paul Watson was present for this agenda item and stated to the Commission: I think we have 48 lots. One of the lots is planned to be a church, so really 47 plus that. Half acre

lots and routing the major drainages around our project. We worked a lot with staff, so I think we've answered most of the questions, I guess I'm here to answer any new questions.

Jaime Topham:

Timm, do we have 48 lots?

Timm Dixon:

Yep.

Kristy Clark:

If there's additional lots that they didn't disclose at the time of the application, then they owe the city some money for the additional lots. Because all I charged was what was on the application and it said 45.

Paul Watson:

We will have to square up with you then. Happy to do that.

Kristy Clark:

Thank you.

Jaime Topham:

So it looks to me like we have a clean memo.

Kristy Clark:

Yeah.

Timm Dixon:

I know there's a public comment on that. I think it'd be good to say that we have worked with the developer and Paul, who is the engineer. If you notice the wash that is adjacent to there, the church parcel, we've given them some direction to come with a walking trail and some landscaping through that area. The developers seem incredibly open and agreeable to it. This will help with a couple of things, it'll help reduce and slow down some storm waters that comes down off the mountain through that area, through the project. I was happy that they're open to that. I know that was a comment in one of the emails that you got tonight. I think you're ready. The city is actively working to make sure that we address those type of things and start to look into those for future lots and subdivisions in the future.

Gary Pinkham:

Did you get those street names cleared up?

Paul Watson:

We have it submitted to the county. I believe we have cleared it up.

Jaime Topham:
Anything else?

Gary Pinkham:
This set of drawings have cleaned up a whole lot of the issues that we had with the previous sets of drawings.

Jaime made the motion to recommend approval of the Preliminary Plat for Grantsville Heights, LLC and Paul Linford on the Peak Crossings Subdivision located approximately at 1100 West Main Street for the creation of forty-eight (48) lots in the R-1-21 zone. Erik seconded the motion. All voted in favor and the motion carried unanimously.

- 9. Consideration to recommend approval of the Final Plat for DRP Management, AW Hardy Family and Monte Kingston on the Wells Crossing Subdivision Phase 5 located at Williams Lane and Mormon Trail Road for the creation of twenty-six (26) lots in the R-1-21 zone.**

Monte Kingston was present for this agenda item and stated to the Commission:
Monte Kingston. I'm here representing Mountain Vista Development. As you know, this is our phase five. We're under construction under phase four right now. Almost sold out on that project at that pace, so just moving forward.

Timm Dixon:
I recommend moving him forward from the engineering side with the one exception that the developer and the engineer provide drawings on the grading plan that show that their lot-to-lot drainage and any rear lot drainage is being addressed, and any drainage is staying on the individual lot itself. That's part of the new ordinance that was approved the first part of December. The original drawings that we got back before the planning commission did not show that. So, my only concern is as we move forward with that, that they are on the drawing. I see no reason not to move them forward. We did receive some plans late today. I have not had a chance to go through and look at them 100%, but I did notice that some of the concerns that I had regarding rear lot drainage were addressed. I'd like to move him forward, even though it is not a clean memo. It's as close as we can get at this time.

Jaime Topham:
It will be cleaned by the time it reaches City Council?

Timm Dixon:
Yeah, I will not let it move forward.

Monte Kingston:

We'll get it all cleaned up. I do have a question. So, Timm, how do you want that rear lot drainage shown on the plats?

Timm Dixon:

You guys did a good job with that in phase two, so if you just show that same triangular retention basin in the back of the lot, that would be acceptable, and just show how the grades tie into it, and that will work. I was over there again today looking at the existing phase two lots and they were graded pretty well and they're holding up. So, if you continue to move with doing that in phase five, I think we'll have that addressed and it'll be a good product.

Monte Kingston:

Also, on phase four we showed them in there. The county didn't like the designation we had on there on the drainage easement language. They stated that it makes no sense. A private property owner has no need to grant an easement in favor of himself or herself on his or her own property.

Timm Dixon:

That's fine if the language needs to come out, we can definitely do that. As long as it's showing that and then we'll put a note on the plat and on the grading plans that the homeowner shall not make any changes to the retention basin moving forward.

Monte Kingston:

Okay, so we'll work on that.

Gary Pinkham:

These new drawings that you got, Timm, today, do they address the water line separation issues and the utility issues?

Timm Dixon:

Yes. We actually had the engineer lower the water line down to avoid some utility crossings and separation issues, so they did address that and now we have the appropriate distances between all proposed utilities.

Gary Pinkham:

Okay.

Erik made the motion to recommend approval the Final Plat for DRP Management, AW Hardy Family and Monte Kingston on the Wells Crossing Subdivision Phase 5 located at Williams Lane and Mormon Trail Road for the creation of twenty-six (26) lots in the R-1-21 zone. Gary seconded the motion. All voted in favor and the motion carried unanimously.

11. Consideration to approve the meeting minutes for the previous P&Z Meeting that was held January 14, 2021.

Jaime made the motion to approve the meeting minutes for the previous P&Z Meeting that was held January 14, 2021. John seconded the motion. Gary Pinkham and Erik Stromberg abstained. Motion carried unanimously.

12. Report from City Council Liaison Darrin Rowberry.

Council Liaison Darrin Rowberry stated to the Commission: Darrin Rowberry: I don't have anything per se other than I think it was a really good move on the city's part to hire Timm. I'm not an expert in the field but it is nice to have him here and out and about in town. I see him around. Whenever I have a question, he's been there. He's talked about it. So, if anyone says, "Well why did we need our own engineer," every item tonight you can see that it's good that we have him on staff. I just wanted to point that out.

Timm Dixon:
Thank you. Glad to be here.

Jaime Topham:
We still have Shay Stark that helps out as well.

Timm Dixon:
Shay is invaluable to everybody. It's been good that we can lean on him for a lot of our planning questions that we need. I really appreciate him, so thanks, Shay.

Jaime Topham:
Thanks, Shay.

Gary Pinkham:
I've got a question to an item.

Timm Dixon:
Thanks, Darrin.

Gary Pinkham:
We received a handout here. We got a copy of ordinance 19a.1 regarding mixed use. I'm assuming that this was for the Matthew property discussion.

Kristy Clark:
That was for your information why the mayor was asking us to table it. I was hoping that Brett maybe could answer any questions that you have.

Attorney Coombs:

Yeah, I'm here. I can maybe comment on that.

Gary Pinkham:

Let me bring up my point, item number three, para number three there. Says the residential density shall not exceed three units per acre provided a property doesn't go to more than 14 units per acre. If we're limited to three units, how the devil can we get up to 14? There's something wrong with the wording there. I don't know if somebody put the cart ahead of the horse or what. That item needs to be looked at and probably re-written to provision of the ordinance.

Kristy Clark:

So it's going to be on the March agenda, so we will be re-writing that, Gary.

Gary Pinkham:

Okay.

Kristy Clark:

It's mainly because of what number four says.

Gary Pinkham:

I've got a problem with number four.

Kristy Clark:

Yes.

Gary Pinkham:

It says, "Request and apply this mixed-use district property owners that are included in a proposed annexation and not something that's already in the city limits." If it hasn't been annexed yet, we don't really have authority over the zoning on that land. Once it's been annexed, if it can't be zoned this way, that particular note says, "Under no circumstance can this be used."

Jaime Topham:

Well, I think that's the problem.

Attorney Coombs:

I am working out some proposed amendments for the committee to consider at your next meeting next month. I can tell you that that particular subsection, subsection four, in my proposed amendment, would be to repeal that particular subsection in whole. I'll lay out some of the reasoning for that then, but my intention is to go through all of 19a between now and your next meeting, and hopefully have some proposed language for all of you to consider just because this mixed use is something that I think we're going to see more often. From a city point of view, it allows a lot of flexibility in terms of what we can do with the property.

Jaime Topham:

Well, and our future land use plan, all of Main Street is primarily mixed use. Correct me if I'm wrong, but this is a holdover from what our mixed use was prior to doing the new general plan, correct?

Attorney Coombs:
Yes.

Jaime Topham:
So it's just a matter of this didn't get updated to reflect what we changed that mixed use to be?

Attorney Coombs:
Precisely. If the applicants were going to still want to move forward with this, my suggestion to the committee was going to be that due to the conflict between this ordinance and the general plan that we would need to move on this a little bit quicker. The applicant has decided to slow things down a little bit and so that gives us time that we can go in and make the change. You're absolutely correct. We just didn't. It's not something that crossed our radar until this particular project was coming to the forefront. Then it was noticed and now we're having to address it.

Jaime Topham:
So along those lines, you take a look at the remainder of our designations to make sure that they now reflect that they got changed over as well. Because I think when we had our general plan and we had the contractors come in and help us with that, we didn't necessarily update all the ordinances to reflect the new designations as they have written them in the general plan. So, we need to take a look at all of the sections. We don't necessarily have to address them all in March, but we need to be looking at them and starting to update all of our ordinances to reflect what our general plan is. I know that was a part of our task sheet after. I think we just haven't gone to it.

Attorney Coombs:
Yeah, yeah. I think that's an excellent point. Perhaps, Shay, you and I can work together to move through that and make sure that I don't miss anything. We can just make sure we get that done.

Shay Stark:
I'd be happy to.

Jaime Topham:
Anybody else? Darrin, thanks for your time.

- 13. Jaime made the motion to adjourn the meeting at 7:51 p.m. Gary seconded the motion. All voted in favor and the motion carried unanimously.**

Kristy Clark
Zoning Administrator