

MINUTES OF THE GRANTSVILLE CITY PLANNING COMMISSION HELD 3/11/2021. 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 Brian Pattee, Commission Member John Limburg, and Commission Member Erik Stromberg.

Commission Members that were absent: Commission Member Jaime Topham and Commission Member Gary Pinkham

Appointed Officers and Employees Present: Zoning Administrator Kristy Clark, Grantsville Fire Marshall Brad Clayton, Attorney Brett Coombs, City Engineer Timm Dixon, Shay Stark with Aqua Engineering, and City Council Liaison Darrin Rowberry.

Appointed Officers and Employees that were present on Zoom:

Citizens and Guests Present: Dave Lawrence was present in person. Ryan Orgill, Joseph Espinoza, Shawn Holste, Monte Kingston, Derek Ellis, and many members of the community attended the meeting through Zoom

THE WORK MEETING WAS CALLED TO ORDER BY CHAIRMAN, BRIAN PATTEE AT 6:25 P.M. COMMISSION HAD AN UNOFFICIAL WORK MEETING AND DISCUSSED THE FOLLOWING CODE AMENDMENTS. WE DIDN'T HAVE A QUORAM TO HAVE AN OFFICIAL WORK MEETING.

Commission Chair, Brian Pattee and Commission Member Erik Stromberg had discussions about Chapter 24, Small Residential Developments, Chapter 7 Conditional Uses, Chapter 19a Mixed Use District, and Chapter 21 Subdivisions of the Grantsville City Land Use Management and Development Code with Shay Stark, City Attorney Brett Coombs and Kristy Clark, Zoning Administrator.

THE REGULAR MEETING WAS OFFICIALLY CALLED TO ORDER BY CHAIRMAN, BRIAN PATTEE AT 7:03 P.M.

PLEDGE OF ALLEGIANCE

PUBLIC HEARINGS:

- a. **Proposed Amendment to the Grantsville City's General Plan Future Land Use Map correcting the Future Land Use Designation for Parcels #01-094-0-0067, #01-094-0-0032 and #01-094-0-0044 to go from a Municipal/School Designation to a Mixed-Use Designation.**

Chairman Brian Pattee opened the public hearing at 7:03 p.m. and called for comments.

With no comments offered, Chairman Brian Pattee closed the public hearing at 7:04 p.m.

b. Proposed Amendment to Chapter 2 Definitions of the Grantsville City Land Use Management and Development Code.

Chairman Brian Pattee opened the public hearing at 7:04 p.m. and called for comments.

With no comments offered, Chairman Brian Pattee closed the public hearing at 7:04 p.m.

c. Proposed Amendment to Chapter 7 Conditional Uses of the Grantsville City Land Use Management and Development Code.

Chairman Brian Pattee opened the public hearing at 7:04 p.m. and called for comments.

With no comments offered, Chairman Brian Pattee closed the public hearing at 7:05 p.m.

d. Proposed Amendment to Chapter 19a Mixed Use District of the Grantsville City Land Use Management and Development Code.

Chairman Brian Pattee opened the public hearing at 7:05 p.m. and called for comments.

With no comments offered, Chairman Brian Pattee closed the public hearing at 7:05 p.m.

e. Proposed Animal Conditional Use Permit for Joseph Espinosa to keep up to three (3) horses on his property located at 187 North Hale Street in the RM-7 and A-10 zone.

Chairman Brian Pattee opened the public hearing at 7:05 p.m. and called for comments.

With no additional comments offered, Chairman Brian Pattee closed the public hearing at 7:05 p.m.

f. Proposed Preliminary Plat for Gary and Rava Giles and Shawn Holste on the Cherry Wood Estates Subdivision located southwest of the Cherry Grove Subdivision for the creation of eighty-two (82) lots in the R-1-21 zone.

Chairman Brian Pattee opened the public hearing at 7:05 p.m. and called for comments.

With no comments offered, Chairman Brian Pattee closed the public hearing at 7:06 p.m.

g. Proposed Rezone of 92.38 acres of land located between Hale Street and Burmester, South of Vegas Street to go from an A-10 zone to an RR-1 zone for the Lawrence Bro. Inc.

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

Chairman Brian Pattee read into the record an email from Brandon Durrant that stated to the Commission: We are certainly not opposed to a zoning change; however, we would like to see 5 acre minimum lots for that area. In our opinion, many people chose to own property on the north end of Grantsville to avoid the high density housing that continues to be built in the city. Most parcels of land near this proposed zone change are larger lots. We believe most people around this area want the open space and more rural feel. Allowing one acre lots on this large tract will change that feel drastically, increase traffic, cause more noise, change the landscape, and block views. We recommend the change be made for 5 acre minimum lots. Thank you, Brandon and Aubrey Durrant

Chairman Brian Pattee read into the record an email from Justin Linares that stated to the Commission: I am not able to attend the planning commission meeting this Thursday, but I wanted to let you know that I am in favor of the zone change. Could you please make that part of the minutes?

Chairman Brian Pattee read into the record an email from Rachael and Wayco Cowan that stated to the Commission: 4 years ago when we started developing our property (North Hale Street) we talked with the planning and zoning administrator and was told that we would never see 1 acre lots down in this area. Tooele County approved Sam Clegg to develop 1 acre lots on Vegas last year and then Grantsville City annexed them in. Out of consideration for the people that lived down in this area we decided to do 5 acres to keep it rural for those that currently lived here and ourselves. We know we don't have the right to tell people what they can and can't do with their land. We do, however, feel there needs to be a few places left in this city to have space, to keep the rural feel of Grantsville alive. We highly object to 1 acre lots on this property. Can you imagine up to 90 homes being right off Burmester and at the end of the city which has always been wide open living. We would be open to 5 or 5.25 (for greenbelt) acre lots. That way they are able to subdivide their land but also keep the space and rural feel to this end of town. If you estimate even 2 cars per home that is 180 extra cars driving on Hale Street, Vegas, and Burmester many times a day. That means more snow removal, paved roads, road maintenance, sidewalks, street lights for Grantsville City to maintain not to mention a crowded feeling in such a small amount of road way. We would love the opportunity to have a conversation with the planning and zoning committee. We invite you all to take a drive down here to see what we are talking about if you have not yet. We appreciate you taking the time to hear our concerns. Thank you, Wayco and Rachael Cowan

Chairman Brian Pattee read into the record an email from Kerry Bouman that stated to the Commission: To Whom It May Concern, my concern with new zoning is what will happen to Vegas Street. Vegas is currently not safe for pedestrians. There are no street lights or speed limit signs. The shoulders of the street are often not walkable. Attached are pictures of what new construction has done to parts of the shoulder on Vegas. Bad weather makes it worse. My fear is if land is developed into homes then it will turn into

an outlet for potentially 92 families. With teenage drivers and two parent homes Vegas could potentially see an extra 200 cars twice a day. With that said, if North Hale is cut off and no outlet for new homes I believe Vegas would have less traffic. I have a first grader who walks home from his bus stop in the afternoons. With new families, I fear what will happen when we have bad weather and he has to walk through 2 feet of sage brush to get home. My question with our home being in the county is will we be forgotten? Will Vegas be safe if North Hale has an outlet to 92 homes? Keeping our street safe is my main priority right now. I realize right now no homes are planned. I also know this means new homes will be built. So please answer this concern proactively. As well, Burmester is currently used as a highway. The speed limit just barely changes to 40 MPH where this land is being rezoned. I hope that is taken into consideration. I am passed frequently as I go 40 MPH to get home from Grantsville. Thank you, Kerry Bouwman, 98 Vegas Street

Chairman Brian Pattee read into the record an email from Ben Allen that stated to the Commission: To whom it may concern: My name is Ben Allen I am a home owner located at 867 N Hale Street, Grantsville UT. I am writing about my questions and concerns about the development going in to the east of our home on the other side of Hale street. I am Concerned that they want to develop that area into RR-1 zone. When we decided to build it was my understanding that 5 acres would be the minimum allowance. I feel that if we are to bring in homes that are as small as 1 acre it will ruin the appeal and feel of why we first decided to move to that area of Grantsville. If they are allowed to do 1 acre as a minimum that will be up to 80 or more homes and will increase the noise and the traffic significantly. The traffic alone will mean more roads being constructed and more maintenance on the roads that already exist and don't get maintained very well. I know that the development will come. I just want to also keep the country feel to the town as well. I think the minimum acreage allowance should be 5 acres like the homes in that area. I hope That you will take our thoughts and feelings into consideration in this decision. I know That the residents in the area also feel this way. At the very least would like to have the opportunity to have a petition on this issue and be allowed to have the voice of the people be part of the decision. Thank you, Ben Allen

With no additional comments offered, Chairman Brian Pattee closed the public hearing at 7:14 p.m.

h. Proposed Rezone of 63.45 acres of land located between Hollywood and Pear Street to go from an A-10 zone to an R-1-21 zone for the Lawrence Bro. Inc.

Chairman Brian Pattee opened the public hearing at 7:15 p.m. and called for comments.

Planning Commission received one email for this Public Hearing from Annette Bolton on March 1, 2021. It was added to their packets on March 5, 2021.

With no additional comments offered, Chairman Brian Pattee closed the public hearing at

7:15 p.m.

CHAIRMAN BRIAN PATTEE OFFICIALLY CALLED THE MEETING TO ORDER AT 7:15 P.M.

- 1. 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 present for this agenda item:

Chairman Brian Pattee stated, so tell us what you're wanting to do.

Ryan Orgill stated, I'm an Optometrist. My practice is called Spectrum Eye Care. We've been practicing in Grantsville for about 12 years now and I've just relocated the office. Our location had been on Main Street near Soelbergs and now just moving that office to the Professional Park there on one 112.

Chairman Brian Pattee asked, does anyone have any questions?

Erik made the motion 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. John seconded the motion. All voted in favor and the motion carried unanimously.

- 2. Consideration to approve the Animal Conditional Use Permit for Joseph Espinosa to keep up to three (3) horses on his property located at 187 North Hale Street in the RM-7 and A-10 zone.**

Joseph Espinosa was present for this agenda item:

Chairman Brian Pattee stated, so tell us what you're wanting to do.

Joseph Espinosa stated, my wife and I, we recently bought a home on 187 North Hale. We just going through the permits so we can bring home our horses. We have one at the moment and we would like to get another. It's being boarded at a local place.

Erik Stromberg asked, Kristy, I should have done the math sooner, but are they good?

Kristy Clark answered, yes, they're good for three horses.

Chairman Brian Pattee asked, so the three horses meet the requirements?

Kristy Clark answered, yes. For three horses they need 14,000 square feet and he has 23,634 square feet. So they exceed the requirement and they have the 100-foot buffer.

Chairman Brian Pattee asked, any other questions from the Commission?

Brian made the motion to approve the Animal Conditional Use Permit for Joseph Espinosa to keep up to three (3) horses on his property located at 187 North Hale Street in the RM-7 and A-10 zone. John seconded the motion. All voted in favor and the motion carried unanimously.

3. Consideration to recommend approval of the Rezone of 92.38 acres of land located between Hale Street and Burmester, South of Vegas Street to go from an A-10 zone to an RR-1 zone for the Lawrence Bro. Inc.

Dave Lawrence was present for this agenda item and stated to the Commission: I'm here representing Lawrence Brothers and there's seven individuals involved and they're from the families of Dave and Bert Lawrence here in Grantsville. What we're looking at proposing and listening to the comments. I appreciate those comments. I can also see where many hands are tied down there on that Vegas Street, because it is both county and city. But many areas need to be annexed in and we're bringing into this annexation 411 shares of water that helps the water company. If we achieve the zoning we are looking for, every lot will have water to irrigate it. And we're also the type of people where we're from here, that we want to do everything we can the right way for Grantsville. We want to be a deep partner with the progress of Grantsville. In fact, I built a car wash here in town because I couldn't stand the way that building looked anymore. I don't make a dime off of it, but I had a hell of an area there that I had to clean up. Cost a lot of money, but it was worth it for Grantsville. So all of our decisions that are being made are along the lines of just being a seller, looking for a buyer. We're not concerned with the future; we're not concerned with what the buyer or a developer or just somebody that wants to hang on to the land. We're not concerned with what they're going to come up with because we can't be. And many of those comments are issues that come down the road once houses are being built. Five acre zoning completely ruins your tax base. You don't want to be doing what they did in Erda. Nobody's doing it anymore. There just isn't any tax revenue in five acres. But if you guys grow, I would think that's a major consideration with that growth. I have no control over a lot of issues in those comments, but I'm going to tell you what I'm going to offer Grantsville. You have an opportunity to extend Hale Street, well almost to the next house to the north, which is about a mile away from where it's at right now. So you got an opportunity to extend Hale Street, which would be a big benefit to Grantsville, especially for emergency response. As you know, that road down there can be wet and flooded often. I can see by the pit run that's been put on the road that that's been an issue down there getting in and out of their houses. So if a developer was to come in, Grantsville has the opportunity to put that road down that I think would be very important, very beneficial to Grantsville actually. And then maybe then the sidewalks and the curbs

and the gutters, whatever is wanted would go in. But I look at this as more as a development. A developer, that would be more like Palomino Estates is what you're looking at coming in today. Also, one acre lots are preferable over five acre lots because five acre lots just become denuded and dust bowls. And you don't want that in a growing community. And you know they're going to denude it because they're too cheap to go out and buy hay for those horses they want. So one acre lots give them an opportunity to get the water, to get the infrastructure in and if they do want to have animals, because you look to the present zoning in Erda, for example. They're all one acre lots and they get by fine with the new animal zoning code they came up with, works out fine for one acre lots. But Tooele County learned a long time ago with those five acre lots, there's no money in them for the County. Just a lot infrastructure that's spread out and a lot of expense in the future to maintain that infrastructure. So what we want to do is we're petitioning you. We don't know what's going to end up down the road, but the zoning change that we're looking for is really Grantsville's advantage. It's going to help. It's going to help to annex that in. So, that that's about all I got to kind of explain our side right now, but I welcome any questions or any issues somebody might have now. But this is just a straight forward, no development, for sale. Now I got a subdivision down where the car wash is called Lawrence Subdivision. I'm going to buy that main street parcel and I'll come to you, but I'm going to put in a six bay self-serve car wash there on that corner. And that'll straighten it up from Handy Corner to a new road that'll be stubbed in on Main Street and it'll give a real nice approach into the high school and everything. And then it squares it up to where if other individuals bought me out, which would be after death of course, I'm not selling. But if somebody was to come in and buy me out, somebody was to buy out Handy Corner, you all know that if it's a squared up lot, it's much better commercially. I'm in where I'm at because I tore down that old building, is why it's shaped the way it is there. And Grantsville was kind enough to let me put that in. But I do have a subdivision and I'll approach you guys again. That's more like a summer or fall deal right now. Right now our push is to just get this on the market and take advantage of the best economy in America I read, which is Utah right now.

Chairman Brian Pattee asked, any questions for Dave?

Erik Stromberg stated, I don't have any questions. I think that the comment I would make, and this probably is as much for those that we receive comments of. You know, when we did the master plan, we designated this as one acre lots. So as a Commission, regardless of our personal feelings to any of these rezones that come in, if the master plan shows it as such and that's what the applicant's asking for, I mean, the best way to put it is our hands are tied versus personal feelings. We have to go with what the master plan says. So I think it is, whatever happens with this, I think keep that in mind as those kinds of comments come in. You know it is what it is and I think that's where I would say if you disagree, then comments probably need to go to City Council who has a little more control on that.

Kristy Clark added, I think we just need to let the public know that this does go to City Council and their comments will also go with it.

Erik made the motion recommend approval of the Rezone of 92.38 acres of land located between Hale Street and Burmester, South of Vegas Street to go from an A-10 zone to an RR-1 zone for the Lawrence Bro. Inc. John seconded the motion. All voted in favor and the motion carried unanimously.

- 4. Consideration to recommend approval of the Rezone of 63.45 acres of land located between Hollywood and Pear Street to go from an A-10 zone to an R-1-21 zone for the Lawrence Bro. Inc.**

Dave Lawrence was present for this agenda item and stated to the Commission:

Well, basically following the same verbiage I used, it's going to be a developer issue. We're asking for half acre lots because we think it's a good fit. We don't like the density of 3.3 acres there unless the neighbors, property owners to the side, sell. I think you're going to see two property owners on both sides of what we're doing, come in eventually, and I think that whole area could become housing, but I'd like to see a big park in that area for that whole part of town, to keep that open for a couple or three-acre park there. But that's between you guys and the developer. I think it's a good fit for Grantsville, where it's at, and the half-acre lots, like I said, they're very desirable.

Erik Stromberg stated, I tried to fix this one in the master plan. I wanted one acre here, but I got out voted.

Chairman Brian Pattee asks, so this does meet the master plan?

Erik Stromberg answered, it does.

Erik made the motion to recommend approval of the Rezone of 63.45 acres of land located between Hollywood and Pear Street to go from an A-10 zone to an R-1-21 zone for the Lawrence Bro. Inc. John seconded the motion. All voted in favor and the motion carried unanimously.

- 5. Consideration to recommend approval of the Preliminary Plat for Gary and Rava Giles and Shawn Holste on the Cherry Wood Estates Subdivision located southwest of the Cherry Grove Subdivision for the creation of eighty-two (82) lots in the R-1-21 zone.**

Shawn was present for this agenda item:

Chairman Brian Pattee asked, Shawn what are you wanting to do here?

Shawn Holste stated, we're just wanting to extend what's Cherry Grove up there, a new subdivision called Cherry Wood. Same thing: half-acre lots, a beautiful community up

there and just a high demand and trying to provide more wonderful homes for wonderful people.

Chairman Brian Pattee asked, have we made our staff happy?

Shay Stark with Aqua Engineering asked, have we received updated drawings with the new stormwater layout?

Kristy Clark answered, I have not received any new plans.

City Engineer, Timm Dixon stated, we have not received them yet but you'll see in my memo a recommendation of approval as long as those stipulations for the construction drawings are met.

Chairman Brian Pattee asked, Fire Marshal are you okay with this?

Fire Marshal, Brad Clayton answered, yes. The last one I saw everything had been taken care of.

Kristy Clark asked, so are getting an updated set of plans Shawn?

Shawn Holste answered, yes. So they gave us that Dropbox. So I actually just pulled up the latest. They talked to Timm this morning and the only question is calculation on the pond. And I believe Timm, you guys are on the same page now?

City Engineer, Timm Dixon answered, yes. They're working through it still and so they will get us a new pond layout to make sure that Cherry Wood can hold that drainage coming in and then not impact the lower Cherry Grove subdivisions, phase one and phase two. So as long as they do their calculations right and we'll look at it again and again, my memo says as long as they continue to either come up with a retention pond to retain all subdivision drainage or they come up with a detention pond to make sure they don't impact other subdivisions lower, then them we'll go ahead and recommend that for approval.

Kristy Clark asked, So, are you good with the preliminary and then that's something that you want to see at final? Or do I need something before it goes to City Council?

City Engineer, Timm Dixon answered, No, I'm good to move them on. I don't think the basin in size will change if it does. It won't change very much than what is currently shown.

Shay Stark with Aqua Engineering asked, if the basin size does increase or change, then Shawn's aware and everybody's aware that there could be a lot or additional lots that are lost?

City Engineer, Timm Dixon answered, yes he may lose a lot.

Shawn Holste added, I'm aware.

Shay Stark with Aqua Engineering continued, I just want to make sure that's on the record so we're not coming back for an amendment to the preliminary.

City Engineer, Timm Dixon stated, we've been going back and forth on this one, so it's a concern. It really is. We're taking it seriously and grateful for Sean to work with us and his consulting engineers. So we'll make sure it works out.

John Limburg asked, if we recommend approval of the preliminary plans, then these stipulations have to be met before they get final approval?

Erik Stromberg stated, So, we have two ways of doing this. Since this is preliminary I think we can recommend approval and trust that the changes are made before final. Or, other thing we can do is recommend approval with the condition the that the changes are made before they get final approval.

City Engineer, Timm Dixon stated, if he doesn't do it I will stand on record at City Council and recommend that they deny it.

Brian made the motion to recommend approval of the Preliminary Plat for Gary and Rava Giles and Shawn Holste on the Cherry Wood Estates Subdivision located southwest of the Cherry Grove Subdivision for the creation of eighty-two (82) lots in the R-1-21 zone. Erik seconded the motion. All voted in favor and the motion carried unanimously.

6. Consideration to recommend approval of the Final Plat for DRP and Shawn Holste on the Mustang Ridge Subdivision, Phase 5 for the creation of ten (10) lots in the R-1-12 zone.

Shawn Holste was present for this agenda item and stated to the Commission: This is the last phase of Mustang Ridge Subdivision and we're quite proud of the neighborhood.

Chairman Brian Pattee stated, looks like Timm's good with it. Any additional comments from staff? Any Commission comments?

John made the motion to recommend approval of the Final Plat for DRP and Shawn Holste on the Mustang Ridge Subdivision, Phase 5 for the creation of ten (10) lots in the R-1-12 zone. Erik seconded the motion. All voted in favor and the motion carried unanimously.

7. Consideration to approve the Preliminary Plan for Mountain Vista Development and Monte Kingston on the Worthington Ranch Subdivision for the creation of 62 lots in the RR-2.5 zone.

Monte Kingston and Derek Ellis were present for this agenda item and stated to the Commission: This has got a really long history, but as you said, this is zoned for a two and a half acre lots. We presented the city, it's been a couple of years now where we got the concept plan approved or the 62 units that we designed for one acre lots and have close to 80 acres of open space that was going to be maintained by the HOA. And we went through a couple of DRCs and Timm correct me if I say anything wrong here, we were getting ready to come forward to the planning commission and Timm got ahold of the updated wetlands map and we noticed that there was a few of our lots that were in that wetland area. From a timing standpoint, to try to get that approval from the US Army Corps of Engineers would have taken us months. And so the Mayor and Timm agreed that they would allow us to re-plot the subdivision and work to get those lots out of the wetlands area. So, we're now a minimum of three quarter acre lots. We've got a nice rural neighborhood. We're proposing putting a cement path on one side of the street, we feel that will look better, so that the kids have a walkable surface off of the streets for safety reasons. And then the other side would not have a sidewalk. I personally have done that before in a couple of other subdivisions and it works really well. But it kind of gives that rural feel of a neighborhood. So by doing that, we increased the open space to about 94 acres. We have an off-site sewer that was the big reason it's taken us so long to get to this point. We worked a long time with the city on how to get this thing to just sewer without going septic system. And we have those easements in place. They're recorded in favor of the city and they're going through the property to the South and connected into the Walmart trunk line. And that's kind of a brief summary in a nutshell. Any questions? We're happy to answer those.

Chairman Brian Pattee asked, you guys have any questions, comments? Timm? You're good on this at this point?

City Engineer, Timm Dixon stated, I'm good with it at this time. And again, he hit and addressed it perfectly in regards to the US Army Corp permits with the wetlands. And so there's actually a new permit in place that allows them to go ahead and do the sewer going through the wetland. So as long as they maintain all the construction requirements and follow the applicable rules with the Army Corps of Engineers, then we'll be good to go. We're going to make sure we're out there checking it and I'm sure some of the appropriate inspection peoples from the Army Corps here in the state of Utah will be out there also. So as long as they continue to follow those rules, we should be okay, they should be good to go with the sewer.

Chairman Brian Pattee asked, Fire Marshal are you good?

Fire Marshal, Brad Clayton answered, yeah. The issues from the first set of plans have been addressed, so we're good.

Shay Stark with Aqua Engineering stated, I want to point out, again, as the developer brought up they are asking for an exception on the standard for the street, with the sidewalk or a trail being located on one side versus the traditional sidewalk, curb and gutter. You may want to point that out in your motion, recognizing that's something that the City Council will need to address. And then I would just like to state, you know, this has had a long history and I really appreciated working with the developers on this with respect to the sewer. They were willing to look at putting in a regional sewer lift station to try to make this work. In the end, they were able to work something out with a neighbor who, as this started wasn't willing to, or didn't like the alignment, I should say, of the sewer going across his property. And they were able to find something that would work with him. They're able to go to a gravity system and certainly from the city's perspective, we appreciate gravity over having to maintain the pumps. But we appreciate the fact that he was that they've been willing to work with us on that because it took the better part of a year to jump through those various iterations and look at those options.

Erik Stromberg asked, So, just help me understand where you're wanting to do the trail. Is it just going on one part of subdivision or is it going on every street?

Monte Kingston answered, it's going on one side of the street on every street. So they have a walking trail route on every street.

Erik Stromberg asked, Okay. So it's a trail throughout the whole subdivision?

Monte Kingston answered, yes.

Erik made the motion to approve the Preliminary Plan for Mountain Vista Development and Monte Kingston on the Worthington Ranch Subdivision for the creation of 62 lots in the RR-2.5 zone, recognizing the exception of the curb, gutter and sidewalk to allow for a trail. John seconded the motion. All voted in favor and the motion carried unanimously.

8. Consideration to recommend approval of the Final Plat for Mountain Vista Development and Monte Kingston on the Scenic Slopes P.U.D. Subdivision - Phase 1 located on the Mormon Trail north of Wells Crossing for the creation of thirty-three (33) lots in the R-1-21 zone.

Monte Kingston and Derek Ellis were present for this agenda item and stated to the Commission: So, we've been through this with you, as you know, we've got the preliminary plat approved. So what we did on this was, this was originally zoned for one half acre lots on the 33 acres, giving us a total of 66 lots. What we talked with the Mayor

and doing a work session with the City Council, we were looking for a way to get some smaller lots in there and to provide the city with a regional park. And so what we ended up doing is doing a small lot subdivision and giving the city, I don't recall off the top of my head, it's around 25 acres' park, five of that was owed to the city for the Wells Crossing subdivision. And so anyway, I know that the Public Works Director is already finding that the design for the regional park, we designed it, we worked closely with the Butlers family to the East and trying to address all their concerns and they've been great to work with. And so one of the recent changes we did do is sort of redesign, some of this was thanks to Timm and Gary, comments from them. And we have decided we having the sewer going East through John Butler's property, along his fence line. And we'll connect into our Hunter Estate subdivision. And that is going to work out better and allowed us to regrade the project and so we don't have such large fields on that North end, in order to get the sewer to work. So we work with Gary on those changes and we've got everything covered that was a concern. One of the things that Gary was really struggling with was the 20-foot setback that we got approved with the Planning Commission and the City Council, the front yard. And so we are proposing, in order to make up that difference there, is to stagger the setbacks to 23 and 25. And then we can help market that if somebody has a really big truck, they can park it just get it on one of those staggered lots and it has a 25-foot front setback. We really don't think it's going to be an issue. This is, the buyer in this area isn't going to be able to afford a \$75,000 truck, but it does provide for that option. And we worked with the city, I think we had a work session with the Mayor, Public Works, Timm, and the building official and we worked through those issues.

Timm Dixon stated, things looked good on this one per my note. I think as long as they have Snow Way access worked out with the Butlers, considering the safety issues and access there, I recommend that we continue to move forward.

Chairman Brian Pattee asked, just curious what do mean by Snow Way access?

Timm Dixon answered, for safety purposes, they're supposed to have to points of entry.

Fire Marshal, Brad Clayton stated, Snow Way comes out of Wells Crossing and it goes out to a cul-de-sac type turnaround at the end of it, they'll service two lots on the East of it, totally separate from the main part of the development. that was an issue that the international fire code addressed, where that if you have more than 30 building lots, you have to have two points of access into that area. And they've addressed that by putting in a temporary road until Phase Two comes in. I spoke with Jackson Waters today, and then he subsequently sent me updated plans and showed that they've increased that road to 26 feet width because it probably will be an aerial apparatus, surely, because of the height of the buildings. And he's including it in all future plans also with profiles of how that road will be built. So, that satisfies the requirement of the IFC.

Erik Stromberg stated, So, while we're talking about these temporary roads that are going

in for fire, and I realize that this is a different project, but it is one of yours, right? So Wells Crossing, there is a temporary access. However, about two weeks ago, there was a giant hole in that as they were working. My concern is we give you permission to put in these temporary roads, but that doesn't stop the construction team from doing something that now we don't have that second road. So having seen that, I'm not in favor of these temporary roads anymore.

Fire Marshal, Brad Clayton added, that was brought to my attention last night. And I hadn't seen it. I was actually up in Wells Crossing yesterday and it had been corrected and they were working on the finished road.

Derek Ellis stated, just so you know, that phase of Wells Crossing to complete that road is to pave it out to Mormon trail, it's under construction now. And so that we had to make a crossing there.

Erik Stromberg stated, I understand that you had to make a crossing, but my concern is, you know, it's going to happen, right? You got to dig in, you got to make that crossing, but they leave work on Friday and they're leaving a three-foot-wide, six-foot hole there and you're now violating what you agreed to by having that secondary access versus us just making you complete the road.

Derek Ellis stated, we can look at some solutions. We understand the concern, it's a valid concern.

Fire Marshal, Brad Clayton stated, probably one of the quickest fixes on that, or quickest solutions would be to notify the fire department that that road is closed. Like they would in any other type of construction project. So we don't take the truck up on the Mormon trail and come down in there and we've got to work 300 feet from the house it's burning up and we have to go backwards onto the Mormon trail and come all the way back around and off a Hale Street to it.

Derek Ellis stated, We're happy to do that and that should have been done in this case.

John made the motion to recommend approval of the Final Plat for Mountain Vista Development and Monte Kingston on the Scenic Slopes P.U.D. Subdivision - Phase 1 located on the Mormon Trail north of Wells Crossing for the creation of thirty-three (33) 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 to amend the Grantsville City's General Plan Future Land Use Map correcting the Future Land Use Designation for Parcels #01-094-0-0067, #01-094-0-0032 and #01-094-0-0044 to go from a Municipal/School Designation to a Mixed-Use Designation.**

Shay Stark with Aqua Engineering was present for this agenda item and stated to the Commission: So, it was brought to our attention that these parcels that are privately owned parcels had been inadvertently put into the public property designation when we were doing the general plan maps. These are located next to the fire station. So this is really a correction. The intention was for the privately owned parcels to meet the same land use designation as the adjacent parcels. Which should be the Mixed Use designation.

Brian made the motion to recommend approval to amend the Grantsville City's General Plan Future Land Use Map correcting the Future Land Use Designation for Parcels #01-094-0-0067, #01-094-0-0032 and #01-094-0-0044 to go from a Municipal/School Designation to a Mixed-Use Designation. Erik seconded the motion. All voted in favor and the motion carried unanimously.

10. Consideration to recommend approval to amend Chapter 21 Subdivisions of the Grantsville City Land Use Management and Development Code.

Shay Stark was present for this agenda item and stated to the Commission: So at the last meeting through the discussions we were down to the very last sections, 21.8.1, 21.8.2, 21.8.3. And I mentioned to the Planning Commission that these sections needed to be reviewed by the city attorney. And the reason is essentially I am throwing out the old sections that were there because the Utah State law on these issues of vacations and amendments, had changed significantly with the last legislation. And in reading down through it, I realized that the effort to try to modify the existing language to meet the new requirements it was going to be an exercise in futility. It was going to be a lot of crossed out and underlined words, one after another. I also realized that the way the state law had been written, very easy to just modify a few words in there. Land use authority, change that to whether it is Planning Commission or City Council, that is making the approval or whether it's Planning and Zoning administrator, and a municipality changing that to city that essentially by doing that we could adopt the language in the state law, pretty much word for word. And it describes the process that we have to go through. It describes the considerations that have to be made with this. And that is probably the biggest difference between the new law and what had been previously in place is that these considerations that we have to look at now, we have to specifically look at how this will impact other parcels. We have to look at how it will impact utilities. The city has to look at what the vacations of roads, are there PUE's on the sides, there may not be existing utilities in there, but are there utilities that could possibly be affected by that vacation? Essentially utility planning on being able to put something through, and now they're not going to be able to with this and we are supposed to spend a greater effort in understanding those impacts and those implications of these various amendments. The other thing that has changed with it is the amendment that a subdivision now is only required to have on that plat the specific lots that are involved in the amendment. It used to be that you had to show the whole subdivision and get signatures from all the property owners within that subdivision. But

now you can amend those specific lots that are being changed and are proposed to be changed. And you only need signatures from those owners. So that was another major change that the state had made in that language. So I have a recommendation here that we essentially adopt the state's language. These sections that are in blue here are really a question of each one of these who is going to be the authority that approves that some of these in the past have been approved by the Planning and Zoning administrator. And the question is, do we still want to maintain that, or does it need to go to Planning Commission and City Council? Brett, I don't know how you want it, how you want to handle the discussion or consideration with that. And I guess from Planning Commission, if you want to approve this and have Brett make those considerations and make those changes before it goes before City Council.

Attorney Coombs stated, I would prefer we go down it and get input from the Planning Commission on who you would want to approve it. And then I am happy to add in the language necessary, but I think it would be necessary to get their feedback.

Erik Stromberg stated, I would look at it that if it can be done by the Planning and Zoning administrator, Kristy, let's do that. I think if we have other cases where there is that option for her to send it to us. I think we use that type of language. That is what I would say. If she is comfortable to approve it, I trust her. If there is a question, then she has the ability to send it to us. That is the direction I think that we should go.

Attorney Coombs stated, I think that that is fine for the subdivision amendments we may be able to get away with that with the vacation of the plats. I think that is going to take a legislative body to make that determination.

Chairman Brian Pattee answered, Yes, I agree with that.

Kristy Clark asked, would that be like the secondary accesses? That once I get it, I review it and then send it to City Council or do I get it and send it here first and then City Council?

Erik Stromberg answered, I say have it go right to the City Council.

Shay Stark with Aqua Engineering asked, there is one other item or question. Who needs to approve a petition? The City Council, a certified petitioner or when we receive a petition is it done at staff level?

Attorney Coombs stated, so the petition can be certified at the staff level, but the public hearing needs to be held by the legislative body or, actually, it can be helped by the Planning and Zoning Commission. So Planning and Zoning Commission, would need to hold the public hearing. So at that point you probably want them to weigh in on it.

Shay Stark with Aqua Engineering asked, so, then does the City Council, if there is a

petition need to be in that approval process? That was the question. I wasn't sure.

Attorney Coombs answered, I do not know. That is something I would like some time to look at. I do not know, off the top of my head. So, Mr. Chair what I would request then is just the opportunity to look at it, at least that one issue to determine if that would need to go to City Council. But beyond that, I think everything else we can move forward on.

Erik made the motion to recommend approval to amend Chapter 21 Subdivisions of the Grantsville City Land Use Management and Development Code. With the changes as noted and as to the questions of the various approvals that when applicable, it goes to the Planning and Zoning Administrator with the ability to pass onto the Planning Commission or City Council as needed. And Attorney Coombs will check on the where the approval comes from for a petition. John seconded the motion. All voted in favor and the motion carried unanimously.

11. Consideration to recommend approval to adopt Chapter 24 Small Residential Developments to the Grantsville City Land Use Management and Development Code.

Shay Stark was present for this agenda item and stated to the Commission: So, this one we did discuss in the work session.

Erik Stromberg asked, I just wanted to make sure I understood from our conversation earlier, can you explain what the 14 days with the building permit is referring to?

Shay Stark with Aqua Engineering answered, the state law says that when a building permit is submitted to the city and to clarify any time something is officially submitted to the city, it means that a complete, application has been turned in and fees have been paid. And what this is going to require is these two that were in front of us right now, we caught them off of the building permits but those have already been submitted to the city. So the city has 14 days to approve or deny that building permit. I guess they could deny the building permit based on the fact that it is an illegal lot. That is certainly an option. I don't know what they'll do on those two.

Kristy Clark stated, I know that on one of the two, we got permission from the owner of the lot after talking to him about everything and was able to put the building permit on hold because he is waiting for this process to get approved because he doesn't want to go through the minor subdivision process because of the time and the money. So he is waiting for us to get this approved. And so with the building permit on hold, the 14 days is on hold also. So he's good. The other one, I am not exactly sure what's happening. Shay Stark stated, but regardless of those, we are not just doing this for those two projects, we are doing this for all projects that come in the future. So the process now will be before the city accepts the fees for the building permit, the city is going to need to look at that and make sure that we can accept the application, but not accept fees at that

point. So the clock doesn't start and then the city can look into the history of the property, determine if this applies or not, if it, if it does apply. And again the zoning may become an issue too.

Attorney Coombs stated, I looked a little bit more into this. The code also provides a buffer. So you have the 14 days, and then if the city doesn't start or it doesn't complete that review within the 14 days, then it goes to the applicant and the applicant then has to write to the city and basically say, "Hey, we want you to look at this." Then the city has another 14 days from that request date. So if worse comes to worse, there is some buffer in there.

Brian made the motion to recommend approval to adopt Chapter 24 Small Residential Developments to the Grantsville City Land Use Management and Development Code. Erik seconded the motion. All voted in favor and the motion carried unanimously.

12. Consideration to recommend approval to amend Chapter 2 Definitions of the Grantsville City Land Use Management and Development Code.

Shay Stark was present for this agenda item and stated to the Commission: In our Chapter 21, there were several definitions in there that we discussed earlier to pull those out so that the definitions are all in one location and take any duplicates. The other thing that we tried to do is on each of those we have looked at the state code and the definitions in state code for those items, because many of the definitions that we have in our Chapter 2 section come straight out of state code. They matched the definitions there so that we don't run into conflict. And so if there were some changes in the language there I have changed it to match the state code language. And I noted that in blue, on these definitions where it came from, and if there were those changes made. So there are several definitions throughout this definition section that you will notice are from that. The other definitions that we added into this from the state code that were not in here previously was the state's definition of a lot and the state's definition of a parcel, because those have a very specific definition and unfortunately in the city code, as we have gone through it, we have realized those two words were used interchangeably when they are really not interchangeable words. A parcel is a piece of ground that has not necessarily gone through a city approval process. It has not necessarily been subdivided in a subdivision or something like that. A lot is the result of a subdivision process. That has had city approval. So I've added those in there and then with chapter 21, as we were going through that section, because that's the one that had some of the worst issues with that, and we discussed that in previous planning commission meetings, and some of those changes, made sure that those words were being used for the appropriate definition throughout chapter 21 so that it conforms there. Let's see, there's line 442, under handicapped person, there was an incorrect spelling, we're changing that. And I think that covers all of the changes that are being proposed here for the chapter two definitions.

Erik Stromberg asked, So Shay, come back to the lot and parcel, I think it's line 13 and it says the word lot includes the words lot or parcel. Is that now what you're saying how the state defines it?

Kristy Clark stated, I want to say that was what the old definition was.

Shay Stark stated, I think we just need to strike that statement because we do have a definition further down.

Erik Stromberg stated, as you're talking about we got the language from the state code, I don't know how often the state changes things. Can we do some sort of general statement like we are here that ultimately we're going by the state, so if the state makes an update, but we haven't caught it and changed this, the state overrides whatever we have here?

Attorney Coombs stated, Yeah, the best way to go about doing that is to get rid of any of our specific definitions that the state has already defined for us and just say, "We hereby adopt all the definitions of the state code." You can add in specific definitions that maybe the state doesn't define, and you can define those for you, but yeah. You make a good point. If the state changes it and we don't catch it, then we're going to be outdated and so that's the cleaner and better way to go. So if that's how you want it to be done, then what I would request you table this and let me go through the definitions. I will start putting together a more comprehensive list of what the state defines and we can adopt those separately.

Erik Stromberg stated, I'm just thinking long-term, that might be the better option because then we're not having to catch up and we're not coming back here just because the state updated something we're approving, just to redo a definition. Let the state take care of that and it makes what we have to keep track of probably a lot smaller list.

Attorney Coombs added, And I'm fine to do that. One note, I don't know, and Shay and Timm might be able to better answer this, with the changes that we've made already, if some of these definitions are necessary for us to at least get started on those changes, so basically to provide a bridge.

Shay Stark answered, now that you say that, yes, we actually do need to move this forward.

Attorney Coombs stated, in that case, I would recommend you adopt this and we can come back with the changes later.

Erik made the motion to recommend approval to amend Chapter 2 Definitions of the Grantsville City Land Use Management and Development Code. John seconded the motion. All voted in favor and the motion carried unanimously.

13. Consideration to amend the Chapter 7 Conditional Uses of the Grantsville City Land Use Management and Development Code.

Shay Stark was present for this agenda item and stated to the Commission: So this, again, was the one we discussed earlier that essentially we're removing this specific conditional use requirement for the zoning administrator to approve permits for food production and the raising of horses in the R121 and RM7 zoning districts. Because the fact is, is the zoning administrator issues permits in all zones for those and realizing that it's not just horses, it's any animals. And so there is those corrections, and then again, removing the very last section out of this, 7.17, that was repealed back in 2008, just because it just doesn't apply at this point. It doesn't need to be there.

Chairman Brian Pattee asked, anyone have any questions or comments?

Brian made the motion to recommend approval to amend the Chapter 7 Conditional Uses of the Grantsville City Land Use Management and Development Code. John seconded the motion. All voted in favor and the motion carried unanimously.

14. Consideration to amend the Chapter 19a Mixed Use District of the Grantsville City Land Use Management and Development Code.

Shay Stark was present for this agenda item and stated to the Commission: So this one, during the discussion, Erik had brought up the question about how we deal with this height issue if something in the future comes in that we don't have to amend this code again to address, if say, a hotel comes in on Main Street in this mixed use area. And I totally agree with you on that. The one thing I did notice is in our land use plan, the future land use map that was approved made the statement here, heights are limited to two stories or a maximum of 35 feet above grade of street. And so I'm only throwing that out because that's in our general plan. If we're going to add something in here allowing greater heights in this mixed use area, we really need to amend the general plan map, too, to make that statement. Personally, I do think we should put something in, but we're going to need to address that with the general plan, also.

Erik Stromberg stated, Well, the reality is at some point in time, someone's going to come in and they're going to want to go taller than 35 feet, whether the Mid-Valley Highway comes in and things take off around the race track, and someone wants to come put a hotel in. I'm thinking that way, but even the piece of ground that's under a lot of discussion, heading out of town, that's mixed use. And I know they don't have plans with what they said but it could easily have been 35 feet. And someone's going to come and say, "Hey, we want to do that and it's going to be great for the city," and we're going to say, "Absolutely, but before we can do that," and now we're even further, "we got to go change the general plan, we've got to change the definition of mixed use."

Fire Marshal, Brad Clayton stated, it was in the Tooele Transcript a couple of weeks ago with the temple. That Tooele was going change their code to basically reflect the state code and do away with their height requirement.

Shay Stark added, and we may want to look at that too, because that would affect across the board. I think we have two things going for us right now that I think may work in our favor with this and that is the area to the East is all in a special planning area and so they have to come in with a master plan. And at that point, when that master plan is approved, we can specifically allow the additional heights for those uses associated with that master plan, because essentially what that says is you've got a clean slate here. You negotiate with the city what you need in that. And then over there to the North of Walmart, we'll see where this referendum goes. Part of that parcel has already shown us mixed views in the zoning and I believe a portion of it is also in the commercial, there's some room to play right there, too, with the portions that are inside the commercial. There aren't those same limitations on that so I think there may be a few things that we want to look at, and maybe it is across the board, adoption of the state law on heights, and eliminate this issue altogether across the board.

Erik Stromberg stated, I think it's just something we need to look at as development is coming in. I think with the business park that's being developed. They could come in and say, "Hey, we need a 40-foot-tall building!"

Shay Stark mentioned, that was already approved to allow taller building heights over there.

Brian made the motion to recommend approval to amend the Chapter 19a Mixed Use District of the Grantsville City Land Use Management and Development Code. John seconded the motion. All voted in favor and the motion carried unanimously.

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

John made the motion to approve the meeting minutes for the previous P&Z Meeting that was held February 11, 2021. Erik seconded the motion. All voted in favor and the motion carried unanimously.

16. Report from City Council Liaison Darrin Rowberry.

Council Liaison Darrin Rowberry stated to the Commission: I have nothing for the Commission tonight.

- 17. Erik made the motion to adjourn the meeting at 8:50 p.m. John seconded the motion. All voted in favor and the motion carried unanimously.**

Kristy Clark
Zoning Administrator