

**MINUTES OF A REGULAR MEETING
OF THE EPHRAIM CITY PLANNING COMMISSION
EPHRAIM CITY BUILDING, 5 SOUTH MAIN, EPHRAIM, UTAH
WEDNESDAY MAY 26, 2021
6:00 PM**

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

Commission Members Present via Zoom:

Commission Members Absent: Darren Glather and Stephen Cornelsen

Staff Members Present: Community Development Director Bryan Kimball, City Planner Devan Fowles and Community Development Clerk Megan Spurling

Others Present: Ben Lund, Karl Lund, Cameron Nielson, Bonnie Neilson, Ray Taylor and Clayton Holbrook

Planning Commission Chair Lisa Murray called the meeting to order at 6:00 p.m.

APPROVAL OF MINUTES

The Commission reviewed the minutes of the February 10, 2021 Planning Commission meeting.

Planning Commission Member Jan Johnson moved to approve the February 10, 2021 meeting minutes as presented. The motion was seconded by Planning Commission Member Craig Rasmussen. All were in favor. The motion carried.

The Commission reviewed the minutes of the February 24, 2021 Planning Commission meeting.

Planning Commission Member Dennis Nordfelt moved to approve the February 24, 2021 meeting minutes as presented. The motion was seconded by Planning Commission Member Craig Rasmussen. All were in favor. The motion carried.

The Commission reviewed the minutes of the May 19, 2021 Planning Commission meeting.

Planning Commission Member Jan Johnson moved to approve the May 19, 2021 meeting minutes as presented. The motion was seconded by Planning Commission Member Craig Rasmussen. All were in favor. The motion carried.

PUBLIC HEARING

General Plan Amendment: Karl & Tom Lund - Petition to amend the Ephraim City General Plan on property located at approximately 100 S. 600 W. from Industrial (I) to Commercial (C).

Land Use Map Amendment: Karl & Tom Lund - Petition to amend the zoning map of Ephraim City to change the zoning of property located at approximately 100 S. 600 W. from Industrial (I) to General Commercial (C2).

Both items were discussed simultaneously.

Devan explained the General Plan has this property listed as industrial. The current zoning is also industrial. This was a consideration to be part of the industrial park just East of this property. Industrial is the only zone that doesn't allow residential in Ephraim City. With a C2 zone almost anything except some industrial may be done. Commercial zoning does allow more uses. Being right next to an industrial zone would give a good step down and buffer between industrial and residential uses. On the General Plan, there are quite a few acres designated for an industrial zone and City Staff does not think that Ephraim will develop that many acres with industrial uses. The county is West of this property and has not updated their ordinance as of yet, if someone were to submit an application for a home in this area, they would be required to review those applications as per their ordinance. It is mainly raw land and farm ground to the North and there is a single family home to the South.

Karl Lund spoke about why he wants the zone change. He has the land for sale and if it is zoned commercial it gives potential buyers more options and opportunities. This would be about 18 acres.

Lisa Murray closed the public hearing regarding the Petition to amend the Ephraim City General Plan on property located at approximately 100 S. 600 W. from Industrial (I) to Commercial (C) and opened the public hearing to discuss the petition to amend the zoning map of Ephraim City to change the zoning of property located at approximately 100 S. 600 W. from Industrial (I) to General Commercial (C2).

Bonnie Nielson asked if this is spot zoning. Devan explained spot zoning is allowed in the State of Utah, but this is technically not spot zoning. It will not be completely surrounded by dissimilar zones. North and West are not zoned with an Ephraim City zoning designation. East is industrial and South is residential agriculture and agricultural. Bryan went over what industries are located there and the map.

Planning Commission Member Jan Johnson moved to close the Public Hearing portion of the meeting. The motion was seconded by Planning Commission Member Craig Rasmussen. All were in favor. The motion carried.

BUSINESS

General Plan Amendment: Karl & Tom Lund - Petition to amend the Ephraim City General Plan on property located at approximately 100 S. 600 W. from Industrial (I) to Commercial (C).

Dennis Nordfelt asked if there were any staff concerns. Bryan said there are some considerations that will be affected depending on approval. There are existing industrial users across the street. Just be aware there will potentially be homes close to an industrial zone.

Planning Commission Member Craig Rasmussen moved to recommend the City Council approve General Plan Amendment: Karl & Tom Lund - Petition to amend the Ephraim City General Plan on property located at approximately 100 S. 600 W. from Industrial (I) to Commercial (C). Planning Commission Member Jan Johnson seconded the motion. All were in favor. The motion carried.

Land Use Map Amendment: Karl & Tom Lund - Petition to amend the zoning map of Ephraim City to change the zoning of property located at approximately 100 S. 600 W. from Industrial (I) to General Commercial (C2).

The Planning Commission is recommending this Land Use Map Amendment because there has not been a great demand for industrial uses, this is not spot zoning and it creates a variety of uses for the city.

Planning Commission Member Craig Rasmussen moved to recommend the City Council approve Land Use Map Amendment: Karl & Tom Lund - Petition to amend the zoning map of Ephraim City to change the zoning of property located at approximately 100 S. 600 W. from Industrial (I) to General Commercial (C2). Planning Commission Member Dennis Nordfelt seconded the motion. All were in favor. The motion carried

Conditional Use Permit – Simon Properties – Review of a 36-unit mixed-use commercial/multifamily development on property located at 58 E. 450 N. in the C2 zone.

This item has been on the agenda a couple of times over the last couple of weeks, but had to be cancelled. This property is in the Ephraim commercial park. The applicant is still planning on doing commercial on bottom and residential on top. The plan has been redesigned with the purchase of the second lot. Devan referred to the site plan included in the packet. Roads, utilities and sidewalks remain the same. There will be covered parking for the apartments on the east, while store parking will be out in front. There will be 30 residential units and up to 6 commercial units, with a total of 4 stories. There is a 45-foot max height requirement the applicant is aware of. There is a mix of one to three bedrooms. The one-bedroom units will have 1 ½ bathrooms, while the 3- and 2-bedroom units will have 2 bathrooms. It is a very open layout.

Dennis Nordfelt asked if they are renting or selling the units. They will be condominiums so will have the option to sell or rent. Ray Taylor explained with the new temple they are interested in buying or renting for that purpose. The applicant is hoping to attract more of a professional

clientele. The hope is to have some medical offices and even a gym for the tenants to utilize. The applicant is not interested in taking whatever comes their way, they want to keep it a professional building that is conducive to the mixed-use tenants above. There is one elevator that will service the four floors. All of the access to the residential units will be interior. With the elevator they will have approximately 17 ADA units or units that would be ready for that use.

Devan explained the applicant has been very receptive to our recommendations. They have read the codes and have come back with various site plans. It follows the multi family checklist. They have tried to conform with Ephraim City and meet recommendations of city staff. Tonight, is for the CUP. Staff is asking the Planning Commission to require the applicants to provide a final civil site package that has all utilities and dimensions laid out. Clayton Holbrook and Ray Taylor confirmed they are almost ready with what has been requested.

Bryan asked about materials and colors for the building. They will comply with CCR's. The outside will potentially be stucco. They want it to look rich, very nice and durable. There is a sign on the outside of the building that says Nordic Pointe, that is included for land mark purposes. That is also an airway for an exhaust system. The sign is attached to the building. It is a design feature that keeps a modern look and has a function of hiding meter bases and gas line meters. The applicant is wanting a modern, clean look with keeping in mind the heritage of the town.

Bryan talked about height limitations. The City does allow parapets to go above height limitations. It is covering mechanicals. Towers and steeples are allowed. If the Nordic Pointe sign is attached that could be allowed. If there are going to be stores on the bottom portion a standalone sign would be placed out front to meet the requirements. Jan Johnson inquired as to the height of the ceilings. The applicant informed the commission that residential units will be approximately 9 feet and commercial 12 ½ feet.

Devan said concerns they had were addressed. Staff would just like the dimensions of everything, such as driveway and building setbacks. That will be included in the review, it is a part of the checklist when we go through the process of issuing a zoning permit. One recommendation from Staff is that the applicant comply with Ephraim City code, staff recommendation and CCR's in the subdivision. The look of the exterior was discussed and how the CCR's give generic requirements to be followed, such as matching the surrounding area. The applicant wants the material to be long lasting. They stated they will comply with CCR's but they are not sure exactly what the outside will look like yet. The applicant will also provide a data sheet of the cost breakdown for rent or purchase. The applicant would like to begin within a month.

Planning Commission Member Dennis Nordfelt moved to recommend the City Council approve Conditional Use Permit – Simon Properties – Review of a 36-unit mixed-use commercial/multifamily development on property located at 58 E. 450 N. in the C2 zone. Condition to provide site civil package, all documentation according to the check list be provided, be according to code, follow staff recommendation and CCR's. Planning Commission Member Jan Johnson seconded the motion. All were in favor. The motion carried

PLANNER'S REPORT

Devan spoke and talked about getting another planning commission member. Ordinance says there should be 7 members with the eighth possibly being a liaison from the City Council. Bryan and Devan asked the Planning Commission to consider if they would still like to serve in this capacity. If anyone would like a replacement now would be the time to make it known since we are looking for another member already. Staff would like to let the Mayor know how many vacancies would need to be filled. Gratitude was expressed for their service. Bryan explained that there are usually terms but those have not been followed over the years, because we are happy to keep our volunteers as long as they are willing to stay.

Things have been very busy with the applications coming in, especially with recent announcements about the temple. Let Bryan and Devan know if there are ordinances the commission would like to update or amend. There are some ordinance updates coming in the near future. There are also a few General Plan changes that Bryan and Devan will bring to the table for consideration.

Jan Johnson asked for further explanation about mother-in-law apartments. Devan explained that attached and owner occupied is allowed in all zones except industrial. There is also a limit to how many people can live there. Attached must look like it is on purpose and have architectural elements to it. Detached units are only allowed where multi-family is allowed, like a duplex.

Jan Johnson asked if there is any City liability for camp trailers parked in subdivisions and extending into roadways. Our codes do allow camping for a temporary purpose, but they cannot be parked on the street. We don't allow permanent residence of a camping trailer. If there are complaints or if it's a traffic hazard an officer will be sent out talk to them.

The next phase of Ephraim Crossing will likely go in this summer. There will probably be a couple of buildings at a time, most likely by the north west corner. Plans will be presented in the next couple of meetings for the town homes.

Confirmed time of meeting each month.

It was asked if things will be put on hold if we don't have more water. In larger cities developers are required to provide their own water. Impact fees went up to help pay for the future expense of that growth. We have repaired our well and doubled our capacity, roughly 600,000 gallons a day. Another well was drilled that came online that added another 600,000 gallons a day. In three years, we have added over 1 million gallons of water a day. The next one on the table is the Rex Neilson well that we are trying to convert to the City municipal system. There is some work to be done to repair it. The new well would add about 2 million gallons a day. Timeline on the new well is for next summer, we do have grant to help with that well. As the city grows agricultural land becomes occupied and we use that water. The master plan has us drilling a new will every 5 years.

ADJOURNMENT

Planning Commission Member Craig Rasmussen moved to adjourn the meeting at 7:30 pm. Planning Commission Member Jan Johnson seconded the motion. All were in favor. The motion carried.

Minutes approved on: 6/9/21



Lisa Murray, Chair

Attest:



Megan Spurling, Community Development Clerk