

**HYDE PARK
CITY COUNCIL & PLANNING COMMISSION
WORKSHOP
March 31, 2021
Minutes**

Combined City Council and Planning Commission Meeting began at 7:00 pm and was conducted by acting Mayor Charles Wheeler.

MEMBERS PRESENT

Mayor Charles Wheeler, Councilmembers Karl White, Gerald Osborne, Brandon Buck (arrived late) and Stephanie Allred (arrived at 7:05), PC Chairperson Tiffany Atkinson, PC members Mark Lynne, Trent Hagman, Derek Grange and Rachel Erickson

OTHERS PRESENT

PC Secretary Melinda Lee, Jon White, Skyler Jenks, Kelly Harmon and Andy Bentley

PRAYER OR THOUGHT – Tiffany Atkinson

PLEDGE OF ALLEGIANCE – Rachel Erickson

APPROVAL OF MINUTES from WORKSHOP held January 14, 2021

Karl White moved to approve the Minutes from the Workshop held January 14, 2021 as earlier corrected. Tiffany Atkinson seconded the motion. Charles Wheeler, Karl White, Gerald Osborne, Tiffany Atkinson, Mark Lynne, Trent Hagman, Derek Grange and Rachel Erickson voted in favor.

TRAILS DENSITY OPTION (Legislative)

Charles gave background on why an ordinance like this may be helpful. Sometimes the city can end up owing more than they receive from a new subdivision due to extra amenities like a wider trail or parking lot (see Juniper Trails Subdivision). This option is *not* meant to give the developer compensation for the required trail; it intends to allow the developer more density due to additional trails (than what is required in the Master Trails Plan) or wider trails or other related trail amenities. Density increases property tax revenue and helps cover the continuing costs of maintaining city infrastructure.

Ideas considered:

- How small a lot is acceptable?
- What about reduced frontage?
- Do setbacks need to be reduced?
- Does HPC have enough water to provide for increased density?

Allowing for 12% infrastructure, members came up with 4 lots/acre:

43,560 x 88% (12%) / 4 lots = 9,583 → roughly **9,500** square foot lots

Subtracting out front, rear and side setbacks → building footprint of about 3500 square feet.

How big a home can you build on a 9500 square foot lot?

Rachel: “Big enough.” Others agreed.

Skyler’s project: about 15 units/acre

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Regarding water capacity, Charles indicated Skyler's project might be tested as a "worst-case scenario". Comparison scenarios may be run for 6,000 (PUD); 8,000 or 10,000 square foot lots. Perhaps Scott Archibald of Sunrise Engineering could calculate those for us. The last study indicated plenty of water for 50 years at the current rate of growth.

Charles described using the trails density option for additional trails, not already planned on the Master Trails Plan. These would be privately maintained but connect to public trails. (In other scenarios, it could be used for the Bonneville Shoreline Trail or for trails under the power lines – but that is not the discussion tonight.) He said it would be nice to accrue funds for future maintenance. Is this enough incentive for developers? Mark suggested using some of the 90% payment (current Bonus Density option) to go into a capital fund for that purpose. (Note to all: Impact fees cannot be used for maintenance.)

Trent suggested having the developer come up with 3 different quotes for building trails. The City could choose the most desirable one, then use Bonus Density money to pay the developer to build the trail.

Mark said the developer could pay a % of the cost of building the trail:

Example: If cost to build = \$50,000, give city extra \$25,000 to city for future maintenance.

Charles sees that as disincentive to build a good trail.

Jon White noted for consistency, you need an engineer to design trails. Bids of random trails would bring random costs. (Lately, bids are quickly outdated) Charles indicated we already have multiple cross-section designs for consistency.

This option would only be allowed if the trail:

1. Connects to a trail on the Master Trail Plan and
2. Is wanted and approved by the City and
3. Is for public use and
4. Is privately maintained.

Example: sidewalk in Hurren Meadows Subdivision.

Rachel suggested allowing the option if the trail connects to a city park –even if not to a Master Trail.

Charles explained the basic footprint would **not** be reimbursed – dedicated, but not compensated for.

Example:

6 foot trail, 8 foot width (extra foot on each side)

If the city asks for 20 feet, the developer would dedicate all 20 feet, but only be compensated for the extra 12 feet.

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COMMERCIAL/PLANNED PROFESSIONAL MIXED-USE OVERLAY ZONE (Legislative)

Charles informed attendees of a recent staff meeting with AEON (an outside company) to help the city plan for growth. Their software shows the consequences of various types of developments. We used Skyler's proposal at this meeting. On April 13 we will use Andy Bentley's. Charles wants developers to know the city is serious about considerations. He invited Jon White to bring back one of his previous proposals as well.

Mark prepared a draft ordinance. He introduced different cities' ordinances, each with their pros and cons. He felt Smithfield City's made the most sense. He highlighted in yellow the points he felt needed discussion. Others are welcome to look at other towns if they prefer.

Charles wants to go through the discussion items now, but time does not allow to necessarily answer each right now.

- How dense is the city willing to allow?
- How much commercial/retail use vs. residential use?
- Maximum building height? (The airport really only restricts building height at its north/south ends, not in the middle)
 - 3 story, flat roof, reaches 35 feet
 - Could use 12'/floor to calculate total height (8' clearance plus flooring and roof)
 - Charles: 35 feet may be too low.
 - Brandon: Is 2-story too small?
 - Derek: tilt-up buildings need more height.
 - Mark: we should define by number of stories, not linear "feet" tall
 - Tiffany: Should there be separate standards for commercial vs. straight residential. First floor may be 20' for commercial use with 10' floor above for residential use.
 - Derek: SLC has lots of examples of commercial use covering the entire bottom floor with 3 stories of residential above. (Blue Square near USU is a local example.)
 - Rachel: What is the reasoning behind our limit – Is it safety, view, aesthetic?
 - Trent wants nothing over one story, while acknowledging his own house is tall (2-story).
 - Rachel said it depends on the look as well. Commercial block of cement vs. a cute Victorian residential style.
 - Gerald enjoys looking out his window to see the sunset and mountains.
 - Andy Bentley reminded: this is not meant for subdivisions. This is a different zone.
 - Mark/Derek: This includes only commercial and planned professional zones.
 - Skyler: They look at the "highest and best use" of any property they own. The commercial area will never sell well for individual homes. Q: What is the market going to grab onto? This transition or buffer zone is how you transition from residential zones to commercial zones. Townhomes work well to make that transition. Without the transition, homeowners are upset about commercial lights, noises, and aesthetics.
 - Charles: perhaps allow 2-story in the Planned Professional zone and 3-story in the Commercial zone.
 - Trent: This provides for a "bad gateway to the city".

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- Rachel directed all to the gateway ordinance she put into box.com a few weeks ago.
Idea: Plan gateway areas differently. We want them to be uniform (street lights, trees, façade) - 30 or 40 feet back they may be different from the gateway standards.
 - Answer: Aesthetics and height matter.
- Melinda shared Scott Archibald's example from Smithfield City of 'buying back' some of the 30% open space by adding amenities.
- Andy said commercial can act the same way, as a trade-off for open space.
- Mark: Do we want to prohibit tall buildings along the CMPO road as well?
- People cited multiple local valley examples that look good.
- Charles brought up a 'berm' with evergreen trees makes for a more desirable development.
- Skyler: "It depends on the numbers" for them.
- Andy: Please allow for developer creativity. The City can always decide to accept or reject proposals. He suggests fewer specifics. Look at each project specifically.
- Jon White purchased property 12 years ago. He has passed up multiple opportunities to sell for others to develop office warehouse (which is legal and must be approved as the ordinance stands). There are only so many things a developer can do. Currently anything commercial is allowed. He has a great investment "sitting there". He declines offers because he does not want an 'eyesore' for Hyde Park.
- Charles: We need to hear from Council members. Let us hear other side so we can compromise.
- Karl has not heard anything tonight that upsets him. The points have been too general to voice opinion. He is a little concerned about long-term maintenance. He believes the City ends up maintaining everything eventually. (Developers answered, "Not anymore.")
- Tiffany defended HP's Mountain Gate HOA due to the developer's fault. For five years, no one paid dues. The City never had to step in. Tiffany wants everything for HOAs set up in the beginning.
- Derek noted most projects have on-site management people present all the time.
- Skyler would own his entire project. If he sells, he would sell it as a whole.
- Trent wants separation distance. Charles liked Mark's percentages of commercial to residential.
- Charles' goal: Maximize income to the city either through sales tax or property tax (density).
- Stephanie: liked hearing from the developers and their vision. She likes the idea of a beautiful entryway. How many entryways do we have in HPC? (We can decide.) She prefers 3 or 4 storied buildings only west of the highway. She is okay with townhomes and duplexes east of the highway.
- Charles: This overlay could shape Wolf Pack Way on both sides.
- Tiffany asked City Council members: What is non-negotiable for you?
- Charles' Q: Is a 3-story building problematic if you cannot even 'see' the 3-story building from the road? He is trying to help Skyler, Jon and Andy.
- Gerald:
 - He is always concerned about high density population in one area.
 - He still believes we need to consider the limits of our water supply.
 - He also feels he needs to speak for citizens who would rather pay higher taxes than have density. He said we need to educate citizens.
- Rachel: The question is not 'Do we develop or not', but 'How do we develop?'

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- Andy pointed out his project does not affect residents at all. The property is west of all residential, in between two businesses, in a field of weeds. It is not changing the culture of 'Hyde Park City' just providing a financial benefit to the city.
- Kelly Harmon: this project is not 'low-income' developments. He has done many of those. These are "market rate". They attract the kinds of citizens who care for their property and contribute to their communities.
- Brandon likes citizen education. He likes the overlay zone. It is an appropriate zone for the area – maintains the 'feel' of HPC, even as it grows north/south. He does not know the answer to how much extra people need to pay in property taxes to cover a density option. He feels we have found an appropriate place and way to do it.
- Charles: as people (residents, citizens) ask questions of each of you, *please* clarify: We are only discussing the commercial zone.
- Mark had Charles clarify – Charles does not mean to have single-family homes front the CMPO road.
- Charles wants to:
 - Welcome all, be inclusive, and not develop a schism.
 - Place berms between housing and major roads as a sound barrier to the residents. Trent noted it also helps with safety purposes.
- Rachel pointed out this is an area that can handle higher traffic and density. Little traffic will flow eastward.

Items to be considered at the next workshop:

SPOT ZONING OR A COMMERCIAL MIXED-USE OVERLAY ZONE

This would allow developers to put in a convenience store or small restaurant in a residential neighborhood.

CREATE NEW "MOUNTAIN ZONE"

This would apply to sensitive land areas (ie. steep slopes). It would likely involve cluster developments.

Next meeting: Next 5th **Wednesday – June 30, 2021 at 7 PM**

Meeting adjourned at 9:00 pm

(Melinda forgot to record the audio)

Melinda Lee, Planning Commission Secretary