

MINUTES OF THE GRANTSVILLE CITY PLANNING COMMISSION HELD 10/21/2021. THE MEETING WAS HELD IN THE GRANTSVILLE CITY HALL AT 429 EAST MAIN STREET AND ON ZOOM.

Commission Members Present: Commission Chair Brian Pattee, Commission Member Erik Stromberg, Commission Member Gary Pinkham, and Commission Member John Limburg

Commission Members that were present on Zoom: Commission Member Jaime Topham

Commission Members that were absent:

Appointed Officers and Employees Present: Planning and Zoning Administrator, Kristy Clark; City Engineer, Dan England; City Council Liaison, Darrin Rowberry; Grantsville Fire Chief, Jason Smith

Appointed Officers and Employees that were present on Zoom: City Attorney, Brett Coombs and City Planner, Shay Stark

Appointed Officers and Employees that were absent:

Citizens and Guests Present: David Estes and Roland Ho were on Zoom, Guy Haskell

**THE REGULAR MEETING WAS OFFICIALLY CALLED TO ORDER BY
COMMISSION CHAIR, BRIAN PATTEE AT 7:00 P.M. FOLLOWED BY THE
PLEDGE OF ALLEGIANCE.**

- 1. Consideration to recommend approval of the Final Plat for Deseret Highlands Investments, LLC and Guy Haskell on the Highlands Subdivision Phase 4 at approximately 750 North Highway 138 consisting of twenty-five (25) lots in the RM-7 zone.**

Guy Haskell was present for this agenda item:

Gary Pinkham stated, in our last review, I recall we were pretty well cleaned up on all the issues we had. Dan, I don't know that you were here that far back, but have you seen anything on this that you might have caught since then?

Dan answered, no.

Gary Pinkham stated, there were a handful utility issues that we brought up, but I think all the issues have been addressed if I recall. So, I think we should be good to go.

Guy Haskell stated, everything on the engineering was done. I do have a question that I'd like to bring up on it and that was on the water meters. We had a discussion on the water meters

in phase two, because they were conflicting with some of the other utilities. We'd had some discussions about showing our driveways on the plan so that we can move the water meters over. I was told on phase three that if I showed the driveways on the plat where the driveways were going to be, I could move those meters. But then we got them put in and the utility department made me go back and change them and they were that way on the signed drawings. And we had the discussion and I had to change them. And even on the construction drawings for phase four, we've showed the driveways on there and then moved the water meter. So off to the side where the driveway is. This is a smaller zoning at least 7,000-foot lots. And we only have a 7.5-foot side yard. And we get a driveway going all up, that water meter's five feet over and we get our flares on our driveway. They can still conflict. Some of the other utilities is conflicted, I wanted to move those over. Both the drawings on phase three and phase four were that way, but I don't want to get out there again and put them in and have them move. So, I like this resolved. I wanted to put him on the opposite side as the driveway, opposite side of the lot.

Gary Pinkham asked, you would like to move them away from the driveways? Would they still be 5 feet off the property line?

Guy Haskell answered, no I would like them to be more like 10 feet so there's room for a utility box.

Kristy Clark stated, they can't be 10 feet off the property line.

Dan England stated, I believe that Guy and James have had conversations with that. And James has mentioned that he wants to have them closer to the property lines. If you want to submit just a rough plan to us, I'll go ahead and I'll run it by James, and you'd have to have it approved.

Guy Haskell stated, it already shows that way on the approved construction drawings.

Kristy Clark stated, the approved construction drawings for phase 3 say that they are going to be 5 feet off of the property lines.

Guy Haskell mentioned, what happened is we had the construction drawings and I even had discussions moving the water meters over, and the construction drawings themselves show it about 10 feet off the property line. At our pre-construction meeting, they told us we had to go back and put a page in that shows the city code. The city code that we put on at that point says they have to be within five feet of property lines. The signed construction drawings show otherwise.

Dan England asked, did they have the dimensions on the site plans?

Guy Haskell answered, no.

Kristy Clark mentioned, what I found out is there were no dimensions on the site plan, but in the detailed notes, it said that they would be five feet off the property line.

Guy Haskell stated, the city has an ordinance, it says that they need to be five feet. But I thought that I discussed this and had permission to move them over, but there's been a misunderstanding there. So, I just want to clarify, so we don't get out and have a problem again.

Attorney Brett Coombs mentioned, so this is on for final, and this is under the old process, I believe. And so, the preliminary plans would've shown where Mr. Haskell was going to put these water meters, I believe. Correct me if I'm wrong, Kristy. And so, Guy, are you asking for them to be different than what would've been on those drawings?

Guy Haskell answered, well, there's the conflict on the drawings because the drawings show it on the opposite side of the driveway on the low side of the lot. I think one of the issues is I think they let us leave them on the low side of the lot so they both weren't together with one property line and one water meter, each side. If they let us move them, so they were on the low side, they just had to be within five feet of the property line. And so, if that's the case, I just want to plan for that. If that's the case I might want to move them so they're both on two property lines, even though the driveway's kind of close. Just keeping close that way I have one side of the lot free for power pedestals and Comcast and that stuff.

Brian Pattee asked, so they're conflicting with the other utility boxes is what you're saying?

Guy Haskell answered, yeah. That's why I wanted to move them in phase one. On these smaller lots, there are only 70 feet wide. If they can't put them right on the property line, they end up in front of somebody's house, looking out their living room window. And homeowners didn't like that. That's why I was trying to move them to avoid that conflict. Depending on what the city says, if they need to be within five feet, I can't come 10 feet off. I probably would rather put them on two property lines and so that the power boxes have a free property line on the other side. So, we have one side of the property it's free on both sides and the other side of the water meter on both sides. I just don't want it to be a problem again.

Attorney Brett Coombs states, Mr. Chair, the city, we must go off whatever approvals Mr. Haskell's been given on his plans in preliminary, that's what we must go by, unless we have a new set of plans that can be shown. Basically, what I don't want is I don't want us to say, well, this is where they can be, but it's not shown on plans. We need to make sure that whatever is going to be approved must be shown on a set of construction plans. And so, if we're going to do something different than the preliminary, then I think this needs to be tabled and it needs to bring back those construction plans up, get a new set of construction plans just related to the water meters to make sure that everybody's on the same page. Otherwise, Mr. Haskell, he can expect that he can get approval on the location of the water meters as they were on the preliminary.

Brian Pattee stated, so basically you have a choice, we can approve this tonight and you must go by what's on submitted plans. And then I guess if there's a conflict, I don't know if you can work that out later with public works, with James. But if not, then if you want to change it, you're going to have to come, like the city attorney said, you'll have to come with a different set of construction drawings. Am I saying that right?

Attorney Brett Coombs stated, the city can't come in and change what was approved. And so, you can expect that the approvals that have been given are what you can expect to have to follow. If the city did something wrong in its approvals, then that's on the city that wouldn't be on you. Now, if there is something that you think would be good for us to change, then it's probably better for us to table this and to sit down and get a new set of drawings that could be brought along with this. Or pass this contingent on your engineer sitting down with our engineering and correcting that if you think there's a problem.

Guy Haskell stated, I think I'll just have to keep it within five feet. My preference would be that I didn't have to keep it five feet on the low side, so I could put a power box there. But if that's what we must do to keep going, I'll just keep them within five feet. That's what we've done on this last phase, and we made it work. It would work a little bit better from my end, the other way. But if that doesn't work for the city, I'll just leave them within five feet.

John Limburg asked, just so I understand, it's the approved drawings, on the drawings it shows 10 feet, but in the details, it says five?

Kristy Clark stated, I don't know where it shows 10 feet. I couldn't find anywhere that it showed 10 feet off the property line.

John Limburg asked, but the details say five feet.

Kristy Clark answered, yes.

Guy Haskell states, if the city's firm on keeping it on five feet, so I can't move it off and keep the power post there. I'll just have to work around that. But I just don't want it to be a conflict again, make sure that we're all on the same page.

John made the motion to recommend approval of the Final Plat for Deseret Highlands Investments, LLC and Guy Haskell on the Highlands Subdivision Phase 4 at approximately 750 North Highway 138 consisting of twenty-five (25) lots in the RM-7 zone. Erik seconded the motion. All voted in favor and the motion carried unanimously.

2. Discussion of a Concept Plan with UTGR Grantsville MHP, LLC on the property located at 653 East Main Street.

Roland Ho and David Estes were present on Zoom for this agenda item and stated to the Commission: So just to give you guys some background on this, we talked to Kristy a little bit on this and basically our firm Resolute Investment Group is contracted by Grantsville Village on 653 East Main Street. And in our due diligence, we came across in 2011, the previous, not the current owner but the owner before that had applied to create some RV sites there. And there was a findings and decision, a five-page attachment from the city council denying that. And we're not here by any means looking to add RV sites or add mobile manufactured home sites to this community. But in that decision, it laid out in the original conditional use permit, I believe that was issued in 1983 for outstanding conditions that the previous owners have not actually addressed. Coming in as a new owner in doing due diligence, we're looking to make sure we address most of these conditions. And we've kind of laid that out in this concept plan application. I'm not sure if you guys have that in front of you, but I'm happy to take you through the four items there.

Brian Pattee stated, we have a copy of the findings.

Roland Ho stated, great. So, number one was the development of a one-acre landscape park. So, we were ready to retrieve two bids from local landscaping companies to landscape one-acre park there at Grantsville Village. So, we fully intend to do that right in this application plan specific costs that estimated \$50, 000 to \$85,000. The two bids that have come back, one came in at \$88,000, the other one for \$92,000. We are looking to push forward to install that landscape park. We have visions of putting in a pavilion, a nice picnic area, potentially a basketball court. But really, to the letter of the condition of youth permit from 1983, from that application, we're looking to put that in and really add amenity for the current residents there at Grantsville Village. And I don't know if you guys know, there are currently 58 occupied manufacturing homes at that community. I don't know the exact number of residents there, but I would guess probably close to 150 residents give or take. So, we have full intention to doing that as our proposed solution. Number two, here is the development of second means of ingress, egress. So right now, on the Northern part of the community, the border between the self-storage facility that is right there in Grantsville Village, there is right now a fence there that has the gate there with a lock. so, what we've kind of laid out here is our proposal to have that serve as an emergency exit. We of course, we need the cooperation of the self-storage owners to do that. That is what we'd like to push forward with to make sure that there is a second means of being ingress egress at the Manufactured Housing Community Grantsville Village. That's number two and number three, there on the concept plan the development of a launderette. This is where, as you can see my proposed solution is there on the application. Our thought from our discussion with the current manager and feedback from residents that have given them, many of these homes already have washer and dryers inside their homes. So, our thought process here is this might have been the right condition in 1983 to install a launderette there at the Manufactured Housing Community. But now that's probably an outdated request now in 2021. So, this is one of the items where we think that

this is probably not the best use of capital or investment in the Manufactured Housing Community. We're looking to our current budget right now is to spend about \$500,000 on up front CapEx project, improve the streets, improve amenities, which I mentioned, improved lighting. The next item down, we're going to add two fire hydrants, which were conditioned in the 1983 conditional use permit. So, we think that capital will probably be allocated better elsewhere. They don't have a laundry mat now. And currently they are doing laundry in their own homes. And then, so the fourth items here is there are two fires that are currently in Grantsville Village right now working and flowing and are being tested and are fine. So, per the conditional use permit 1983 or via 2011 decision, previous owners were supposed to install two additional fire hydrants or four fire hydrants within the community. We have received one bid already for approximately \$35,000 to do the work, to install two brand new fire hydrants. And we have another bid coming in that we will push forward with once we close this transaction, which is slated next month some time. So hopefully that was a helpful overview of the conditional use permit of 1983 and how previous owners have not really inherited to it. But we intend to perform what we've laid out here in the concept plan application. David, is there anything that you might want to add to the overview I just laid out or?

David Estes stated, the only thing that I'd add is we do think it's beneficial to the city and to the residents and there's a lot of money being you utilized to address the CapEx issues. But there's just certain things that practically can't be done. Like the easement, we can't force an easement and our concern/issue is that as we finance it, a lender says, well, what about this old conditional use permit where the city says, you're lucky we haven't enforced these. Because a lender draws a very dark picture and saying, well, does this mean the city could come in and red tag and close the whole park? And so, we're trying to work cooperative with the city with coming up with a solution that everyone can say that makes sense. It's in city's interest and in the residences interest to understand some of those issues. And no one's trying to renegotiate and go back and say, we're trying to take an RV parking. We're not trying to add spaces at this point. But we just want to get in front of the Group here. Kristy was very helpful, the City Attorney is very helpful and said, this is the way it goes, to have an open forum and get some feedback from you all.

Jaime Topham asked, you keep saying the 1983 decision, but what's in front of us is a July 15th, 2011, findings, and decision, is that what you're referring to?

David Estes answered, that is what I'm referring to. In that 2011 decision, it does reference the original conditional use permit application, which was applied for in 1983. So sorry to confuse you there and kind of interchange back and forth. In 2011 it said, by the way, there's these old conditions that you guys never met. So, it's not only are we granting this, but you're lucky we haven't forced you to comply with the 1983/84 requirements.

John Limburg asked, I don't see where they're talking about a means of egress. They're saying that you can get onto the storage facility, but I can't see where that is. You guys see that?

Roland Ho stated, It's in the back of the Northern section of the manufactured housing community. I think it's labeled E2.

Brian Pattee asked, are they under a conditional use permit right now?

Attorney Brett Coombs answered, so there's still a conditional use permit that was put in place. Well, it's kind of a gray area because technically that 2011 decision said that they were not going to extend it unless these provisions were taking place. But on the flip side of that, the city never followed up and so at this point it's kind of a nebulous idea. And I think that's kind of what this Group is saying. That they, especially for their lenders, they don't like the idea of having this out there. And so, what would be, I think what they would be looking for is just some feedback if these ideas would be appropriate, they would then come in and we would be able to re-new their conditional use permit. And we would just add these conditions in or say that these conditions have been met so that they can go to their lenders and show that things are clear.

David Estes stated, my understanding is that they were going in to get more RV parking, to amend the conditional use permit as opposed to extending it so these are expired. It says, but we're not going to grant you these additional rights to park RVs there. And by the way, you guys still haven't done what you were supposed to do back in 1980. So, I don't think it has expired and it wasn't trying to be extended. It was trying to expand it.

Attorney Brett Coombs continued, So the condition used permit would still be valid. It's just a matter of it, these things had never been enforced.

Erik Stromberg asked, does the storage facility have any sort of gate along main street or can you get into the storage facility from Main? Does anyone know?

Kristy Clark answered, they do have a gate and it requires a code to get in and out of it.

Erik Stromberg continued, I mean, there's that concern. So, if you get permission to somehow get to the back of the property, we also need a way of getting in and out of the property.

Jason Smith stated, if you can't get the fire truck through the storage unit, because I've been in some storage units where you ain't getting a fire engine in there. And if you can't even get to that back gate to cut it open, then that's my worry.

Erik Stromberg stated, if the residents are all headed out their road, as firefighters, we can't go in the back way because we can't get there. So, I still have some concerns with that. The other thing with the addition of the two fire hydrants, does that get us a fire hydrant every 500 feet? Or did someone just guess?

Jason Smith answered, I'm pretty sure going off of where the original two fire hydrants were that we should be within 500 feet.

Brian Pattee asked, are you comfortable with the fire flows?

Jason Smith answered, I have never tested a fire hydrant in that neighborhood to be honest.

Brian Pattee stated, so that would be something that needs to be looked into.

Shay Stark asked, can they adjust the units in the north end to create a loop through the current RV storage on the property?

Jaime Topham asked, so is the one-acre park, is that, that big strip that's on the east side of the property that doesn't particularly have anything on it?

Roland Ho answered, yes, exactly. It's a little bit over one acre.

Jaime Topham stated, I know that roads are more expensive, but is the park necessary versus that actual egress? If the egress goes at least back to that original road you have a big loop there, rather than having a park where most of those trailers have their own little yard anyway. There is a Grantville City Park just down the road and across the street a bit. Just a thought to throw out there. I know that the price is probably a lot different, but it seems like safety would be more important than a park.

John Limburg stated, in order to do that, they'd have to get rid of that whole narrow on lot 39.

Jaime Topham stated, that's true. It looks like they'd have to move out a trailer, but I mean, you're talking about safety issue and the egress, like you were talking about, through the storage units. The others at the gate, but then they do have to go through another gate that has the keypad. So anyway, just a thought.

Brian Pattee asked, are you set on doing the one-acre park just because it's listed in the conditions or is that something you really want to do? I think Jamie's got a really good point.

Roland Ho answered, it was based on the fact that it was a condition, there was a better way to do it. Obviously trying to relocate a tenant, as opposed to saying when a tenant moves you could relocate. But we have limited ability because we have leases with the tenant to say we're relocating your particular home. So, the park is an amenity of the City, and we were just addressing that issue. But as Jamie says, it's a better use of the space to have a turnaround. That's something that could be done. But to say that we have to move or lose a home is a problem.

Gary Pinkham stated, sitting here and look at it, I think it's going to be really difficult to get actions out through the storage units and still allow the storage people to have their security control that they want. If you go down there on that, would it be that Northeast cul-de-sac down there, you got a building backing up to that cul-de-sac. I'm not sure of how you'd get around the end of that building without taking out a trailer. It would probably be a very tight

fit for a fire truck. I don't know that that's so good. I liked the idea and was looking at myself sitting here, of looping that cul-de-sac back down along that east property line and tying it into the entryway so that you've got a loop there and minimize the amount of traffic congestion. Even though we still only have one access, if that road was our 26-foot minimum width for a two-lane road from the street into that point where the two roads would tie together, I think you'd probably get about as good access as you're going to get under the circumstances. I don't think we need a laundromat. I agree with everyone there that these trailers probably are doing their own laundry, or currently the two or three that might not be doing that are packing it out. I don't think a laundromat necessarily is something that we insist on. I'm not sure the park is something we'd insist on with parks around rest of the neighborhood there. I think there's one basically across the street. If we could develop that access and get the fire hydrants in that fit the fire department's approval on where they're located, so they can get at them, I think we've probably done it about as good as we can do.

Brian Pattee asked, Fire Chief, are the fire hydrants a bare minimum for you?

Jason Smith answered, the bare minimum for me is city code, so 500 feet. If they want to give us that, I know it wasn't asked of before but if that's what they want to give us now, I mean, I'll take every bit of water I can get, but that's just me. I don't know how to solve the secondary egress thing. I mean, it is what it is. So, I wouldn't, but I'm not going to say no to two new fire hydrants. Do you know how wide that open spot is? Does 26 feet still allow them to have a park with a road?

Shay Stark answered, it looks like it's 88 feet wide on Google Earth.

Erik Stromberg stated, I guess just trying to think outside the box a little bit and see what we can do. I get, you don't want to get rid of that unit down there. I think it's number 39 and the loop helps. I guess the other thing, if we truly are thinking about the emergency response, if we need to get in there, even if it didn't loop, if there was some sort of road access across the back, that would give us the option as the fire department to go in along the back potentially, and we're not on the road. Because the other thing is we can talk about the road is however wide, it is narrow. You can see right from the images here, there's cars parked in there. It is tight. I've pulled the fire truck down in there. It's tight. So even if we had a road, it might dead end. We'd have to maybe look and see if there would be a way to do a hammer head down at the end so we could turn around. But that may be an option without losing a unit because I don't know that the loop necessarily gives us anything other than we don't have to try and back out. But that's, again, just thrown out an idea that may help solve part of the concern.

David Estes stated, we're just trying to find a solution within the box, the toolkit that we have and if the city has better idea that says, we prefer to do A versus B, that all works within. We just want a general sense that if we buy this the property is not going to get shut down. No one's coming to say, "We're shutting you down because you don't have a secondary egress, we want to cooperatively work to make a better park."

Erik Stromberg stated, I don't see a way that we can have the two. Is there a way we can, whether it's looping it, do a trail that gives us a little better access? That'd be great. Ultimately, as a commission we can do nothing. We can say, "Nope, we're going to enforce this." These gentlemen don't buy the property. They don't move forward, and we still have the exact same property with the same safety issues. It doesn't go away. So, I'd rather say, "Hey, let's work with them. See what we can get. If all we get are some additional fire hydrants, then we're additional fire hydrants ahead in this project. It doesn't make sense; a laundromat doesn't make sense. I don't see any way we can truly get two means of egress out of this. Can we get something else? Let them do some work, see if they can come with an idea for that.

John Limburg asked, are we able to say that that's okay to not have two means of egress? Because that's what they're looking for. They want us to say that so that we can't come back later and say that it's not okay because of the language. We'd have to approve that. We have to know that as a group, that if we can even do that.

Gary Pinkham stated, I think from my perspective, if we throw out the park and we throw out the laundromat we get the two extra hydrants to guarantee our minimum 500 foot spacing, and along that east property line give at least a 26-foot line gravel road down through that, along that property line. So that, like Erik says, the fire department would have access to the backs of those lots if they, for some reason, couldn't go up the main street. At least they're getting access to the back end of the property, even if they can't loop around. So, if we can figure out how to get the hydrants in and get a 26-foot-wide gravel road that's acceptable to the fire department along the east property line back to just behind unit number 39 there. Then put a cul-de-sac or a hammerhead back there for turnaround, it's probably as good as we're going to get.

Brian Pattee stated, so it basically the access would be back along that east property line clear to not quite to 39 trailer house, but there would be a hammer head turnaround so they could get in there.

Jason Smith mentioned, I don't want to throw a wrench in things, but another part of the city code is we can't go more than 750 feet and do a turnaround, that 750 feet is our max. If we go over that it's got to have a second road.

Gary Pinkham asked the City Attorney, moving forward here, if they bring a proposal in with a request to amend their conditional use that would bring them into compliance with the two hydrants and give us a road along there, requesting to delete the laundromat and the park, we could address those issues with their request for amendment on the conditional use?

Attorney Coombs answered, yes, absolutely.

Roland Ho asked, so is the park in or out?

Brian Pattee answered, the park is out. We would rather have the road.

Roland Ho stated, Okay. That's what I thought. I just had to make sure. So, it sounds like going through the storage center doesn't make sense, because it doesn't work anyway. There's no way we can go through that exercise. We need a gravel road, no laundromat, and no park. I think there's a level of comfort that we can move forward.

Erik Stromberg stated, one thing I would say is, if you do move down the route of that second road, that may change the fire hydrants. I'm just going to say, if you're going to give us a road down there that might be a good spot for a fire hydrant, versus it still being out on the main line. But I think as you work through that check to make sure a fire hydrant is in the right spot.

Roland Ho stated, we won't install the fire hydrants without consulting with the Fire Chief to make sure they're in the right place.

Brian Pattee asked, Attorney Coombs, you said everything would be good going down this route?

Attorney Coombs answered, absolutely. They bring it in. We could amend the conditional use permit with the new conditions and taking out old conditions. Then they would be able to bring that to their lender and say that this is an amended conditional use permit that clears up the issues that potentially were there before.

3. Planning Commission Training – Land Use 101

4. Discussion to amend Chapter 14.6 Codes and Symbols, Use Table 14.1 in the Grantsville City Land Use Management and Development Code.

Kristy Clark stated, this was brought to our attention that our larger lots, our agricultural zoned lots, where we would technically want the animals, doesn't say that they can have animals. It talks about the 100-foot buffer and the grazing of animals, but it doesn't mention anything about food production or the conditional use requirements. So, I would just like to take what is in chapter 15 for the residential, allowing the animals. Same verbiage, same everything, and apply it to chapter 14, our agricultural codes.

Erik Stromberg asked, I'm guessing the thought being that for the rabbits, ducks, chickens, that would be permitted. Everything else would be conditional?

Kristy Clark stated, we can't vote on it tonight because I didn't have time to get it noticed, so I'll put it on for the first meeting of the month, and then we'll vote on it. Also, can we change the wording "the raising of horses" to animals? Because obviously as you read through it, it's talking about animals. I don't know who or why they would just specify horses.

Brian Pattee stated, any further discussion? I think Kristy, go ahead, and do what you feel you need to on this.

- 5. Report from City Council Liaison Darrin Rowberry. There were no comments from Council Liaison.**
- 6. Adjourn. Gary made the motion to adjourn the meeting. Erik seconded the motion. The meeting was adjourned at 9:08 pm.**

Kristy Clark
Zoning Administrator