

**BRIGHAM CITY PLANNING COMMISSION
BRIGHAM CITY COUNCIL CHAMBERS
Tuesday, 5/3/2022 6:00 p.m.**

PRESENT:	Steve Barsuhn	Commissioner- Chair
	Scott Mildenhall	Commissioner- Vice Chair
	Dean Lester	Commissioner
	Jason Coppieters	Commissioner
	Holly Bell	Commissioner
	Mandi Richens	Commissioner

EXCUSED:	Cindy McConkie	Commissioner
	Roger Manning	Commissioner

ALSO PRESENT:	Mark Bradley	City Planner
	Tony Ekins	Associate Planner
	Sarah-Jane Martin	Administrative Assistant
	Garth Day	Applicant
	Brinton Neff	Applicant Contractor
	Reed Scow	Applicant

AGENDA

Pledge of Allegiance

Approval of Minutes

A Continued / Application #21-115 / Amend Brigham City Zoning Map / Rezone from A-5 (Agricultural District) to RR-1 (Rural Residential District) on 59.5 acres / Approximately 3125 W Forest / Garth Day

Public Hearing ¹ / Application #22-043 / Amend Brigham City Code Title 29 Zoning, Chapter 29.11 Multiple Use, Agricultural, and Rural Residential Districts / Address Use Categories, Inconsistencies, and General Standards and Regulations / Brigham City Corporation

Application #22-046 / Permitted Use Permit / Trucking Office, Shop, and Yard / 130 South 1100 West / Kenny Hendricks, KH Trucking Inc.

Application #22-047 / Planned Unit Development / North Point Subdivision / 909 N. Main Street (old golf course) / Reed Scow, Visionary Homes

Application #22-048 / Conditional Use Permit ¹ – PUD Application / North Point PUD / 909 N. Main Street (old golf course) / Reed Scow, Visionary Homes

Application #22-049 / Permitted Use Permit / Extended Stay Hotel / 38 East 100 South / Joe Rinderknecht

REGULAR MEETING

Regular session opened at 6:00 p.m. by Commissioner Barsuhn and the Pledge of Allegiance was recited.

APPROVAL OF MINUTES

Commissioner Bell made a motion to approve the minutes for April 19, 2022 meeting. The motion was seconded by Commissioner Coppieters passed unanimously.

A Continued / Application #21-115 / Amend Brigham City Zoning Map / Rezone from A-5 (Agricultural District) to RR-1 (Rural Residential District) on 59.5 acres / Approximately 3125 W Forest / Garth Day

On February 1, 2022, the Planning Commission held and closed the public hearing. A motion was to continue the application until the City Council and Planning Commission had the joint work session on the West Forest Street sewer and storm water study. A copy of the meeting minutes is included for reference. This pending application was also on hold to allow the amendment process to begin on City Code Chapter 29.11 Multiple Use, Agricultural, and Rural Residential Districts to specifically address the RR-1 district (see Application #22-043).

There has been discussion with the applicant regarding rezoning options, especially with a focus on clustering and allowing a variety of lot sizes in effort to develop around sensitive lands and potentially create a buffer with the bird refuge property and other properties. The Planned District option creates its own specific standards with an underlying zoning district, the standard RR-1 zoning, or the ability to consider the RR-1 with a development. The applicant seems to like the development agreement option.

Questions and comments from the Planning Commission:

1. Will the development be a cluster subdivision or 1 acre lots?
Response from applicant: The plan is to create a development agreement that resembles a cluster subdivision, with the largest lots being between 3-4 acres and the smallest lot being 0.5 acres.

Motion: Commissioner Coppieters made a motion that the Planning Commission recommend approval of application #21-115 subject to Staff comments, Findings of Fact, and stipulations as noted. It was seconded by Commissioner Lester and passed unanimously.

Public Hearing ¹ / Application #22-043 / Amend Brigham City Code Title 29 Zoning, Chapter 29.11 Multiple Use, Agricultural, and Rural Residential Districts / Address

Use Categories, Inconsistencies, and General Standards and Regulations / Brigham City Corporation

It has become apparent with the recent rezone application to the RR-1 District that the City needs to amend this chapter to address use categories, inconsistencies, and general standards and regulations. Through the public hearing process, it is anticipated that additional discussion, input from residents and property owners, and further research is needed to advance the amendment before a recommendation is forwarded to the City Council. Notices have been mailed to the same list of property owners on West Forest Street as was done for the recent sewer and storm drainage study presentation for their input and transparency on this matter.

The goal is to allow more animal use and stables in the rural residential districts, emphasize the difference between personal use and agricultural business production use, define large and small animals and establish a maximum number of animals allowed per specific lot size. Remove the RR-10 district as there are no properties with that zoning district, and the RR-1 and RR-5 should be sufficient. Clarify the cluster subdivision provision.

Public Hearing:

Motion: Commissioner Lester made a motion to open the public hearing. It was seconded by Commissioner Mildenhall and passed unanimously.

The following citizens commented on item #22-043: Bonnie Robinson, Brielle Smith, Jody Jensen, Jeffrey Jeppson, Julianna Larsen, Reece Jensen.

Key Points:

- Hogs and pigs are on the prohibited animal list
- The continuation of FFA and 4-H
- Selling FFA and 4-H animals
- Agricultural protections
- Upgrading septic to a sewer system
- Trails and paths are required for landowners not developing
- Definition of agricultural business production
- Can RR zones sell extra hay
- Can RR zones have a small produce stand
- Grandfather Clause
- How to dispose of dead animals

Motion: Commissioner Lester made a motion to continue the public hearing to June 7th, 2022. It was seconded by Commissioner Coppieters and passed unanimously.

Application #22-046 / Permitted Use Permit / Trucking Office, Shop, and Yard / 130 South 1100 West / Kenny Hendricks, KH Trucking Inc.

The applicant desires to develop this site for his trucking office, shop, and yard. The application references there will be rentable office space. This site is Lot 6 "R" of the K.E.B. Subdivision No. 3 plat, which was recently recorded. The ownership is transitioning from Brent Dickamore, K.E.B. Investment Inc. to Kenny Hendricks, KH Trucking Inc.

Questions and comments from the Planning Commission:

1. Will the truckers lounge be open overnight for truckers to stay?
Response from applicant: The lounge will have showers so truckers can shower, but no beds will be available for overnight use.
2. What type of material will be placed in the trucking yard?
Response from applicant: It will be gravel, and it will store extra flatbeds trailers, and trucks until they are needed.
3. What type of lighting will be used in the truck storage yard?
Response from applicant: Wall packs on the buildings.
4. Will the repair shop be used for Kenny's trucks or all trucks that need repair?
Response from applicant: The idea is to use the shop for his own trucks. However, if people need their trucks worked on, he might repair them also.

Motion: Commissioner Lester made a motion that the Planning Commission, acting as the Land Use Authority, approve application #22-046 subject to Staff comments, Findings of Fact, and stipulations as noted. As well as the use of judicious lighting to meet the need for security but does not contribute to sky pollution and conserves power. It was seconded by Commissioner Bell and passed unanimously.

Application #22-047 / Planned Unit Development / North Point Subdivision / 909 N. Main Street (old golf course) / Reed Scow, Visionary Homes

Application #22-047 and #22-048 were discussed together with separate motions.

Motion: Commissioner Lester made a motion that the Planning Commission recommend approval of application #22-047 subject to Staff comments, Findings of Fact, and stipulations as noted. With the added recommendation that setbacks for the single-family lots agree with R-1-6 regulations. It was seconded by Commissioner Coppieters and passed unanimously.

Application #22-048 / Conditional Use Permit ¹ – PUD Application / North Point PUD / 909 N. Main Street (old golf course) / Reed Scow, Visionary Homes

The application came through Planning Commission in 2020. It has been revised from the original plan due to wetlands. The changes are as follows:

	2020	2022
Total Units	226	205
Single-Family	48	34
Townhomes	178	171
Density (Units/Acres)	6.6	5.98
Open Space (Est. Acres)	14.05	17

- A North/South public street was lost due to wetlands
- 500 West connection was shifted

Questions and comments from the Planning Commission:

1. Has the applicant worked with the Army Core of Engineers?
Response from applicant: Yes, we have been working with them.
2. How will the wetlands be maintained?
Response from applicant: They would like to remove all the invasive species of plants and then replant native plants to the area.
3. How has guest parking been changed with the site development changes?
Response from applicant: The guest parking has increased from 64 to 80 spots.
4. Will the single-family homes also be part of the HOA?
Response from applicant: All homes in the development will be included in the HOA
5. What is the average size of the single-family dwellings?
Response from applicant: They range from 1800 to 2200 square feet.
6. What type of trees are planned for the landscaping?
Response from applicant: That decision hasn't been made yet, but they will meet the Brigham City forestry standards.
7. How will the development be illuminated?
Response from applicant: Keeping light pollution low will be a priority.
8. Will the walking paths be used only by the residents of the HOA or is anyone welcome to use them?
Response from applicant: The paths are paid for and maintained by the HOA. They are not public trails. However, they will not be gated.

9. How will garbage collection and snow removal be handled on the private streets?
Response from applicant: There are screened bins connected to the units for trash cans. They will put them in the alley behind their home on garbage day, and garbage trucks will collect them like normal. Snow removal will be collected between driveways, at the end of the alleys, and behind guest parking stalls.

Comments from the public:

Michael Olson is concerned about his water rights being diminished. Some of his water originates from the development site and other pass through the site to get to his property.

Motion: Commissioner Lester made a motion that the Planning Commission, acting as the Land Use Authority, approve application #22-048 subject to Staff comments, Findings of Fact, and stipulations as noted. With the additional stipulations that irrigation water that originates on the property is documented, the volume of water rights to adjacent property owners is not diminished. It was seconded by Commissioner Coppieters and passed unanimously.

Application #22-049 / Permitted Use Permit / Extended Stay Hotel / 38 East 100 South / Joe Rinderknecht

The applicant desires to demolish the Trailside Building to build a three-story modern-style extended stay hotel with 15 units on 0.35 acres. The hotel units will have kitchens in them, which will offer the opportunity to serve people who come to Brigham for events and offer extended stays for an out-of-town workforce who reside out of town. The applicant feels this location will serve Brigham City residents and visitors.

The site is located within the Central Business District (CBD) where Hotels are considered a Permitted Use. Hotels are defined by the zoning ordinance as a building designed for or occupied as the more or less temporary abiding place of sixteen (16) or more individuals who are, for compensation, with or without meals.

Questions and comments from the Planning Commission:

1. Concern about a lack of laundry facility in the building
2. Still uncertain if an additional ADA unit is required
3. Windows on the upper floor will look onto private property – maybe add screening
4. The unclear building management plan
5. Status of existing block wall condition along the south property line
6. Concern about landscaping on the west side of the property. The connecting building absorbs water.
7. Concerns about water drainage at the site
8. Staff restrooms needed
9. Second emergency access may be needed

The following citizens attended and commented on item #22-049: Julie Hammer, Cooper Landvatter, Ngaire Landvatter, Russell Barfuss, Natalie Barfuss, DeAnne Everton Lester.

Key Points:

- Safety concerns
- Crime increased in the area
- Management of the hotel
- Design of the building not fitting the surrounding area

Motion: Commissioner Bell made a motion that the Planning Commission, acting as the Land Use Authority, continue application #22-049. It was seconded by Commissioner Coppieters and passed unanimously.

Motion to adjourn

Motion: A motion was made by Commissioner Bell to adjourn. The motion was seconded by Commissioner Coppieters and passed unanimously.

The motion passed unanimously and the meeting was adjourned at 9:50 pm.

This certifies that the regular meeting minutes of May 3, 2022 , is a true and accurate copy as approved by the Planning Commission on June 7, 2022

Signed: _____

Sarah-Jane Martin, Administrative Assistant