

**SUGAR CITY PLANNING & ZONING MEETING MINUTES**  
**REGULAR MEETING - THURSDAY, JUNE 6, 2019**

**Commissioners in attendance:** Dave Thompson, Quinton Owens, Dan Mecham, Justin Merrill, Christine Lines, Paul Jeppson

**Others in attendance:** Building Inspector Cliff Morris, Deputy Clerk Shelley Jones, Ryan Lerwill, Jeff Lerwill, Ray McDougal, Blake Walker, Joy Ball, Catherine Nielsen, Kimber Jones, Tim Frogue

**7:10 P.M.**

**Meeting called to order by:** Dave Thompson

**Prayer by:** Citizen Tim Frogue

**7:11 P.M. Minutes – Action Item**

The minutes of regular P&Z meeting on **May 16, 2019** were reviewed.

**Motion made by:** Dan Mecham to approve the minutes as amended.

**Motion seconded by:** Paul Jeppson

**All were in favor, motion carried**

**7:27 P.M. Chairman Report**

- The mayor has appointed Deputy-Clerk Shelley Jones to be the Planning & Zoning Administrator taking over the responsibilities which City Clerk Wendy McLaughlin had been doing. Deputy-Clerk Jones has already been taking care of most administrative responsibilities to assist the clerk and the chairman. Chairman Thompson reported on meeting with the mayor, city attorney Dylan Anderson and Deputy-Clerk Jones to discuss duties and processes for the Planning & Zoning Administrator to help streamline application processes as well as other duties listed in city code 9-1-3 & 4 which the commission is working on updating. Commissioner Jeppson questioned if the appointment required council approval by city code. The commission is supportive of the appointment.
- Design Review code is also being reviewed with input from the mayor and Design Review Chairman Paul Jeppson. This will be discussed at future P&Z meetings.
- Chairman Thompson received a letter from citizen Catherine Nielsen concerned about the plan to hold a special meeting after the last regular P&Z meeting, stating that she felt the commission would not have adequate time to review the changes that would be submitted by developers.
- The city received a business license application for an Air BnB from Spencer Haacke. After discussing adequate parking, which the applicant has, the commission gave its approval for the license. Commissioner Owens expressed concern for safety in existing homes and should be addressed in city code.

**7:42 P.M. Discussion on Mac Brothers Town Home Development (Old Farm Townhomes)**

The commission reviewed the concerns about driveway safety, clear vision triangles and hardscape percentages. The developer made changes to the plans to address the commission's concerns. They narrowed the approach to each driveway to a single drive. The building is two feet shallower, so it is now further back from the road to address the clear view triangle and hardscape percentage.

Deputy-Clerk Shelley Jones expressed that changing the entrance from a two space entrance down to one would be a bad selling point for a townhome and may cause some safety problems. In city code 8-6-2 it addresses single or twin homes and not townhomes which seems to address zones R1 and R2, and not a townhome in R3. It is an individually owned unit but it is not a detached home. It is very hard to arrive at 60/40 percentages for softscape and hardscape in a front yard of a townhome where they have a zero lot line. Shelley thought it would be safer to have a third visitor parking stall instead of visitors parking on the road.

Mr. Ray McDougal stated that he felt that the intent of the code for the R3 zone was to deal with apartments with parking lots, not for townhomes which need private drives. The driveways are 17-18 feet wide and code allows up to 24 feet. He stated that the intent for the townhomes was for young families to be able to buy something affordable and own their own place. The townhomes are designed to help keep costs down without having to put in parking lots, storm drains, etc. If this is not possible, they will have to build 4-plex rentals instead. They would like to see the nicer townhomes in the community for people to buy and stay here.

Mr. Walker was asked about hardscape percentages changing by moving the buildings back, but moving buildings back even further creates longer sidewalks and driveways so it doesn't affect the percentages very much. He stated the front area is approximately 54% hardened for buildings with 6 units and 51% for buildings with 4 units.

Commissioner Lines felt the application met the intent of the code. There is nothing specific in the code concerning townhomes so felt the hardscape percentage listed for single family residential and twin homes could be relaxed for townhomes. Commissioner Jeppson agreed. He had asked about plants and trees concerning design review and liked their plans for landscaping behind the buildings and on the sides with only minimal and low-profile landscaping in front to keep clear vision for pedestrian safety.

Commissioner Owens clarified the sentence in 8-6-2 M, stating that limiting hardscape does not specify type of unit.

Deputy-Clerk Jones shared code 10-5-3 D which talks about condominiums having a parking plan and wondered if this would suffice because it is the closest thing in code to a townhome for parking. This would seem a better fit than allowing only 40% hardscape in City Code 8-6-2 M: Parking on Residential Property, which refers only to single family dwellings and twin homes.

Chairman Thompson asked about removing some of the visitor parking stalls and having the townhomes share visitor parking. It was felt that tandem parking causes inconveniences for the homeowner and also more parking on the streets.

Deputy-Clerk Jones suggested having the public hearing to acquire public input and then make a recommendation to city council. They city council may allow the higher percentage for hardscape because it is not currently addressed in city code. City code 8-6-2 M, where it states that only up to 40% of the front yard may be hardened does not make sense concerning the townhome design. We could put all of this information discussed in the Findings of Facts for the council to make a decision on this.

Commissioner Jeppson stated we should add what the developer has been willing to do that is not required in code, and the code states “regardless of covered parking”. Commissioners Owens & Merrill agreed.

Commissioner Owens stated that city council could relax requirements. The third parking space could be removed to provide more landscape/softscape. It is zoned R3, which alone does not allow backing into the street for safety and by providing 40 percent landscaping could make backing out safer and could be relaxed. He felt ready to go to public hearing.

Commissioner Mecham felt it was ready to go to public hearing. Chairman Thompson agreed it was ready to go to public hearing and added a recommendation to state that the applicant feels moving the building back would not help hardscape percentages very much.

Commissioner Lines felt it was advantageous to the developer to have their projects allowed in the absence of townhomes in code. They have worked hard to make this work. Commissioner Merrill felt we should accept this and set a public hearing as we have been going over the applications for quite some time.

Commissioner Jeppson stated the code requires 10% open space for townhomes and 20% for a PUD (Planned Unit Development). There was some confusion on “site” versus “front yard” requirements at the previous meeting. We still need to finish the design review on the applications.

Commissioner Lines felt they have worked hard and met the intent of code especially since the code is lacking in details when it comes to townhomes. She was pleased with the proposals and felt the hardscape percentages could be relaxed. Commissioner Jeppson agreed and liked the landscaping behind the townhomes. Commissioner Merrill accepts it as complete and Commissioner Owens agrees and feels the council could relax the requirements on backing into the road by removing the third parking space. Commissioner Mecham felt we should set a public hearing date.

Blake Walker asked about offering more open space easement and if this would satisfy the reduction in hardscape percentages. This is nothing that the commission can require and they are not asking for this so it is up to the developer if they chose to do this.

**Motion made by:** Justin Merrill to set public hearing for Old Farm Townhomes on June 25<sup>th</sup> at 7:00 p.m. at the Sugar-Salem High School.

**Motion seconded by:** Quinton Owens

**All were in favor, motion carried**

### **8:26P.M. Discussion on Lerwill's Town Home Phase Development (Targhee Townhomes)**

The same concerns were addressed as the Old Farm Townhome application and the same changes were made. The applications are similar with the exception that the back lot mirrors the front lot with an easement along the west side for a private drive going from 4<sup>th</sup> South to 5<sup>th</sup> South. The distance between the proposed private drive and the intersection of W 4<sup>th</sup> S and S 3<sup>rd</sup> W complies with state code.

There was a question about the road on the west of the townhome being a part of the neighboring parcel. The neighboring

parcel is also owned by the developer and the private road would be developed to allow access to the future development of the townhomes facing west. Commissioner Thompson asked the commission if they would approve the plat as it is if the road did not exist (not showing access to the townhomes). Commissioners Mecham and Merrill felt they would still approve this application. Commissioners Mecham and Merrill stated that since the developer owns both properties, they would approve the application.

Developer Ryan Lerwill stated that if they didn't have the easement and access they could not develop the property. The plat is drawn with the easement, when the plat is recorded the easement will be recorded. Commissioner Thompson questioned the labeling of the blocks in the development, which when explained felt there would be no issue once corrected for the plat.

**Motion made by:** Christine Lines to set a public hearing for Targhee townhomes June 25<sup>th</sup> at 7:00 p.m. at the Sugar-Salem High School.

**Motion seconded by:** Dan Mecham

**All were in favor, motion carried**

**8:47 P.M. Discussion on Lerwill's Old Farm Estates Div. #3 PUD Applications (Sugar Ridge & Sugar Meadows)**

The commissioners stated that all concerns were addressed and felt it was ready for public hearing. Open space percentages, parking and clear vision triangles were addressed. Density was lowered to allow for more snow storage and to help with the clear vision triangles. With a PUD the developer can ask for 125% of allowed density for the zone. They have dropped density to under 10 units per acre developing the cottage homes that they had wanted, to provide the community with smaller more affordable homes for families to own.

Commissioner Thompson stated he appreciated the developers and landowners for their willingness to work through issues with the commission and thanked them for their efforts.

Ryan Lerwill also thanked the commission in helping them do something which is not possible with current code and using a Planned Unit Development to accomplish their plans. He hopes this will be the gem and benchmark for the future. Commissioner Jeppson who is a neighbor the Old Farm Division #3 stated is he happy with the development plans.

**Motion made by:** Dan Mecham to set public hearing for Sugar Ridge & Sugar Meadows on June 25<sup>th</sup> at 7:00 p.m. at the Sugar-Salem High School.

**Motion seconded by:** Justin Merrill

**All were in favor, motion carried**

**8:54 P.M. Discussion on Design Review and P&Z Code: tabled**

**9:00 P.M. Public Comment from Citizens Concerning Agenda Items**

Joy Ball commented that she felt city council would not have enough time to read findings of facts after the public hearing before the next regular council meeting. Catherine Neilson suggested adding different colors to the future buildings in the townhome and cottage home developments.

**9:05 P.M. Motion to change regular meeting scheduled for July 4<sup>th</sup> to June 25<sup>th</sup> right after the public hearing due to the 4<sup>th</sup> of July holiday:** Paul Jeppson

**Motion seconded by:** Dan Mecham

**All were in favor, motion carried**

**9:10 P.M. Motion to adjourn the meeting:** Paul Jeppson

**Motion seconded by:** Christine Lines

**All were in favor, motion carried**

Meeting adjourned

Next regular P&Z meeting will be on June 20, 2019.

Public Hearings will be June 25<sup>th</sup>, 2019 at the Sugar-Salem High School Auditorium.

A special meeting will be held after the public hearing instead of a regular meeting being held on July 4<sup>th</sup> due to the holiday.