

**SUGAR CITY PLANNING & ZONING MEETING MINUTES**  
**REGULAR MEETING - THURSDAY, April 2, 2020**

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

**Others in attendance:**

Chase Hendricks (City Attorney), Quinton Owens (P&Z Admin), JoAnn, Barbara Lusk, Ryan Lerwill, Thomas, Brent, Johnny Watson, Elaine King, Spencer Cook

**10:35 P.M. The meeting was called to order by:** Chairman Dave Thompson

**Discussion on Zone Change for proposed New Junior High School property –Action Item**

The City Engineer stated this zone change is critical for the school's needs. He also had developmental issues which may need to be conditions on the recommendation. Since those issues did not apply to the zone change, those conditions may be saved for the other two hearings.

**Motion by Paul Jeppson:** Recommend to City Council to approve the requested zone change.

**Second by Justin Merrill**

**All Voting was in favor:** Unanimous, motion carried.

**10:43 Discussion on Preliminary Plat for proposed New Junior High School property –Action Item**

A development agreement is to be reviewed as per SCC 10-1-5 with plat applications. It is also required in SCC 9-5-2, and 10-3-4 (10-4-2). The City Attorney offered a general development agreement that he has used for such projects that only involve a single parcel.

**Motion by Justin Merrill:** Recommend approval to City Council of the preliminary plat with conditions that the applicant:

1. Follows all guidelines stated by the City Engineer.
2. Create a draft Development Agreement .
3. Produce a preliminary plat if required by code and expected of other applicants (not just a site plan).
4. Follow all state regulations

**Second by Dan Mecham**

**All Voting was in favor:** Unanimous, motion carried.

**10:56 Discussion on Special Use Permit for proposed New Junior High School property – Action Item**

**Motion by Christine Lines:** Recommend to City Council to approve the Special Use Permit for the school district with the same conditions for the Preliminary Plat approval that the applicant:

1. Follows all guidelines stated by the City Engineer.
2. Create a draft Development Agreement.
3. Produce a preliminary plat if required by code and expected of other applicants (not just a site plan).

4. Follow all state regulations

**Second by Paul Jeppson**

**All Voting was in favor:** Unanimous, motion carried.

**10:58 Discussion on Preliminary Plat for Old Farm Estates, Division 4 – Action Item**

The question was raised whether all who wanted to participate in both Old Farm Estates hearings were able to do so. Although some testimonies identified others who wanted to testify but couldn't due to lack of internet access or connectivity problems. The City Attorney stated he felt the city gave its best effort to make the hearing accessible due to the quarantine guidelines from the Governor's Office.

The concern is open space which, by code, is tied to a subdivision rather than a phase of development. Since open space is a part of the master plan and will be included. The City Attorney recommended that the commission needs to move forward with recommendation to city council while the inconsistencies about open space are being worked out. The commission, expressed concern about moving forward without the use of the odd size lot (lot 18) being decided on among other items. The City attorney recommended that as a preliminary plat, conditions can be placed on at a later time, Addressing SCC 10-4-7 for lot 18 and stating that a development agreement is already in place with revisions being made, such items can be worked out between the City and developer. Also, "set aside land" includes unbuildable lots set aside with a purpose and not associated with open space requirements. SCC 9-3-8-C(2) requires undersized lots to be declared open space with attached covenants. SCC 10-4-6-D lists possible methods for compliance that might be preferable for the city and developers who have expressed that they do not want to go to public hearing for lot 18 to be re-zoned. Both of these codes should be conditions of a recommendation, related to lot 18, if we are going to be compliant with city code.

Addressing the City Engineer's past notes regarding options shown with Idaho Ave., he recommends allowing access for development of a roadway to continue south if the East Corridor Parkway does end up on the other side of the canal

*Notes from past discussions were mentioned which includes topics brought up tonight and the transportation study which was said to being currently updated. Additional items talked about*

**Motion by Justin Merrill:** Recommend to City Council to approve the Special Use Permit with the following conditions:

1. All the City Engineer's guidelines are followed.
2. Idaho Avenue proceeding south and the road heading east will follow the city engineer's recommendations based on traffic and plans for East Parkway Corridor.
3. The traffic study being worked on is completed and meets the City Engineer approval
4. The revised development agreement is at least in a draft form.
5. Lot 18 will follow options required by SCC 9-3-8-C-2 etc.
6. A 2<sup>nd</sup> public hearing is held by city council at their discretion based on inability for some to participate online. Diff wording
7. All city codes will be followed

**Second by Dan Mecham**

**Voting in favor:** Unanimous, motion carried.

### 12:14 am (4/3/20) Discussion on Special Use Permit for Teton Apts. in Old Farm Estates Div. #3

The commission expressed concern about any of the required parking, including garages and carports, being subject to rental fees and reducing available parking if tenants decide not to rent such parking. The applicant had stated they believe that this issue would be part of a management plan and not up to the commission to decide on as long as the parking is available; the commission questioned if that meets the requirement.

The City Engineer had concerns which include having adequate snow storage and runoff water/storm water management. As per his comments, no utility plan has been seen yet and needs to be approved with proposed connections prior to issuing any building permits, and appropriate utility infrastructure shall at least be under construction before building permits are issued, and he supports the commission's recommendation for an updated traffic study be done for this and other neighboring developments of Old Farm Estates, and recommends increasing snow storage areas out in the other open areas and eliminate storage at end of parking aisles and corners for safety reasons.

The Site plan will need to be updated based on discussion's that came up during design review. The documents posted as the Teton Heights application will need date corrections.)

Discussion of the Mixed Use definition brought out different interpretations. One perspective is that each parcel should have both commercial and residential use, while the other allows the option for either or both uses among all the parcels in a mixed use zone since this only has single use. Please see SCC 9-3-2 ("mixture of uses" ... "coupled" ... implies multiple uses)

It was stated that open space cannot be used as snow storage, however the site plan exceeds the open space requirements so both open space and snow storage are in compliance. It was recommended that required open space should be platted as per city code. Any leftover or other spaces around building and parking defined as open space areas would not allow any future building options if set as open space. City Code states that open space should be platted.

It was mentioned that the Comprehensive plan states the city will be predominately single family homes. This project is of concern if it puts the city in a state contrary to that expectation in the Comprehensive Plan. A condition could be placed on recommendation that this is evaluated.

**Motion by:** Dan Mecham to recommend to City Council with the following conditions:

1. All the concerns of the City Engineer are met including utilities being in place or being installed before construction begins.
2. Utility plan to be submitted as requested by city engineer with
  - a. Stormwater concerns met
  - b. Connection to city utilities are shown.
3. Traffic study for volume and safety is completed /updated with the City Engineer's approval.
4. Snow storage at corners and aisle ends is corrected and approved by the city engineer.
5. Landscape plan is updated to correctly reflect DR approval and attached materials show correct dates.
6. City Council determine how Mixed Use definition is applied to MU developments.

7. A 2<sup>nd</sup> public hearing is held by city council at their discretion because of online access concerns at this hearing.
8. The open space areas are to be platted for this special use permit (with lot # see scc).
9. Comprehensive Plan is to be met in regard to predominant single family homes vs. multi-family use

**Seconded by:** Christine Lines

**Voting was unanimous, motion carried.**

**Motion by:** Christine Lines to table approval of previous meeting minutes.

**Seconded by:** Paul Jeppson

**Voting was unanimous, motion carried**

**Comments from public:** Ryan Lerwill passed on a second hand message from Jeff Patlovich saying that in his opinion he felt that the minutes from the February 27th meeting do not match what was said on the audio recording about open space, the new transportation study, etc.

The commission stated that, "minutes are to be a summary and don't need to be word for word"

**Motion to adjourn:** Justin Merrill

**Motion seconded:** Paul Jeppson

**Voting was unanimous, motion carried**

**12:38 A.M.** Meeting adjourned