

SUGAR CITY PLANNING & ZONING MEETING MINUTES
REGULAR MEETING - THURSDAY, FEBRUARY 6, 2020

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

Others in attendance:

Building Inspector Cliff Morris, Tyler Fillmore, Logan Senes(sp.), Kody Dalling, Jeff Patlovich, Kelton Larson, Brent McFarland, Johnny Watson

7:30 P.M. The meeting was called to order by: Chairman Dave Thompson

Prayer by: Quinton Owens

Pledge of Allegiance

P&Z Minutes - Action Item

Motion by: Paul Jeppson - to move the adoption of minutes to end of meeting to accommodate waiting community members

Seconded: Dan Mecham

The voting was unanimous, the motion carried.

Report from Design Review – Paul Jeppson

1) Storage Units on S. 7th W application is ready to forward to P and Z or City Council with one exception.

8-6-2 needs clarification before pavement requirements are issued. There is concern over frontage access.

All other design review requirements have been addressed with the above exception.

Chairman Thompson asked Mr. Jeppson to write a finding of fact, not legally required, to serve as a method of continuity in communication.

2) The review of Teton Heights was completed, with the following concerns:

a) Open Space does not meet requirements.

b) 3 or 4 other code concerns have been sent to the attorney for review.

c) Storm water management.

3) Two to three more individuals may be required to participate in Design Review to make it function effectively. Dick Dyer and Cliff Morris were suggested. This will be brought to the mayor.

Report from Chairman – Action Item

Several businesses are approaching the city, including potential storage units.

The regularly scheduled February 20th meeting may be rescheduled for the following week, due to lack of quorum.

Discussion on Kelton Larsen Plat & Zone Change Application on property located between 3rd N and ProPeat and Possible Setting of Public Hearing – Action Item

Concerns and information:

-The sliver of land has been deeded.

-Although Mr. Larsen has signed the necessary paperwork, Chairman Thomson questioned if it had been recorded.

- An e-mail from Mr. Larsen dated 3 February 2020, states his intention to privately own the road, but deed/dedicate it to the city.

- The fire chief agreed that fire hydrant capacity may be signed off, but there is to be a conditional requirement that must be placed on this development agreement for the future landowners. While the fire suppression capacity is currently adequate, future fire suppression will not be adequate. Mr. Larsen has expressed willingness to add fire suppression. He agreed that this may happen at a later time at the property owner's expense. This needs to be indicated in the development agreement to ensure future compliance.

-Top Notch Jerky, lot 6, requires a plat and zone change before they can begin building. Although this is not currently in place, all commissioners were in agreement to proceed to public hearing pending those documents being provided.

Motion by: Dan Mecham - to set a public hearing regarding Kelton Larson properties for March 5th on the condition that he includes all of the agreed to stipulations.

Seconded: Quinton Owens

The voting was unanimous, the motion carried.

A question was asked about how soon building permits could be issued. Chairman Thompson responded that after City Council has received and acted upon P And Z's recommendation, following a Design Review, that the building permit could be procured.

Discussion on Old Farm Estates Div. #4 Preliminary Plat Application and *Possible Setting of Public Hearing* – Action Item

Jeff Patlovich, representing Lerwills, made a presentation:

- He stated that he agreed with Dick Dyer as to an extension of the utility easement down to the canal. ?? This would not allow cut through traffic from a future parkway, which was a stated concern. A question was asked and Mr. Patlovich responded that this would never return to being a roadway, if it was ever to change purposes, it would become a corner.
- His clients have requested that non- buildable lot # 18 be made common area instead of going through the Open Space requirements, which include a time consuming zone change.
- Lerwills would also like to ask for a standard reimbursement agreement, as 6 W is reported to possibly go through in the future. This would allow them to be reimbursed for a share of future individuals tying into their utilities. They would like to use a standard rubric, agreed upon by Lerwills and the city, for calculating these costs. He noted that he believed this reimbursement agreement was a necessary adjustment for the loss that would occur when his clients gave up their open space. A question was asked regarding this, and Mr. Patlovich says that the original phasing for OFE contains this concept but not specifics of reimbursement and he would like to see this agreement be officially adopted. He clarified that this would be both a utilities and infrastructure agreement.

Questions and discussions from P and Z included the following:

- Is it reasonable that the landowners would want to retain Lot # 18 for their own use? If so, this means that we need to reconcile this request with code 9-3-8-c-2.
- Dick Dyer's letter, dated October, 2019 says that we need to be cautious about the impact of roads that attach to existing and future developments.
- Concern was expressed about the 2016 letter from ITD which reiterates the revised Impact Study/Transportation Study that requires turn lanes and/or possible speed reductions to be placed on Highway 33 at 3rd S and 7th W. These revisions have not been implemented and the development is larger in nature thus new study need's done.
- Every commissioner had concerns about meeting SC 22 requirements of 8 acres open-space as this is not currently designated and this is the last plat/phase to be developed. We cannot move forward without this being in place.
- Every commissioner unanimously agreed that there needs to be a revised traffic study provided to determine if egress and ingress routes and similar flow issues are adequately met. Between OFE 4 and OFE 3 many more residences are being added and it appears that some of the originally studied routes have been eliminated.
- It was noted that at one time the Lerwills had agreed to the Alternate Transportation Plan agreed to by the city. Those lands, previously set aside, are now gone from the maps. If those previously designated spaces were returned, but not installed, that could possibly be used towards the open space commitment.
- It was noted that information about several components of the development must have been provided to ITD for them to make an accurate evaluation. These components, such as density, and indicating removal of originally planned access roads need to be updated and provided for the new study to be accurate.
- We were reminded that on each plat, we need to define where open space will be located and that R3 and MU-2 are not used when calculating open space, only residential parcels will be used for calculations.
- The mayor suggested that Chairman Dave Thompson, Deputy-Clerk Shelley Jones, others from P and Z (less than a quorum) meet to facilitate moving this along as soon as possible (formation of a subcommittee.)
- It was suggested that a subcommittee would update a questionnaire during the week; a log would be kept of those, which would then be reviewed during P and Z meetings, to be compliant with open meeting law.
- P and Z would only respond to Dave or Shelley, no global responses, to also comply with Open Meeting Law.
- It was determined, both by the commissioners, and in chairman Thompson's communication with legal counsel, as this is the last plat, before Planning and Zoning can move towards a public hearing, the following will be the responsibilities of the developer:
 - All components of SC22 must be met.
 - An updated traffic study must be provided for the entire OFE development. This must include, in part, traffic flow information and state needed changes, one example being the ITD required turn lanes on Highway 33.

-The Master Plan must be updated.

A summary of the items left to be addressed before a public hearing can be called:

Lot 18, engineer's concerns, traffic study as a whole, master plan, development agreement and open space designation.

-Mr. Patlovich suggested that we make the entire lot 18 a utility easement.

Motion by: Dan Mecham to move that we table the application for Old Farms Estates number 4, and we form a subcommittee to actively work with the applicant and to meet the requests and concerns of the commission and allow polling the members of the commission as progress is made, so we can expedite the completion and approval of the application, regarding Old Farm Estates number 4, for the request to include open space concerns, a traffic study, engineering issues, and updated development agreement and master plan, etc..

Seconded: Paul Jeppson

Voting was unanimous, motion carried

Discussion on Special Use Permit for Apartment Complex in Old Farm Estates Division #3

The OFE 3 use is so intertwined with OFE 4, that this was tabled, with the following discussion:

Design review had some input regarding this. At this time Blake Walker is working with the trash company for positioning of dumpsters. Snow storage needs to be taken care of. Where will this be and what is the percentage? Dick Dyer is working on drainage water. Mr. Patlovich will find out about fire suppression.

Applicant went on record that he was okay with 'a ditto of the previous motion'.

Motion by: Dan Mecham - to move that we 'ditto' the previous motion with regard to the Special Use Permit on Old Farm Estates number 3, with the specifications of the Design Review Committee. (see below)

Seconded: Paul Jeppson

Voting was unanimous, motion carried.

{I move that we table the application for Old Farms Estates Special Use Permit, and we form a subcommittee to actively work with the applicant and to meet the requests and concerns of the commission and allow polling the members of the commission as progress is made, so we can expedite the completion and approval of the application, regarding Old Farm Estates Special Use Permit, for the request to include open space concerns, a traffic study, engineering issues, and updated development agreement and master plan etc..}

Discussion on Special Use Permit of School Property

Brent McFarland and Johnny Watson, from JRW Engineering, presented their plans for a school to be located on the Glenn Dalling parcel. It has about 71 thousand square feet, with a capacity of 600 students, the current average being 425-450. There will be underground storm retention, no phasing, with the exception of several bid alternate areas.

Per Glenn Dalling this lot has been brought into the city, but will need to be annexed, zoned and platted.

**(Note: the property was actually annexed in and zoned Trans-Ag in May of 2016.)*

We will need to:

a) Bring from impact into the city. *(Not necessary as it is already in city.)*

b) Zone, C-2

c) Plat

d) Special Use Permit to zone for a school

-Because this is a public facility, a school district, the commission talked about fees being possibly waived; as some application fees may be waived. It is planned to zone appropriately as we bring the property into the city from the impact area to save a step. *(Not necessary as it is already in city.)*

-Design review will need to review the building before it goes to public hearing.

-An exemption is needed for design review standard of breaking up the appearance of the building. As per standard, for schools, pilasters and building material changes will serve this purpose, which meets the intent, but not the code itself. City Council will need to make this exemption. Dave will schedule a public hearing at that time, when all is ready and professional input is received.

Motion by: Dan Mecham - to move regarding the school property, that meeting the requirements and design review, that we authorize our chairman to set a public hearing on March 5, for the annexation, zoning, platting and special use permit for the school property.

Seconded: Paul Jeppson

Motion rescinded: Dan Mecham - This is not an action item and not eligible for motion.

Discussion on Development Agreements – No discussion

Discussions on Impact Area Expansion and Annexation of Properties

a) Highway 33 area

b) Salem

As we revise the land use table, we may want to consider developing a 'Salem Area- SR-1, SR-2 etc.' in the event that Salem desires to be annexed. Placing a Salem resident on P and Z would give them a voice, or perhaps we could consider instituting a Salem subcommittee that recommends to P and Z. They could also be a separate zone.

Homework: Look at 8-6-2 G, K, L, P

Landscaping, snow storage, all parking, how to calculate snow storage for parking.

Is there a height relaxation in city boundaries equivalent to the one foot of setback per extra foot above allowable height, which is allowed in the impact area?

P&Z Minutes - Action Item

13 November 2019

Motion: Paul Jeppson to move to accept the minutes from November 13, 2019.

Seconded: Christine Lines

Voting was unanimous, motion carried.

5 December 2019 Public Hearing

Motion: Paul Jeppson to adopt the minutes with amendments and to authorize Shelley to look up and add bullet point items of concerns that were mentioned by each of the speakers at the public hearing.

Seconded: Dan Mecham

Voting was unanimous, motion carried

5 December Regular Meeting

Motion: Dan Mecham to move to accept the minutes of the regular meeting on December 5th as amended.

Seconded: Paul Jeppson

Voting was unanimous, motion carried

16 Jan 2020

Motion: Dan Mecham to move to accept the minutes as amended for January 16th, 2020.

Second: Christine Lines

Voting was unanimous, motion carried

Public Comment from Citizens Concerning Agenda Items - None

Motion to adjourn: Paul Jeppson

Motion seconded: Quinton Owens

Voting was unanimous, motion carried

12:15 P.M. Meeting adjourned

Items to carry forward: When we make cumulative changes to code- we need to require visitor parking, not now specified.

