

Sugar City Planning & Zoning Minutes
Public Hearing - Wednesday, July 27, 2022

Commissioners in attendance: Christine Lines, Paul Jeppson, David Fluckiger, Jerry Miller

Others in attendance: P&Z Administrator Kurt Hibbert, Building Inspector Quinton Owens, Deputy Clerk Shelley Jones, Engineer Gerald Williams, Developer Representative Dawson Klingler

Public in attendance: Bruce King, Elaine King, Dustin Parkinson, Kenneth Horner

7:00 PM - Meeting called to Order

The meeting was called to order by Chairman Christine Lines

Prayer by Quinton Owens

Pledge of Allegiance led by Jerry Miller

Introduction: Chairman Lines introduced the purpose of the public hearing which was for a Zone Change Application from BREJ Inc. The request is for the current TA zoning (TransAg) to be changed to R1 (Single Family Residential) and R2 (Medium Density Residential) zones.

It was noted by affidavit that the public hearing had been posted as legally required. Public agencies have also been notified of the new development and zone change request.

Chairman Lines asked the commission if there had been any ex parte communications before the hearing. Ms. Lines stated she had been asked some questions but she directed the inquirer to come to the public hearing. Commissioner Jeppson had asked some questions of the city staff.

7:08 PM - Developer Presentation

Dawson Klingler, representing the developer, further introduced the application and stated that there have been previous meetings with Public Works Director Arlynn Jacobson, City Engineer Dick Dyer and the Planning and Zoning Commission regarding this zone change request. Engineer Gerald Williams attended and was there to answer any questions the commission might have and there were none.

7:10 PM – Staff Presentation

Planning & Zoning Administrator Kurt Hibbert addressed the commission and stated that the zone change request was in conformance with the city's comprehensive plan. Fourteen (14) of the eighty-five (85) lots are to be zoned R2. These fourteen lots will be single family homes, but share a common wall (twin home) to help increase density. The difference between an R1 zone and an R2 zone is only one unit per acre. R1 allows 4 units per acre and R2 allows 5 units per acre.

The developer has been discussing working with the neighboring property owner about sharing lift station costs as one will be required for this development. This high cost is what stalled the final phase of Ponderosa, located east of the current homes in Ponderosa and northeast of this property proposal.

The developer has been working on a development agreement for several months. The transfer of 3.5 water shares is part of the development agreement and will be given to the City.

Commissioner Fluckiger asked for clarification on the lift station. Mr. Hibbert stated that it was necessary to remove waste water from the property and that it has been approximately twenty years since the Ponderosa development was stalled because of the need for a lift station and the ensuing high costs.

7:14 PM Letters of Professional Opinion

Commissioner Lines stated the commission had received two letters concerning the application. Public Works Director Arlynn Jacobson stated he had reviewed the application and had no concerns and City Engineer Dick Dyer had reviewed the application.

7:15 PM Submitted Written Testimony

For:

- Leon & Kerry Moser – neutral but after having the zone change further explained now support the request

Neutral:

- KJ Legacy – support land rights as long as law is followed

Against:

- Calvin Kunz – do not want apartments and too much traffic
- Dana Campbell – no comment
- Janae Raty – okay with R1 but not R2, okay with twin homes but not apartments
- Karen Crane – consider change carefully, apartment lifestyle destroys
- Kenneth Horner – want rural atmosphere, don't get rid of the fields

Commissioner Lines stated that there has been no response from letters sent out on July 12th to different agencies.

7:23 PM Verbal Testimony

For:

- None

Neutral:

- Elaine King – was concerned why the R2 zone will be in the middle of the development, concerned about the public use of the open space and questioned whether there had been a traffic study, design review and if impact fees have been paid.
- Bruce King – supports scores of single family homes and a few twin homes but had caution because of there not being a current development agreement and stated it was not required but we could request it. He did learn it was underway and stated it can provide greater clarity of plans and can protect the city and the applicant. Consider development agreements in applications going forward.

Against:

- Kenneth Horner – likes the idea of 1 lot per acre, is against townhomes so does not like R2. Developer should pay impact fees. He feels that his higher taxes are because the developer wants to develop this property. Current road decay because of so many cars is also a concern.

7:37 PM Rebuttal:

P&Z Administrator Kurt Hibbert answered questions and stated that a traffic study has been done. The city does have a capacity analysis on the water and sewer. The development agreement is being worked on and will be filed with the final plat. He noted that it was the city's request for R2 for the affordability of homes. Twin homes are somewhat cheaper than single homes. For impact fees, as the city matures, we will need these. The lots are commensurate with the current Ponderosa lots. This development is very similar to Ponderosa and it is still very low density.

Totals: For – 1, Neutral – 3, Against – 5

7:45 PM Public Hearing Ended