

Planning Commission Meeting

April 11th, 2019

Present: Commissioners Dale Fowers, Nathan Platt, Cindy Cox and Jacob Draper, Mayor Green
City Attorney- Brandon Richards

Excused: Commissioner Mary Simpson, City Engineer- Tracy Allen

WORK MEETING: Agenda and line items reviewed.

PLANNING COMMISSION MEETING

Chairman Fowers called the meeting to order at 7:00 p.m.

The Pledge of Allegiance was recited by Commissioner Platt and reverence was offered by Commissioner Cox.

APPROVAL OF THE MINUTES

The minutes for March 14, 2019 Planning Commission meeting were reviewed by the Commission.

MOTION Commissioner Draper made a motion to approve the March 14, 2019 Planning Commission meeting minutes. Commissioner Platt seconded the motion. Commissioners Cox, Draper, Platt voted "aye". The motion passed unanimously.

Chairman Fowers made a request to move Item #6 on the Agenda to first item of business.

MOTION: Commissioner Cox made a motion to move last agenda item to the first. Commissioner Draper seconded the motion. Commissioners Cox, Draper and Platt voted "aye". The motion passed unanimously.

NEW BUSINESS

1. Final Plat Approval – Foy Subdivision 1st Amended Subdivision – 6061 W. 5900 S.; Michael Taylor

The purpose of this request is to amend the one-lot "Foy Subdivision" created in 1995 for land exchange with H.L. Parker Farms.

Mayor Green, presented details to the Commission. Let Commission know that there is currently a "public-right-of-way" that will still need to be vacated before final approval of the amended plat.

Michael Taylor, owner, available for questions, stated to Commission that what was represented in public presentation was accurate.

PUBLIC HEARING

Chairman Fowers opened the Public Hearing.

Dave Parker made the following comments:

- Representative for H.L. Parker Farms, let Commission know that it was an accurate description of boundary adjustment.

Chairman Fowers called for additional comments. No Comment. Closed public comment.

MOTION Commissioner Draper made a motion to recommend final plat approval for the amended Foy Subdivision/Michael Taylor; 6061 W. 5900 S. to City Council on the condition that the public-right-of-way be vacated. Commissioner Cox seconded the motion. Commissioners Platt, Cox, Draper voted "aye". The motion passed unanimously.

2. Request for Rezone – Farr Built Homes/PAANC, LLC R1 to R3 approx. 5125 S. 4700 W.

Lowell Farr has submitted a request for rezone of 7.5 acres for the purpose of future development.

Mayor Green presented the details of the Rezone request to the Commission, explained facts about R3 Zoning requirements with residents before beginning discussion. Request does conform with allowed use on the Hooper generalized future land map.

Paul Clark, representative for PAANC, available for questions. Let Commission know that they are requesting density changes to allow for lots on both sides of property.

PUBLIC HEARING

Chairman Fowers opened the Public Hearing.

Ernest Railey made the following comments:

- Engineer for proposed rezone.
- Spoke in favor of request. Smaller lots are more financially feasible for development.

Commissioner Platt informed attendees that the Planning Commissions roll in these types of requests is to recommend denial or approval to the City Council based on whether or not the request conforms to the approved future land use map and that City Council has the final authority to approval or deny the rezone.

Dave Prevedel made the following comments:

- Spoke against rezone to smaller lots.
- Concerned about future development and the additional infrastructure that would be needed to accommodate growth, see full list attached in public packet.

Cindy Ellis made the following comments:

- Concerned about future increased road traffic.
- Spoke in favor of keeping R1 zoning.

Mike Hogsett made the following comments:

- Concerned about infrastructure needed for higher density.
- Spoke against allowing R3 zoning.

Melissa Burshone made the following comments:

- Concerned about infrastructure needed for higher density.
- Spoke against allowing R3 zoning.

Angie Erickson made the following comments:

- Concerned about allowing higher density.
- Spoke against R3 zoning.
- Would like no zone changes until the City opens the “general plan” so current residents can participate in the discussion.

Dave Prevedel made the following comments:

- Concerned about future development and the additional infrastructure that would be needed to accommodate growth, see full list attached in public packet.

Commission clarified infrastructure needed for future development is the responsibility of the developer and those details are reviewed during the subdivision submittal process.

Katy Parkinson made the following comments:

- Would like zoning to stay at R1, so animal rights are not threatened.

Levi Erikson made the following comments:

- Spoke against allowing R3 zoning.

Kathy Taylor made the following comments:

- Spoke against allowing R3 zoning.

Cami Davis made the following comments:

- Spoke against allowing R3 zoning.

Erik Davis made the following comments:

- Spoke against allowing R3 zoning.

Chairman Fowers called for additional comments. No Comment. Closed public comment.

Chairman Fowers encouraged citizens to actively participate in future discussions regarding possible development.

MOTION Commissioner Draper made a motion to recommend approval for the rezone, R1 to R3, 7.5 acres located at approx. 5125 S. 4700 W. to City Council. Commissioner Platt seconded the motion. Commissioners Platt, Cox, Draper voted “aye”. The motion passed unanimously.

3. Request for Rezone – Greenwood Investments, LLC/BrockBank LLC, R1 to R2 approx. 5900 W. 4000 S.

GreenWood Investments has submitted a request for rezone of 136.5 acres for the purpose of future development.

Mayor Green presented the details of the Rezone request to the Commission, reviewed key issues from staff review. (full list in public packet).

Todd Timmons, developer, available for questions. Stated that he is aware of the concerns listed by Staff and is actively working on providing needed details for review.

PUBLIC HEARING

Chairman Fowers opened the Public Hearing.

Misty Rowser made the following comments:

- Spoke against rezone change to R2.

Laura Beers made the following comments:

- Spoke against rezone change to R2.
- Concerned about additional traffic burden

Phil Douglas made the following comments:

- Concerned about building homes on flood plain and additional traffic burden.

Jerry Tatton made the following comments:

- Concerned about building homes on flood plain and making sure infrastructure is carefully planned before allowing rezone.

Keith Flint made the following comments:

- Concerned about building homes on flood plain and would like the rezone to remain the same until staff comments are answered.

Chairman Fowers called for additional comments. No Comment. Closed public comment.

MOTION Commissioner Cox made a motion to table discussion until the developer can provide details to key issues presented to staff for additional review. Commissioner Platt seconded the motion. Commissioners Platt, Cox, Draper voted “aye”. The motion passed unanimously.

4. Preliminary Approval- Patriot Acres Subdivision – 5345 S. 4700 W.; (1) one lot

The purpose of this subdivision is to create one (1) single family residential building lots on .93 acres in the City’s R-1 zone.

Mayor Green, presented details to the Commission. Reviewed remaining key issues from Staff.

Key Issues

- Minor plat changes still needed.
- No recommendation of land use separation fence by City Staff.

Ray Christensen, subdivision representative, present or available for questions.

PUBLIC HEARING

Chairman Fowers opened the Public Hearing. No Comment. Closed public comment.

MOTION Commissioner Draper made a motion to recommend final approval of the Patriot Acres Subdivision at 5345 S. 4700 W., with the condition that all key issues listed by City Staff be complete before Council review. Commissioner Cox seconded the motion. Commissioners Cox, Draper and Platt voted “aye”. The motion passed unanimously.

5. Preliminary Approval- Quail Cove Subdivision – 5250 W. 3750 S.; Nine (9) lots

The purpose of this subdivision is to create nine (9) single family residential building lots on 5.7 acres in the City’s R-2 zone.

Mayor Green, presented details to the Commission, reviewed remaining key issues from City Staff.

Key Issues

- Revised plat submitted by developer, April 9th, has not yet been reviewed by Staff.
- Sections of open ditch should be dealt with in the same manner required in Quail Estates.
- Land use separation fencing recommendations.

Steve Bingham, Developer, available for questions, confirmed with Commission that they will be piping the sections of open ditch within the subdivision, and have submitted plans for review to City Staff that reflect those changes.

Commissioner Cox asked developer if there were still plans to expand existing land drain outfall so that surrounding subdivisions are not negatively impacted.

Steve Bingham, Developer, clarified that they removed 4 of the originally proposed building lots in order to make sure the current detention basin is not at capacity.

PUBLIC HEARING

Chairman Fowers opened the Public Hearing.

Mike Cox made the following comments:

- Concerned that an easement for the purposed piped ditch is not shown on the plans.
- Wants to make sure that a land use separation fence is required.

Chairman Fowers called for additional comments. No Comment. Closed public comment.

Commission made recommendation for land use fence along East/West side of development.

MOTION Commissioner Platt made a recommendation for preliminary plat approval of the Quail Cove Subdivision at 5250 W. 3750 S. to City Council, with the condition that all key issues listed by City Staff be completed before Council review. Commissioner Draper seconded the motion. Commissioners Cox, Draper and Platt voted “aye”. The motion passed unanimously.

6. Final Approval- Quail Estates Subdivision – 5250 W. 3700 S.; Eighteen (18) lots

The purpose of this subdivision is to create eighteen (18) single family residential building lots on 9.8 acres in the City’s R-2 zone.

Mayor Green, presented details to the Commission, reviewed remaining key issues from City Staff.

Key Issues

- Revised plat submitted by developer, April 9th, has not yet been reviewed by Staff.
- A final approval letter from Hooper Irrigation Company is still required.
- Developer still needs to submit details about providing ways for irrigation tailwater and other drain water to properly get into the pipeline from the adjacent properties to the east and southeast.

Steve Bingham, Developer, available for questions, clarified with Commission that developer is working out details for drain water issues and has presented details in the plat submitted April 9th. Is still working on obtaining a Final Approval Letter with Hooper Irrigation and has submitted updated plans to them for review.

Developer claims City response memos were not received according to ordinance timeline and believes that ordinance requirement for Final Hooper Irrigation Letter is not required to have a “complete” submittal.

Commissioners continued to discuss City Ordinance requirements for subdivision submissions.

Steve Bingham, Developer, states that they will be receiving the approval letter from Hooper Irrigation within the next few days and is willing to have the letter before Council review if that is the Planning Commission's recommendation.

PUBLIC HEARING

Chairman Fowers opened the Public Hearing.

Joelee Taylor made the following comments:

- Concerned about drainage ditch on east/west side of property for ground water.

Mike Cox made the following comments:

- Concerned about approving subdivisions without having final details reviewed by City Staff.

Sheri Bingham made the following comments:

- Concerned about approving subdivisions without having final details reviewed by City Staff or updated plats reviewed by Planning Commission.

Chris Paulsen made the following comments:

- City Councilmember
- Spoke in favor of developer and recommended approval of subdivision by Planning Commission.

Chairman Fowers called for additional comments. No Comment. Closed public comment.

Commissioners continued to discuss City Ordinance requirements for subdivision submissions and key issues from Staff final plat review.

Commissioner Platt commented that an unfair financial burden is being placed on developer if City Staff is not getting review memos out in a timely manner.

MOTION Commissioner Platt made a motion to recommend final approval of the Quail Estates Subdivision at 5250 W. 3700 S. to City Council, with the condition that all key issues listed by City Staff including comments listed in MEMO 03-26-19, section C, 1-5 be completed before Council review. Commissioner Draper seconded the motion. Commissioners Draper and Platt voted "aye". Commissioner Cox voted "no". The motion passed.

MOTION to adjourn was made by Commission Cox.
Seconded by Commissioner Draper.

The meeting was adjourned at 9:33 p.m.