

MINUTES
PLANNING COMMISSION MEETING
FRUIT HEIGHTS CITY
910 South Mountain Road
January 29, 2019

PLANNING COMMISSION REGULAR MEETING

1. WELCOME

The Planning Commission Work Meeting was called to order by Chairman Curtis Tanner at 7:01 pm.

2. ROLL CALL

COUNCIL MEMBERS PRESENT: Commissioners Sam Brady, Chris Martineau, Carrie Carroll, Brian Bare, Chairman Curtis Tanner and Council Member Brandon Halliday were all present.

STAFF PRESENT: City Manager Brandon Green, City Planner Jeff Oyler and Recording Secretary Kelli Rollins were present.

VISITORS:

3. OATH OF OFFICE

City Manager Brandon Green gave the oath of office to the two new Planning Commission members, Brian Bare and Carrie Carroll. They signed their oath and were welcomed by the Commissioners and Planning Commission Chairman.

4. APPROVAL OF MINUTES OF MEETING

Commissioner Chris Martineau made a motion to approve the minutes for the Planning Commission Meeting of October 23, 2018 as amended. It was seconded by Commissioner Sam Brady and was approved unanimously

5. SUBDIVISION REVIEW AND UPDATES

5.1 Review Rock Loft Ridge Estates Development

City Planner Jeff Oyler stated that the Rock Loft Ridge Development would be the biggest project in the future of the City. It is currently a 100 lot subdivision with a lot of different issues of concern. The developer has been working on the development for over three years and would like to begin to make progress. City Planner Oyler is requesting some guidance from the Planning Commission as to what direction the City Staff should be going. He reported that the geo-tech study was not complete on the northern end of the development. Commissioner Chris Martineau inquired about the development agreement and if everything on the list had been done. He observed that the work meeting a few weeks ago gave the impression that the development was moving along. City Manager Green reported that the reason for the meeting was just to inform the City Council and Planning Commission about the issues, especially the

secondary water situation. The development agreement is still being considered and nothing has been approved. He reminded the Planning Commission that the City Staff has been working on this for a long time and he had met with Weber Basin regarding the water situation and the end result is that they will not be able to provide secondary water to this development. Other cities that are developing their bench areas are also being told they will have to find another option for secondary water. Weber Basin cannot allow any more access points to the aqueduct. Commissioner Christ Martineau asked if the proposed cemetery location would be affected by this elevation restriction. City Manager Green reported that Benchland Water supplies water for that area and would be able to provide for the cemetery.

Commissioner Carrie Carroll asked if there would be enough water for the subdivision. City Manager Green explained that there is plenty of water but that the City would need to store more water. Currently the City stores a day and a half worth of water but with the new subdivision this would go down to half a day's worth of water. A new water tank would need to be built at the same elevation as the other water tank. This new tank would be beneficial for all the City especially the north end, that often does not have enough water pressure or volume for their needs. City Manager Green also reminded the Planning Commission about the fact that providing redundancy is always a good idea.

There are two ways that this tank could be paid. The first is that the City would pay for the cost of the tank and then there would be an impact fee for all the homes in the development that would pay the City back a portion of that cost. City Engineer Jones would calculate the percentage that would need to be repaid and the portion that would be paid for by the City for the upgraded pressure and volume that the entire City would benefit from. The second option would require the developer to pay for the storage tank and the City would pay a portion for the upgraded pressure and the rest of the cost would be passed on in the lot prices. They also determined that phase 1 of the development could be done without needing to build the tank and so the City could be collecting the impact fees before installing the tank. The maintenance and upkeep fees are figured into monthly bills and would not change for the rest of the City.

Commissioner Sam Brady asked about the elevation of the proposed new tank and if other tanks were located at the same elevation and above residential neighborhoods. The City Staff mentioned that the one in Fruit Heights as well as many throughout the county were located in similar locations.

The City Staff and Planning Commissioners discussed the 40 ft easement around the aqueduct and that Weber Basin would not be allowing fences even if the developer has it in the plans. They suggested not including the easement in the

property but then the issue of maintenance becomes an issue. Council Member Brandon Halliday suggested that the developers probably wanted the easement included because then setback measurements would start from the property boundary and therefore the lots can hold larger homes.

City Planner Jeff Oyler mentioned that the information about the development is slowing coming together. The geo-tech studies recommended that the developer get rid of the Green Road extension and the developer followed that counsel. He also mentioned that they are nervous that after all these years that the City will say no, and they would like some signal that the City is still willing to develop this area. City Planner Oyler asked the Planning Commission if they were wanting to still wait until the development agreement is finished before annexing and rezoning. The Planning Commission discussed that the only step for annexation is just putting it on the agenda and getting the City Council's approval. The next step would be the rezoning. Rezoning would include the developer presenting the legal recommendation; the City notifying all resident within 300 feet of the property; holding a public hearing during the Planning Commission meeting; the Planning Commission approving and recommending the rezone and the City Council approving it in their meeting.

The Planning Commission discussed their role in the developing of the area. Commissioner Sam Brady feels that changing the water ordinance or approving annexing or rezoning the property is just approving the development and if they don't change the ordinance then all the other concerns do not need to be addressed. Commissioners Chris Martineau and Brian Bare mentioned that the property owner has an inherent right to develop their property and the Planning Commission has an obligation to make it work for the good of the City while protecting the City's interests. They agreed that it may get to a point where the developer agrees that it is not feasible to develop this property, but the Planning Commission can't decide that for them. The City Staff also mentioned that from their point of view having one developer doing the entire property under one plan is much more desirable than having several smaller developments doing things by pieces at different times.

City Planner Jeff Oyler concluded that there are not enough details in the plan that he can comfortably answer questions in a public hearing with the residents of Fruit Heights and that it is too soon for annexation and rezoning. He did mention that the Planning Commission can choose to approve a rezone conditionally based on final plat approval and if that plat approval fails then the zone reverts to the previous zone.

Commissioner Sam Brady stated that his biggest concern in the stability of the earth and if this area can handle this much development. The City Staff and

Planning Commission discussed geo-piers and the additional cost that would bring to the development. They determined that the plan may need a lot specific plan especially for the western edge. They also questioned if the western lots on the ridge could be done away with and therefore lose that risk.

Commissioner Bare listed the questions that he believes the residents would have about the development which include, water, geo-tech concerns, and traffic. They discussed concerns with road grades and driveways steepness and lots that seem unbuildable.

The City Staff and Planning Commission agreed that there are not enough answers and they are not be prepared to talk to the public. They determined that the City Staff would make a list of concerns that needed to be addressed by the developer before the Planning Commission would be willing to look into a rezoning or annexation.

6. CITY ORDINANCE REVIEW AND UPDATES

6.1 Review and Discuss Title 8: Public Utilities Ordinance

The Planning Commission and City Staff discussed starting to draft the change in the Utilities ordinance that would allow the Rock Loft Ridge development to use culinary water for irrigation use. They determined that the staff should start with the suggested change and put the reasons on Weber Basin and use a specific elevation. It was recommended that they keep the addition short and specific.

Commissioner Brian Bare asked about the additional need for culinary water possibly affecting the rest of the City. The City Staff and Planning Commission determined that it would reduce the reserve but that the City had plenty of water shares and would not need to purchase more. City Planner Oyler also mentioned that the property would have secondary water shares available that they won't be able to use and could be required to turn those shares into the City and then the City could trade them for culinary water shares instead.

7. CITY PARKS AND TRAIL REVIEW

Planning Commission Chairman Curtis Tanner presented the Park Improvement Plan to the Planning Commission. Council Member Brandon Halliday mentioned that it had been suggested that UDOT had changed their plans for the curved road. Chairman Tanner went over the proposed design which included baseball fields in a more economical arrangement, new restrooms, concessions, bleachers, picnic areas, playlot, soccer field, more parking, Castle park play lot, pathways around the park, fitness court, basketball court, pavilion with stage and amphitheater, pickleball courts, and more picnic shelters. Commissioner Sam Brady suggested moving the pickleball courts away from the road and including a few parking spaces. There are plans for lights and surveillance

cameras and perhaps internet access. The food trucks will be relocated to the area near the pavilion.

City Manager Green reported that the playground components have been received and there is currently an RFP for grading, putting in the cement barrier, sidewalks and a drainage area in preparation for the park. It is anticipated that there will be a grand opening at Founders Day. City Manager Green reported that City Engineer Brandon Jones recently gave him updates on the elevations and topography of the playground area and estimates that there will be 800 cubic yards of dirt that the City will use to build some berms. Commissioner Sam Brady asked if there was a way to upgrade the fences in the Castle Park area to wrought iron rather than chainlink. City Manager Brandon Green, Chairman Tanner, Council Member Brandon Halliday, City Planner Jeff Oyler and City Engineer Brandon Jones are planning on getting together for a meeting to discuss the plan with the updates given by City Engineer Jones. The Planning Commission discussed refurbishing the existing bathrooms. Commissioner Sam Brady also volunteered to donate some architect plans for some of the building components.

8. BUSINESS LICENSE REVIEW

9. OTHER BUSINESS

10. CALENDAR

5.1 Review and Approve Planning Commission Meeting Dates for 2019

The Planning Commission reviewed the calendar for 2019 and noted the dates for their meetings. Commissioner Sam Brady thanked City Manager Green for the text and email reminders.

11. ELECTRONIC MEETING

12. ADJOURNMENT:

Planning Commissioner Brian Bare made a motion to adjourn the Planning Commission meeting and it was seconded by Commissioner Carrie Carroll. The meeting was adjourned at 9:06 pm.

I HEREBY CERTIFY that the foregoing is a true, accurate and complete record of the Fruit Heights Planning Commission meeting held January 29, 2019

Not approved until signed


Kelli Rollins, Fruit Heights Recording Secretary

Date approved by Planning Commission: February 26, 2019