

MINUTES  
PLANNING COMMISSION MEETING  
FRUIT HEIGHTS CITY  
910 South Mountain Road  
February 26, 2019

PLANNING COMMISSION REGULAR MEETING

**1. WELCOME**

The Planning Commission Work Meeting was called to order by Chairman Curtis Tanner at 7:02 pm. The Pledge of Allegiance was led by City Manager Brandon Green and Commissioner Brian Bare opened the meeting with a word of prayer.

**2. ROLL CALL**

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

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

VISITORS: Joseph Neilson, Greg Day,

**3. APPROVAL OF MINUTES OF MEETING**

*Commissioner Carrie Carroll made a motion to approve the minutes for the Planning Commission Meeting of February 26, 2019 as amended. It was seconded by Commissioner Chris Martineau and was approved unanimously*

**4. SUBDIVISION REVIEW AND UPDATE**

**4.2 Present and Discuss a proposed Development “The Marilyn” 3,675 acres**

City Planner Jeff Oyler introduced a new proposed development located next to the City Offices and the Mountain Road Church. It is less than four acres and is currently zoned commercial. The developer is asking for the City to rezone it to R-1-8 residential. City Planner Oyler mentioned that it is a class C commercial at best which means it is not a highly sought-after location so there is no real issue in the rezone request.

The developer is interested in putting in a cul-de-sac with 15 single family homes ranging from 8,700-10,000 square feet. They are asking for smaller side setbacks. Currently the side set backs in the R-1-8 zone are eight feet and they are requesting five-foot side setbacks. The front and rear setbacks would remain the same.

*Commissioner Sam Brady arrived at 8:10 pm.*

City Planner Oyler mentioned that the trend is towards larger homes on smaller lots with smaller setbacks.

They discussed the road, curbs and sidewalks. The developer currently is proposing a sidewalk only on one side of the street and parking only on one side of the street. The street currently meets the standards of the minor residential street mentioned in the City's ordinance. The curb and sidewalk would need an additional 2.5 feet to meet City Standards. The City Staff does not have an issue with the size of the road since it is not an arterial or collector street. The Planning Commission and City Staff discussed the pros and cons of a private street vs. a public street. With a private street repair and maintenance is not the responsibility of the City but the City must worry about someone else taking the responsibility and they realize that HOA's do not always function as they ideally should. The City Staff also mentioned that they would prefer to control the design and maintenance so they would prefer it to be a public street. The ordinance is already in place for this to be considered a minor residential street. Snow removal is the biggest concern and would need to be looked at before any approval.

*Council Member Brandon Halliday arrived at the meeting at 7:20.*

The Planning Commission and City Staff discussed the Cherry Heights subdivision and the problems with the narrow streets and parking. They stated that the front set backs need to be large enough to be able to fit three cars in the driveway. They discussed PRUD and the issues that they bring for the City.

The Planning Commission asked about making the sidewalk go all the way around instead of only on the one side. There is enough land to put the sidewalk all the way around and still meet the setbacks for the lots.

They discussed storm water and the need to put a detention pond in one of the lots in the back. The developer will also have to get approval from the sewer district. They discussed both culinary and secondary water and the impact of this subdivision was minimal and that secondary water shares would transfer with the property.

The Planning Commission determined that they are not opposed to the rezone, the street size meets the code, they would like the sidewalk to perhaps go all the way around the circle and meet the code. They are concerned about the side setbacks. They agreed to go look at examples of the smaller side setbacks to see how the finished project looks. They also mentioned that the buyers who purchase the homes would not buy home if they hated the side setback size and that it would also help with water conservation with less yard to water.

#### **4.1 Review Rock Loft Ridge Estates Development**

City Planner Oyler reminded the Planning Commission that the Staff had agreed to put a list of recommendations that needed to be done by the developer of

the Rock Loft Ridges development before the Planning Commission will look at the rezone or annexation. The development agreement still needs to be done that also contains all these conditions. These conditions include finishing all the geo-tech requirements, showing that all the final lot and street layouts conform to all the geotech requirements, the street requirements must include a less than 10% grade. The secondary water problem must be decided.

The Planning Commission and City Staff discussed some of the lots on the west side of the development on the ridge being non-developable. They talked about the land bridge over Baer Creek and the plans for trails. The geotech studies will be finished before the next meeting. The Planning Commission needs to be comfortable answering questions from the public before the Public Hearing. The development agreement needs answer those questions for the Planning Commission including the ground stability, water, streets and water restrictions. The Planning Commission discussed difficulty of policing the water restrictions and that the detailed ordinances need to be in place before starting to develop. The HOA will need to govern the subdivision. The geotech will be involved in all landscape approval and each individual lot excavation.

The Planning Commission also asked if the City had begun to figure out what percentage of the new tank benefits the City and would be paid for by the City and if the remainder would be paid for by the City and paid back by the owners of the homes in the new subdivision or if the developer would pay and charge the fee in the purchase of the lots. City Planner Oyler agreed that City Engineer Brandon Jones would be working on that equation. He also mentioned that the tank needed to be on the same level as the other tank and may need to be traded with an annexed portion of Forest Service. That is just another element of the water issue.

**5. CITY ORDINANCE REVIEW AND UPDATES**

**6. CITY PARKS AND TRAIL REVIEW**

**7. BUSINESS LICENSE REVIEW**

**8. OTHER BUSINESS**

**9. CALENDAR**

The Planning Commission is invited to the Ethics Training on March 5, 2019. If they are not able to attend, they will need to watch the video for their training.

**10. ELECTRONIC MEETING**

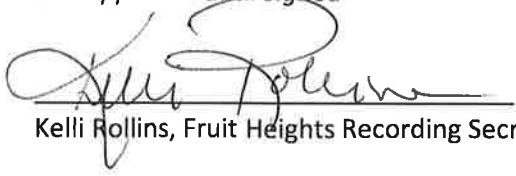
**11. ADJOURNMENT:**

*Planning Commissioner Carrie Carrol made a motion to adjourn the Planning Commission meeting and it was seconded by Commissioner Sam Brady. The meeting was adjourned at 8:44 pm.*

February 26, 2019

I HEREBY CERTIFY that the foregoing is a true, accurate and complete record of the Fruit Heights Planning Commission meeting held February 26, 2019

*Not approved until signed*

A handwritten signature in cursive script, appearing to read "Kelli Rollins", is written over a horizontal line.

Kelli Rollins, Fruit Heights Recording Secretary

Date approved by Planning Commission: March 26, 2019