

MINUTES
PLANNING COMMISSION MEETING
FRUIT HEIGHTS CITY
910 South Mountain Road
May 25, 2021

WELCOME: Chairman Curtis Tanner called the meeting to order at 7:01 PM.

PLEDGE & OPENING CEREMONY: The Pledge of Allegiance was led by Chairman Curtis Tanner, and the meeting was opened with Commissioner Sam Brady offering a word of prayer.

PLANNING COMMISSION MEMBERS PRESENT: Planning Commissioners Brian Bare, Sam Brady, Carrie Carroll (arrived at 7:05), Kevin Paulsen and Curtis Tanner (Chairman) were present. City Council Member Diane Anderson was present as well.

CITY STAFF PRESENT: City Manager Brandon Green, City Planner Jeff Oyler and City Recording Secretary Amy Gardiner were present.

VISITORS: Matt Lowe, Scott Justensen, Hyrum Taft, Stari Taft, Jeremy Hernandez, Bonnie Piggot and Nate Reeves.

New Commissioner Kevin Paulsen was welcomed by Chairman Curtis Tanner.

REVIEW AND APPROVAL OF MINUTES FROM PREVIOUS MEETING:

Planning Commission Meeting March 23, 2021

Planning Commission members discussed the draft minutes that previously had been provided to them for the March 23, 2021 Planning Commission Meeting and no corrections were suggested.

After brief discussion, Commissioner Sam Brady made a motion to approve the minutes for the March 23, 2021 Planning Commission meeting. The motion was seconded by Commissioner Brian Bare and it was approved unanimously.

PUBLIC HEARING:

Public Comment on the Rezone Request for the Taft Subdivision. Rezone property from A-1 to R-1-10.

Commissioner Sam Brady made a motion to enter into a Public Hearing. The motion was seconded by Commissioner Brian Bare and it was approved unanimously.

There was no public comment.

Commissioner Carrie Carroll made a motion to close the Public Hearing. The motion was seconded by Commissioner Brian Bare and it was approved unanimously.

SUBDIVISION REVIEW:

Review/Discuss/Approve/Deny the Taft Subdivision Rezone Request from A-1 to R-1-10

City Planner Jeff Oyler explained that lot #2 is the lot that is needing to be rezoned from A-1 to R-1-10. The intention with Lot #2 is to tear down the old existing home and build a new one. In order to do that, the lot needs to comply with existing requirements, ordinances and current zoning. Lot #1 has an existing home on it as well and will stay A-1. It does not meet the requirements but will be grandfathered in and stay A-1.

Following discussion, Commissioner Carrie Carroll made a motion to approve the Taft Subdivision Rezone request from A-1 to R-1-10. The motion was seconded by Commissioner Sam Brady and it was approved unanimously.

Review and Discuss Rock Loft Ridge Estates

City Planner Jeff Oyler explained the to Commission information about the proposed Rock Loft Ridge Estates including:

- He has a lot of pressure on him to get the development agreement done.
- He proposed it is ready to be rezoned from A-1 to R-S-12 and finalize the annexation even though there has been a lot of back and forth on the proposed street and lot layout and there are restrictions attached to almost every lot.
- He also stated that he still needs to receive the final draft of the geotechnical report (over 500 pages) and then a summary of the report identifying the key action items found in the report for the developers, the City staff and the individual owners of the lots.

Nate Reeves and Matt Lowe pointed out that they had provided a map with the layout of the subdivision and notes from the geostrata work. Matt Lowe said that is as much of a summary as the Geostrata wants to do.

City Planner Jeff Oyler encouraged the Planning Commission to ask questions of the developers. There was a lengthy discussion between the City staff, the Planning Commission and the developers about questions and concerns including:

- Defining what the rezoning will do for the project.
- Purpose of the annexation.
- Roadway standards.
- Concerns with the proposed flag lot.
- Required frontage on lots.
- Fire and emergency vehicle access.
- Buildable area needs to be obvious on map of the lots.
- The need for future homeowners to get their own geotechnical consultations.
- Concern that lot purchasers will be disappointed when they realize they cannot build what they want because of restrictions.
- Concerns about water issues and landslides.

City Manager Brandon Green suggested that prior to a public hearing they have an open house and invite residents to join for discussion and to answer questions. Commissioner Brian Bare recommended Weber Basin Water also attend the open house to answer questions from the citizens. City Planner Jeff Oyler again suggested that the engineers make a summary of the geotechnical report.

Chairman Curtis Tanner and Commissioner Sam Brady continued to voice some concerns. City Planner Jeff Oyler encouraged them to approve the rezoning on condition of the development agreement being approved -- he said the rezone is not the defining factor but that the development agreement is where the "rubber meets the road". It was agreed that the Planning Commission needs to get educated on the details of the subdivision and some type of open house needs to be held to educate the public.

City Planner Jeff Oyler stressed again that there needs to be a summary version of the geotechnical report. Nate Reeves again stated that the graphic illustration that was provided tonight is the summary they are willing to provide.

City Manager Brandon Green stated that the issues the City is getting more comfortable with the issues it had in the past. He wanted to go on the record stating that Matt Lowe, Scott Justensen and Nate Reeves have been very willing to work with the City with its concerns, and that is not always the case. City Planner Jeff Oyler agreed that they had been very accommodating.

City Manager Brandon Green talked about possible dates moving forward: Meeting with Planning Commission and City Council sometime the week of June 13-18, a possible Open House sometime the week of June 27 - July 3, and a Public Hearing and annexation on July 27 at the Planning Commission meeting. He said that this is an aggressive schedule, but the dates are penciled in.

OTHER BUSINESS:

Review/Discuss/Approve/Deny Business License Request for "Little Piggott Pre-School"

City Manager Brandon Green explained that Bonnie Piggott had applied for a business license to run a preschool in her home that she is currently building in the Green Farms Subdivision. A map of the subdivision was provided to the Commission beforehand as well as some comments that had been emailed to the city by residents close to Bonnie Piggott's new home.

Bonnie Piggott gave an overview of her business. She has been teaching preschool for 19 years. She teaches 8 kids in a morning and an afternoon session for a total of 16 children a day.

City Manager Brandon Green informed her that the Fruit Heights City code only allows 6 children per session. City Planner Jeff Oyler confirmed that the code said: "shall be limited to no more than 6 kids with no more than 2 sessions a day". Parking and traffic issues were discussed as well.

Jeremy Hernandez commented about the possible business license. He said that he and a few other neighbors had strong objections to the possible business. He said that the business should not be allowed to operate at the expense of other residents who moved to Fruit Heights for a residential environment. He expressed concern about the noise that preschool kids would make while playing outside. The Planning Commission also received copies of emails before the meeting that had been sent to the City by concerned neighbors.

The Planning Commission discussed the concerns with Bonnie Piggot. Carrie Carroll mentioned Jeremy Hernandez could come to the City to address any problems with the preschool in the future if needed and they could be reviewed by the City.

After further discussion, Commissioner Brian Bare made a motion to approve the Business License Request for "Little Piggott Pre-School". The motion was seconded by Commissioner Kevin Paulsen and it was approved unanimously.

Review and Discuss Landscaping Ordinance and the Secondary Water Limit Service Map.

The City Staff and the Planning Commission discussed the draft Water Efficient Landscaping Ordinance and the Fruit Heights Service Elevation Map. City Manager Brandon Green explained this would just apply to the Rock Loft Ridge Estates but, with growing demand for water, it could later be considered to be adopted City-wide. Items that were discussed included:

- Requiring the new homes to have their landscaping established within one year
- Who will oversee and enforce the ordinance
- Process of watering with culinary water - 2 connections - one to home and one to yard
- The third-party review requirement for each owner's landscaping plan at the owner's expense
- A monitoring process to avoid any washouts

City Planner Jeff Oyler pointed out that a development agreement for Rock Loft Ridge Estates cannot be approved until this ordinance for landscaping/watering is in place. Chairman Curtis Tanner recommended that the Planning Commission make revisions to the ordinance and get them to him by the June Planning Commission meeting. City Manager Brandon Green replied that he hoped they would have the ordinance in place by July or August.

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 9:27 pm.

I HEREBY CERTIFY that the foregoing is a true, accurate and complete record of the Fruit Heights Planning Commission meeting held May 25, 2021.

Not approved until signed.

/s/ Brandon Green

Brandon Green, City Recorder

Date approved by Planning Commission: September 28, 2021