

MINUTES
PLANNING COMMISSION MEETING
FRUIT HEIGHTS CITY
910 South Mountain Road
October 23, 2018

PLANNING COMMISSION REGULAR MEETING

1. WELCOME

The Planning Commission Work Meeting was called to order by Chairman Curtis Tanner at 7:33 pm.

2. ROLL CALL

COUNCIL MEMBERS PRESENT: Commissioners Sam Brady, Chris Martineau, and Chairman Curtis Tanner and Council Member Brandon Halliday were all present. Commissioner Paul Wood was excused.

STAFF PRESENT: City Manager Brandon Green, City Engineer Brandon Jones and Recording Secretary Kelli Rollins were present.

VISITORS: Brian Bane, Katherine H. Stirling, Shauna Cowley, Scott Baird

3. APPROVAL OF MINUTES OF MEETING

Commissioner Chris Martineau made a motion to approve the minutes for the Planning Commission Meeting of September 4, 2018. It was seconded by Commissioner Sam Brady and was approved unanimously

4. PUBLIC HEARING

Commissioner Chris Martineau made a motion to enter into a Public Hearing. It was seconded by Commissioner Sam Brady and was approved unanimously.

4.1 Hearing to Rezone Lot #1 Hidden Hollow Estates from A-1 to R-S-12

City Engineer Brandon Jones described the property by Mountain Road that is currently one lot and the owner is interested in rezoning and creating an additional lot on the portion of the land near Mountain Road. It would be rezoned to an R-S-12.

Previously a small portion on the frontage of Mountain Road was owned by UDOT and recently they have given the right-of-way to the owner. With access to that right-of-way the owner can create a lot. The City Staff noted that there were twelve items that they had discussed with the owner that would have to be resolved. The owner had already been answering all those questions. There were questions from the Planning Commission about if the creation of this new lot would be creating a flag lot. The attorney had met with City Staff and determined that the original lot is the flag lot where there is already a home and the new lot has access from the frontage onto Mountain Road. He stated that this new lot would meet all City codes. They discussed if the access road needed to be designated as frontage and not just a road to lot 2. The Planning

Commission also asked for clarification on the cutout for the driveway and making sure that it comes off Mountain Road for the drive approach.

There has also been a concern with the location of the fire hydrant. That had all been worked out with the Fire Chief and the neighbors, Mr. Scott Baird and Mrs. Shauna Cowley explained.

4.2 Hearing on Street Dedication Plat for Quail Hideaway

City Engineer Brandon Jones and City Manager Brandon Green reported that currently there is a private street that goes to two lots up above the Rock Loft. The beginning section of the road is right next to the Rock Loft and the other small business and is used by the public. The City and owner have agreed that the owner could give the small section of road that is accessed by the public for the City to own and maintain.

Commissioner Chris Martineau made a motion to close the Public Hearing. It was seconded by Commissioner Sam Brady and was approved unanimously.

5. SUBDIVISION REVIEW AND UPDATES

5.1 Review/Discuss/Approve/Deny Rezone Hidden Hollow Estates from A-1 to R-S-12.

5.2 Review/Discuss/Approve/Deny Preliminary and Final Approval for Hidden Hollow Estates Subdivision.

The Planning Commission and City Staff discussed the buildable ground for the proposed new lot. The City Staff reported that they do not have any concerns regarding this subdivision.

Commissioner Chris Martineau made a motion to recommend approval for the rezoning for Hidden Hollow Estates Lot #1 subject to Final Plat approval. It was seconded by Commissioner Sam Brady and it was approved unanimously.

The Planning Commission discussed the concerns that need to be resolved. There needs to be a signed agreement regarding the fire hydrant approval. All the twelve items on the City's list need to be resolved and the flag lot concern clarified by the City Attorney in writing. City Manager Green showed them a picture of the house that was there in 1985 and the City Staff reminded them all the other utilities are already accessible to the lot.

Commissioner Sam Brady made a motion to recommend approval of the preliminary and final plat for Hidden Hollow Estates on condition that all discussion points were resolved and that if there was a problem with resolving the problems that the rezone would be reversed to the prior zone. It was seconded by Commissioner Chris Martineau and it was approved unanimously.

5.3 Review/Discuss/Approve/Deny Street Dedication Plat for Quail Hideaway Subdivision

The Planning Commission asked a few questions regarding the width of the road and if there would be any need to widen it. The City Staff reported that they did not have any concerns about the width of the road and that if more businesses went in around that area then there may think about widening the road at that time.

Commissioner Chris Martineau made a motion to recommend approval of plat dedication for Quail Hideaway Subdivision. It was seconded by Commissioner Sam Brady and was approved unanimously.

6. CITY PARKS AND TRAIL REVIEW

City Manager Brandon Green and Planning Commission Chairman Curtis Tanner presented a Park Improvement Plan to the Planning Commission. They requested that the Planning Commission look over the plan and make suggestions. They also discussed the plans for the bike trail on the east bench. Apex Trails is the company that is putting the trail in and the grants from the state and the donations received would be paying for the improvements.

7. BUSINESS LICENSE REVIEW

Mrs. Katherine Stirling presented her business plan of opening an AirBNB in her home. She mentioned that it would be a return to Colonial times theme. The rental will be the main floor and second story. There are two apartments in the basement where she would live. The Planning Commission and City Staff discussed the fact that the City doesn't have an ordinance regarding short term rentals. Commissioner Chris Martineau stated he would not feel comfortable approving something until there is an ordinance on the books and that the City Council should give the City Staff and Planning Commission some guidance before they move ahead with anything.

8. CITY ORDINANCE REVIEWS AND UPDATES

City Manager Green and City Engineer Jones discussed the possibility for the need of using culinary water for outdoor landscaping for the Raymond property development (also known as the Rock Loft Ridge Development). Weber Basin and Hights Creek are not able to get secondary water to the area. The City Staff is considering the idea of proposing the City pass an ordinance allowing culinary water for outdoor use in that development only. It would be easier to control and would potentially minimize over-watering on the sensitive lands. Higher water rates may encourage drought tolerant plants which would help with the City's CWPP plan. Commissioner Sam Brady stated he was reluctant to open the door and make it possible for this property to be developed considering all the challenging geographic factors. He would not encourage the City to create an ordinance for developing this property. He stated that if

there is no way to get secondary water to this area then it shouldn't be developed. City Staff reminded everyone that if the developer meets all the City's ordinances and codes, then the City can not legally stop the development. If secondary water is possible, then the City will not be able to control the water on the hillside. If the City controls the culinary water they can put restrictions in the ordinance that will make the area safer. It puts the City in a proactive role.

9. OTHER BUSINESS

There is a seat open on the Planning Commission. There have been four application received. The City Manager asked the Planning Commission to look over the applications and make recommendations to the Chairman so he can make a recommendation to the Mayor.

10. CALENDAR

11. ELECTRONIC MEETING

12. ADJOURNMENT:

Planning Commissioner Chris Martineau made a motion to adjourn the Planning Commission meeting and it was seconded by Commissioner Sam Brady. The meeting was adjourned at 9:41 pm.

I HEREBY CERTIFY that the foregoing is a true, accurate and complete record of the Fruit Heights Planning Commission meeting held October 23, 2018.

Not approved until signed


Kelli Rollins, Fruit Heights Recording Secretary

Date approved by Planning Commission: January 29, 2019