

MINUTES
PLANNING COMMISSION MEETING
FRUIT HEIGHTS CITY
910 South Mountain Road

October 27, 2020

PLANNING COMMISSION MEETING

1. WELCOME

The Planning Commission Work Meeting was called to order by Chairman Curtis Tanner at 7:03 pm.

The Pledge of Allegiance was led by Chairman Curtis Tanner.

Opening Prayer was offered by Planning Commissioner Sam Brady.

2. ROLL CALL

PLANNING COMMISSION MEMBERS PRESENT: Commissioners Brian Bare, Chris Martineau, Carrie Carroll, Sam Brady and Chairman Curtis Tanner are present.

STAFF PRESENT: City Manager Brandon Green, City Planner Jeff Oyler, and City Council Member Diane Anderson were present.

VISITORS: Amy Gardiner, Sheriden Hansen, Jerry Goodspeed, Gary Naylor, Tom Householder, RaNae Householder.

3. REVIEW & APPROVE MINUTES:

October 27, 2020. Approval of Minutes was tabled.

4. PUBLIC HEARING FOR REZONE REQUEST (JEFF OYLER)

Motion was made by Planning Commissioner Chris Martineau to open the public hearing to consider the rezone request, seconded by Commissioner Carrie Carroll.

Motion passed unanimously.

City Planner Jeff Oyler opened the public hearing with a review of the rezone request. Mr. Oyler stated that he will answer questions about the rezone after his presentation to the Planning Commission and the Public.

There are two items that the Planning Commission will be considering during the meeting. Item one is to rezone 2 acres of property at approximately 112 S Highway 89 from R-S-12 to R-1-12 (PRUD). The second item is to approve the final plat for the same parcel of property being considered for rezone.

After a brief discussion regarding the rezone request, Mr. Oyler discussed the plat with the Planning Commission. According to the plat the property owner is requesting six (6) residential, single family homes be built on the 2 acres parcel. Lot sizes average between

7200 – 7500 square feet. The PUD Ordinance also requires an open space requirement of 40%. The open space requirement that is being calculated has been noted on the submitted plat. In addition to the open space requirements, there will be a private road into the subdivision which will be off the south end of Country Way. The developer will extend the necessary City utilities into the property. With the development of the neighboring property, the sewer was brought into the property between lots 106 & 107 of The Orchards at Country Lane.

Due to the location of the property and the way that it slopes, the entire storm drainage system will be privately maintained. There is a detention basin located at the northwest corner of the property where the storm water will be collected and then drained underground and tied into the City's Storm Drain System in Green Road. The developer has worked out an easement agreement with the Naylor family directly west of this property to use their existing driveway as an easement for the storm water drain line connection into Green Road.

One unique aspect of the development proposal is to have an entry monument at the entrance into the development, however because Country Way dead ends at this development, there is a proposal to allow the developer to place the enter monument at the south end of Goldspur and Country Way. In addition, the developer would likely install gates to limit access into the development, this would also provide four (4) additional visitor parking inside the development and along the end of Country Way. The City Staff has discussed this proposal and feels that it would be beneficial to the City to allow the HOA to maintain the asphalt, landscaping, snow removal, sidewalk, curb, and gutter. The HOA's responsibility would begin at the gated entrance but the City will still maintain ownership of the right-of-way through this section to the recorded property line of the development.

Parking requirements for this development meet the City's requirements for this zone of 2.5 stalls per home plus the four additional visitor parking stalls along Country Way.

Mr. Oyler also explained to the Planning Commission that the Developer has also agreed to continue the landscaping and maintenance along the east side of Country Way between the road and the sound wall. (Approx. 25 South Country Way, Edgington Prop.)

The Developer is also seeking approval from the Planning Commission for the Rezone Request, Final Plat Approval, Approval of the Development Agreement, and approval of the Covenants, Conditions, and Restrictions (CC & Rs) for the proposed development. The Staff has reviewed all the documents that are in front of the planning commission for approval and make a recommendation to the Planning Commission that the Goldspur Estates development be approved and forwarded on to the City Council for final approval.

At this point in the meeting, the Planning Commission heard comments from the public regarding the proposed development.

Mr. Thomas Housholder (1185 E Green Road) stood and commented about the proposed development. Mr. Housholder indicated that he had talked with the developer and feels that the proposal is an improvement to the property. As a resident living adjacent to the property, he supports Mr. Justin Atwater's developers request.

Mr. Gary Naylor (1169 E Green Road) also addressed the Planning Commission regarding the development. He indicated that he has spoken with the developer about the plans and has also verbally agreed to allow his driveway to be used as an easement for the storm drain line from the development to Green Road. He appreciates the openness and opportunity to work with Mr. Justin Atwater on this development.

The developer addressed the planning commission regarding the removal of the junk and debris that has accumulated on the property over the years. The current property owner (Mr. Arnold) has been working hard to clear the property of the debris and it should be completed before the property changes ownership as per Mr. Atwater's agreement with Mr. Arnold.

After hearing comments from the public, Planning Commissioner Chris Martineau made a motion to close the public hearing, commissioner Brain Bare seconded the motion, motion passed unanimously.

5. SUBDIVISION REVIEW

Review, Discuss, Approve, Deny the rezone of 2 Acres from R-S-12 to R-1-12 (PRUD)

Planning Commission Chair opened discussion with the Planning Commission on the rezone request of 2 acres from R-S-12 to R-1-12 (PRUD). There was not discussion among the planning commission with regards to this request.

Planning Commissioner Chris Martineau made a motion to approve the rezone request as presented, planning commissioner Carrie Carroll making a second.

The motion passed unanimously.

Planning Commission Chair Curtis Tanner then opened discussion with the Planning Commission regarding the final plat approval for the Goldspur Estates PRUD.

Planning Chair Tanner had a couple of questions regarding the plat. He inquired if Kaysville Fire had a chance to review the proposed subdivision and if they had any concerns or comments. Mr. Atwater replied to the question and indicated that Kaysville had reviewed the subdivision and that they have provided a letter of approval to the Fruit Heights City Staff.

Mr. Tanner then asked the developer about the home located at 1242 E Goldspur Lane being aware of Mr. Atwater's proposal to allow a section of City Street to be gated off at the entrance into their subdivision and restrict the property owner access to his back yard because of the gate. Mr. Atwater addressed Mr. Tanners concerns and indicated that they had talked with the property owner at 1242 E Goldspur. The owner does not have any concerns about the proposal but has asked that he still can access his back yard from Country Way. Mr. Atwater informed the Planning Commission that they would be able to accommodate his request and that he would not be restricted because of the development.

Commissioner Brian Bare had a question regarding the gate at the entrance into the PRUD, wanting to know if was decided on or not. Mr. Atwater responded that the gate will be part of the development unless the Planning Commission has concerns with his proposal. Commissioner Bare felt that having a gate would be the decision of the developer, Mr. Atwater responded in the affirmative. Mr. Oylar also responded that City Staff has also discussed the gates and feel that it would be an enhancement for the PUD, especially if they are willing to maintain the street beyond the gate. City snowplows would have a difficult time plowing the snow on a dead end road and not blocking or closing off their entrance. Mrs. Amy Gardiner expressed her concerns with the gate and felt that having a gate is something that she and/or her neighbors wouldn't want. She expressed a concern that having gates presented a feeling of "exclusiveness" or "not welcoming" in our community. There continued to be some discussion regarding gates, access, and maintenance, Mr. Atwater assured the Planning Commission that he would do what the City would require him to do and that the HOA would understand through the development agreement and CC & Rs the homeowners' responsibilities.

Planning Commission Member Brian Bare made a motion to approve the preliminary and final plat approval for the Goldspur Estates Subdivision, corresponding development agreement, CC & Rs, completion of the staff's recommendations, and forward this subdivision approval onto the City Council for final approval. Planning Commission Member Carrie Carroll made a motion to second the motion.

Motion passed unanimously.

6. OTHER BUSINESS

Tentatively scheduled to have the City Christmas Party on December 1, 2020.

7. CALENDAR

Planning Commission, November 17, 2020

Planning Commission, December 1, 2020

ADJOURN:

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 8:07 pm.

I HEREBY CERTIFY that the foregoing is a true, accurate and complete record of the Fruit Heights Planning Commission meeting held October 27, 2020.

Not approved until signed

R. Brandon Green

Brandon Green, City Recorder

Date approved by Planning Commission: January 19, 2020