

MINUTES BOX ELDER COUNTY PLANNING COMMISSION APRIL 21, 2005

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The Board of Planning Commissioners of Box Elder County, Utah met in the County Commission Chambers at 7:00 p.m. The following members were present constituting a quorum:

Richard Kimber	Chairman		
Jon Thompson	Member	<i>The following Staff was present:</i>	
Richard Day	Member		
Ann Holmgren	Member	Garth Day	County Planner
David Tea	Member	Elizabeth Ryan-Jeppsen	Dept Secretary
Theron Eberhard	Member	Donnie Tarver	County Inspector
Clark Davis	Excuse	Amy Hugie	County Attorney

Chairman Richard Kimber called the session to order at 7:04 p.m.

The corrected *Minutes* of the regular meeting held on February 24, 2005 were made available to the Planning Commissioners prior to their meeting (April 21, 2005) for review. After a couple of word corrections were noted by **Chairman Richard Kimber** a motion was made by **Commissioner Theron Eberhard** to accept the *Minutes* as written with noted corrections; the motion was seconded by **Commissioner Richard Day** and passed unanimously. The *Minutes* of the regular meeting held on March 24, 2005 were made available to the Planning Commissioners prior to their meeting (April 21, 2005) for review. A Motion was made by **Commissioner Jon Thompson** to accept the *Minutes* with a few word corrections made; the Motion was seconded by **Commissioner Ann Holmgren-Jensen** and passed unanimously.

Citizen Present for the Planning Commission Meeting

Dave Hawkes	7920 South Highway 89, Willard
Kyle Hamblin	467 north 4000 West, West Point
Brandt Thompson	6250 West 18400 N., west Fielding
Kirt & Tracie Bailey	795 West 2820 South, Perry
Johnny Hulse	560 West 7615 South, Willard

SUBDIVISIONS FOR APPROVAL

CONSENT AGENDA ITEMS -- NONE

NEW BUSINESS

THE GORDON SLEEMAN SUBDIVISION (14 LOTS), LOCATED AT OR ABOUT 7935 SOUTH HWY 89 IN THE SOUTH WILLARD AREA.

Staff explained that this subdivision consists of fourteen lots and the South Willard Water Company and the South Willard Flood Control District have given approval. The property is currently zoned as R-1-20 and all of the lots meet the requirement of 20,000 square feet; preliminary review was given at the October 2004 meeting. Curb and gutter is not required since each of the lots has at least 120 feet of frontage. The detention basin is located at the west end of the subdivision and has been approved by the Willard Flood Control. (The Twin Falls Subdivision is across HWY 89 to the west of this proposed subdivision.) The subdivision was originally given the name of Canyon View Estates, but that needs to be changed due to the fact that it is too close to another one similarly named. Staff recommended granting preliminary approval of this subdivision once the UDOT approval for access has been given. (There is an existing access, but UDOT has to review it and give their final approval for the subdivision.) The construction drawings will also need to be available before granting final approval.

MOTION: A Motion was made by **Commissioner Richard Day** to grant *preliminary* approval to the Gordon Sleeman Subdivision. The motion was seconded by **Commissioner David Tea** and passed unanimously.

THE BRANDT THOMPSON SUBDIVISION (10 LOTS) LOCATED AT OR ABOUT 18500 NORTH 6000 WEST IN THE FIELDING AREA.

This ten-lot subdivision is north of Riverside around 6000 West Street. Each lot is one acre in size. The petitioner has received verification for all of the utilities; however the Health Department has only been able to complete three of the five necessary perk tests for the septic tanks. The Riverside/North Garland Water Company will provide water for the subdivision. There are no improvements required on the street; 6000 West Street is already a fully improved road; however County standards need to be met in regards to the drainage pipe under the front drive to each lot (a fifteen-inch pipe minimum).

MOTION: A Motion was made by **Commissioner Jon Thompson** to grant *preliminary and final* approval to Lloyd Brandt Thompson Subdivision with the stipulation of the minimum ingress be met on each lot. The Motion was seconded by **Commissioner David Tea** and passed unanimously.

CHERRYWOOD ESTATES SUBDIVISION PHASE II, LOCATED AT OR ABOUT 8100 SOUTH 950 WEST IN THE SOUTH WILLARD AREA.

This nine-lot subdivision is currently zoned R-1-20 and all lots meet the minimum requirement except for lot 30. (Lot 30 is only 6000 square feet and would not meet the requirements for a lot in the R-1-20 zone). It appears that lot 30 has been set aside for a future road; however Staff recommended that it be included as a fully improved road. All of the utilities for Phase II of this subdivision have been received except from the South Willard Water Company for the availability of water. The Willard Flood Control District must also give its approval for Phase II. There is an Ag-Protection area adjacent to this subdivision and will need to be noted on the final plat. Staff recommended granting preliminary approval, subject to the road (lot 30) being fully improved to the subdivision boundaries and included in the drawings and approval from the Flood Control and

verification of water availability. After some discussion with the petitioner regarding lot 30 being included as a fully improved and developed road, the following motion was made.

MOTION: A Motion was made by **Commissioner Jon Thompson** to *Table* the Cherrywood Estates Subdivision Phase II until the petitioner receives approval from the South Willard Water Company and Flood District. Also the road, or lot 30, needs to be addressed and included in the plat as an improved road or redesigned as part of lot 29. The Motion was seconded by **Commissioner Ann Holmgren-Jensen** and passed unanimously.

PETTINGILL ESTATES 24-LOT SUBDIVISION CONCEPTUAL REVIEW, LOCATED IN THE SOUTH WILLARD AREA.

This twenty-four lots subdivision was submitted to the Planning Commission for conceptual review. Located in the South Willard area adjacent to the Farms Subdivision, the property is currently zoned R-1-20 and each lot meets the minimum requirements. The project still needs to be reviewed by the South Willard Water Company and the Willard Flood Control Board before preliminary approval will be given. Staff recommended accepting the conceptual plan and to authorize the petitioner to go forward with the preliminary subdivision drawings. Staff also made the following recommendations subject to any approval of the subdivision.

- ▶ Lots 4 and 5 should be restricted to not allow access from the frontage road adjacent to the railroad.
- ▶ The property is located in the vicinity of an agricultural protection area, and the plat must be so noted.
- ▶ A fence may be required along the west side of lots 4 and 5 to buffer them from the railroad.

MOTION: A Motion was made by **Commissioner Richard Day** to accept the concept plan of the Pettingill Estates Subdivision Staff for review and to authorize the petitioner to proceed with the preliminary drawings, addressing the recommendations of the Staff, and submit to the Planning Commission for further approval. The motion was seconded by **Commissioner Ann Holmgren-Jensen** and passed unanimously.

DEER RUN 23-LOT SUBDIVISION CONCEPT PLAN, LOCATED AT OR ABOUT 7950 SOUTH IN THE SOUTH WILLARD AREA

This twenty-three-lot subdivision is located between the Cherrywood and the Twin Falls Subdivisions and access to Deer Run will be through these other two subdivisions. The detention pond will be shared with Twin Falls and will be sized to accommodate both subdivisions and has received approval from the Willard Flood District. Each of the lots meet the minimum square footage in the R-1-20 zone and will be developed as one phase. Staff recommended accepting the Deer Run Concept Plan and to authorize the developer to proceed with the preliminary plan for submission to the Planning Commission for preliminary approval.

MOTION: A Motion was made by **Commissioner Theron Eberhard** to accept the concept plan of the Pettingill Estates Subdivision for review and to authorize the petitioner to proceed with the preliminary drawings and submit to the Planning Commission for further approval. The motion was seconded by **Commissioner Richard Day** and passed unanimously.

OTHER BUSINESS

MINOR ZONING UPDATES – BEAVER DAM

The zone update for the Beaver Dam area was discussed and it was decided that a Public Hearing would be set for the May 19, 2005 meeting. This is an in-house request suggested by Staff to change the residential area along 400 West in the Beaver Dam area from MU-40 to RR-2. The area in Beaver Dam to be re-zoned is described as follows:

Beginning at the North quarter corner of Section 23 Township 12 North Range 2 West Salt Lake Base and Meridian; thence running Southerly along the center line of said Section 23 approximately 5280 more or less the South quarter corner of said Section 23; thence Easterly along the South line of said Section 23 to where the south line of said Section intersects with the Eastern boundary of Box Elder County; thence Northeasterly along the said County boundary line to where it intersects the North line of said Section 23; thence Westerly along the North line of said Section 23 to the Point of Beginning. Containing about 145.56 acres more or less.

A copy of that description and map of the area are included with these Minutes.

LETTER FROM SOUTH WILLARD FLOOD CONTROL AND SPECIAL DRAINAGE DISTRICT

A letter was received from the South Willard Flood Control district requesting that the Planning Commission address the issue of “Curb & Gutter” in the South Willard area where there are numerous subdivision being developed. (A copy of that letter accompanies these Minutes.) Because of the continued growth in the area, the rural issue regarding curb and gutter in these subdivisions is becoming more of an issue. Presently, if the lot has 120 feet of frontage no curb and gutter is required as per the LUC. Staff’s comment regarding this issue was: *“In the short run, I think it is going to solve some of our problems, but in the long run we are going to end up with some maintenance. We’re going to end up with higher levels of storm water issues. We can start the process of amending our subdivision ordinance to take out the rural standard for waiving the curb and gutter, if that is what you (the Planning Commission) would like to do.”*

Commissioner David Tea asked if it (the rural standard for curb and gutter) would apply to only the South Willard area or would it be Countywide. **Chairman Richard Kimber** stated that it would have to be Countywide. **Commissioner Richard Day** stated that what seems to be happening is that the developers are coming in and getting the approval from the Planning Commission and then once the development is started some of the soil (or ground) is removed for the road and then when a rain

storm occurs there is nothing to hold back the runoff of water. Staff stated that having curb and gutter helps to protect the road longer by protecting the sides of the road; however the water is then collected in the curb and gutter with (sometimes) nowhere to drain except the detention basin. There are bigger issues that will need to be addressed including storm water, which at present are taken care of through the barrow ditches in these subdivisions. These barrow ditches can act almost as a linear detention basin in some cases so by the time the water reaches the detention basin most of it has been soaked into the ground. With curb and gutter there is no place else for the water to go except the detention basins. The detention basins would need to be maintained at a higher level with curb and gutter in these subdivisions. Another issue is that curb and gutter, over time, would also need to be maintained. Sidewalks break and trees can push up through and crack the cement. Donnie Tarver stated that the replacement for roads without curb and gutter is sooner than for those where curb and gutter is in place to help hold the road surface and edge (according to information he received from John Collom of the County Road Department).

Another concern brought up by **Commissioner Richard Day** was that of a sewer coming into this area of the County in South Willard. If curb and gutter were in place then it would have to be torn up to hook up the individual lots/homes to the sewer lines.

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This was the last meeting for **Commissioner Ann Holmgren-Jensen** and she took a few moments to thank the Planning Commissioners for working with her and for all that she had learned during her time on the Commission.

PUBLIC COMMENTS -- None

The Planning Commission meeting was adjourned at 8:37 p.m.

Passed and adopted in regular session this 19th day of May 2005.

Richard Kimber, Chairman
Box Elder County
Planning Commission