

APPROVED
BRIGHAM CITY PLANNING COMMISSION
BRIGHAM CITY COUNCIL CHAMBERS
October 18, 2011

PRESENT: Barbara Poelman Chairperson
 Lynda Berry Commissioner
 Eve Jones Commissioner
 Joan Peterson Commissioner

ALSO PRESENT: Mark Bradley City Planner
 Julie Jepps Administrative Assistant

EXCUSED: Larry Jensen Vice Chair
 Rob Munns Commissioner
 Lynn Duce Alternate Commissioner

AGENDA

Pledge of Allegiance

Approval of Minutes

Public Comment¹ (*Per Utah Code, will receive input only, no decision can be made*) for items not listed on the agenda.*

Application # 2693 (Item # 50-03-05) / Reduced Parking Review on Use of Building (formerly Premier Title Company) / 156 North Main / Christie Juber

Application # 3344 / Conditional Use Permit / Addition to Rehabilitation/Treatment Facility / 970 South 1025 West / Catalyst RTC, LLC

Discussion:

1. Application # 3332 / Regulations and Standards for Towing Services, Impound Lots, Junk Yards, and Self Storage Facilities

REGULAR MEETING

Regular session opened at 6:00 PM by Barbara Poelman and Joan Peterson led the Pledge of Allegiance.

APPROVAL OF MINUTES

Motion: A motion was made by Eve Jones to accept the **October 4, 2011** Work Session Meeting minutes as written. The motion was seconded by Lynda Berry and passed unanimously.

Motion: A motion was made by Eve Jones to accept the **October 4, 2011** Regular Meeting minutes as written. The motion was seconded by Lynda Berry and passed unanimously.

PUBLIC COMMENT There was no public comment.

Application # 2693 (Item # 50-03-05) / Reduced Parking Review on Use of Building (formerly Premier Title Company) / 156 North Main / Christie Juber

Mark Bradley presented information regarding the original Design Review approval of Premier Title Company regarding reduced parking. There is a contract with Allstate Insurance Company to purchase the building from Premier Title which has been dissolved. The use by Allstate Insurance will be similar and is brought before the commission for review and approval of continuation of the reduced parking approval.

Christie Juber, Allstate Insurance, outlined her business operations. She has been doing business for Allstate Insurance for over 15 years. At any given time she has two clients in the office and three employees. The building has more than adequate parking for her needs.

Staff recommends that the use is similar to the Title Company.

MOTION: Motion was made by Eve Jones that the Planning Commission approve Application 2693 / Reduced Parking Review for Christie Juber, Allstate Insurance as the land use authority for this application and that the use is similar to the previous use. The motion was seconded by Joan Peterson and unanimously approved.

Application # 3344 / Conditional Use Permit / Addition to Rehabilitation/Treatment Facility / 970 South 1025 West / Catalyst RTC, LLC

Mark Bradley presented information regarding the applicants site plan as it exists and with the proposed addition. Mr. Bradley outlined the current access routes and concerns of Staff with expansion of the facility. Staff supports the use and expansion of the use. The road issue of having a public dedicated improved road to their property is the key factor to address.

The area received a rezone from the City Council on July 30th of this year from A5 (Agricultural) to General Commercial. The key issue is the transportation element including proper access to the property. The applicant currently has access to the property via a 20 foot access and utility easement that is owned by Mr. Kirk Nelsen which is in addition to a 26 foot right of use lane that accesses Mr. Wynn Parker's residence. Along the frontage of the property, is a dedicated 30 foot right of way that is not completely improved, from the private lane on the north/south stretch of what is referred to as 1025 W Street. At the time of subdivision of the lot, the applicant entered into a deferral on the improvements with the City Council pending improvement as the applicant was able and based on obtaining more complete access and dedication on the Parker site. Typically the city does not like to have half built roads. The proposed new building would house 24 youth ages 13 to 18 and would be located on the southeastern corner of their lot with a 30 foot offset from the future improved 1025 West Street. The applicant is proposing that they use the existing road on the south end of the property owned by the Parkers and North of Mr. Kirk Nelsen's home where they

would have a 30 foot easement. They would provide some type of hard road surface that would allow them to adequately travel to their site.

Footprints of the building with elevations etc. were displayed along with a brief history of the site.

The Master Plan (roads) was displayed for the commission. One of the goals of the plan is to have a road moving traffic flow north and south in this area allowing for future growth and development. As drawn, a portion of the (diagonal) road could conceivably cut through the southwest corner of the applicant's property. There is, however, discussion about revising the Master Plan and elimination via straitening of that portion of the road.

The City is working with UDOT and surrounding property owners to facilitate the placement of these roads. The position of UDOT has somewhat changed over time with the change in Directors. UDOT seems willing to work with the City based on a continuous flow intersection at 1100 W. They want the study that has been completed to be modeled to reflect functionality of the continuous flow intersection. As long as the model is successful and financing is established things will move forward.

Lynda Berry pointed out that without the diagonal road there is a longer distance to travel. Mark Bradley acknowledged this and explained that the city engineers are working on traffic flow through the intersection and that the Mayor is working towards a more cooperative solution for the property owners with future dedication of property in mind.

Overall, the goal of Staff and the Commission is to assist the applicant in moving forward. There were initially a lot of allowances etc. made regarding access. The use was originally residential and has progressed through approval as a commercial use. The access roads are being reviewed further by Staff for recommendation to the Planning Commission. At this time, Staff is suggesting that the item be continued pending this review and a review of the Master Plan (roads).

Adam Poll, Seth Geisler and Kreg Edgmon all co-owners of Catalyst came forward for discussion and presented information regarding their operations.

Currently there are 24 residents housed in 7 bedrooms (3-4 per room). The new facility will mirror this. The populations in the new facility and the old facility will be segregated. They will share the basketball court, tennis court and some school facilities, but, the operations will be separate. The residents are non-adjudicated. They have been committed by their parents. The staff in the new facility will be the same as the current facility – around 40 in each. The population is single sex – male. They do not have an issue with mixing students of different ages. They have been open since the first of 2007. The average length of stay is 9 months. They have not had any major calamities. They have had a couple of residents assault staff and try and run, but, for the most part they are very well behaved.

The Commission is very pleased with the architecture of the building.

The layout is very similar to the existing plan. The landscaping plan will be provided and is also similar to the existing landscape with a lot of rocks, pine trees and grass with fully automated sprinklers etc. The Catalyst representatives do not have a problem with any of the Staff recommendations. The main issue is the roads which they will have to work with Staff to address.

Catalyst feels that this facility can be a real asset to the community. The families come from all around the country. They are great families who have a son that has become out of control. They are looking for help. They are very invested and focused on their kids, their education, their success etc. But, they simply need help. They typically are families that also have a lot of resources. They visit often using hotels, restaurants etc. Catalyst will provide extra jobs in the community.

Catalyst has tried to be a good neighbor etc. Temporary access through Parker's property as proposed will allow a temporary solution to the access issues and mitigate the problem of travel down the private lane that currently exists. During construction, the road easement could be used exclusively for business and the proposed future easement exclusively for construction. Following construction they would exclusively use the south entrance.

Clarification was provided by Wynn Parker regarding the single signature on the application and he stated that Tim Parker does not have objection to the proposal which is on joint owned property. His signature will be forthcoming. It was simply a timing issue. Both he and Tim are actually anxious to eliminate some of the traffic flow issues that currently exist. They want to put a road at 1000 S over the sewer line. They are not in a big hurry for the development. They do not want to adversely affect Tim's greenbelt status. The temporary road would allow Tim to continue to qualify for greenbelt status and will additionally resolve the traffic issues. This is a temporary solution, but, they are in favor of it. They would like the temporary access discussed to eventually be vacated with use of the new access road on the south. Catalyst has been a good neighbor. They have corrected all of the issues that have come up. They are willing to work with them to allow the project to move forward.

No further comment.

MOTION: Motion was made by Joan Peterson to continue Application 3344 until the soonest possible meeting. The motion was seconded by Lynda Berry and unanimously approved.

Mark Bradley, at Catalyst's request clarified that all the facets of their application are linked based on satisfactory transportation issue resolution. That being said, there are a few other items such as lighting etc. that will need to be addressed. Overall the Commission is happy with the other aspects of the application.

DISCUSSION

Application #3332 – Regulations and Standards for Towing Services, Impound

Lots, Junk Yards, and Self Storage Facilities

Mark Bradley indicated that the draft will be ready for Public Hearing on November 1, 2011. Because of the uniqueness of the ordinance it needs specific attention.

Application for Tri-Plex 335 North 100 West - The applicant showed an exterior finish on his project of stucco and rock. The applicant, noticing that there was vinyl in the area wanted to place vinyl siding on the sides and rear - maintaining the stucco and rock on the front only. The Commission asked for some clarification of exteriors in the neighborhood. There was a consensus that it be acceptable that the applicant change the exterior as proposed and that the applicant not be required to come before the Commission again for further approval.

There was discussion about other businesses and improvements that are coming into the area.

MOTION TO ADJOURN

Motion: A motion was made by Lynda Berry to adjourn. The motion was seconded by Joan Peterson and the meeting was adjourned at 7:44PM.

This certifies that the regular meeting minutes of October 18, 2011 are a true and accurate copy

as approved by the Planning Commission on _____.

Signed: _____

Julie A. Jeppsen, Administrative Assistant