

**APPROVED**  
**BRIGHAM CITY PLANNING COMMISSION**  
**BRIGHAM CITY COUNCIL CHAMBERS**  
**Tuesday, February 7, 2012 6:00 p.m.**

PRESENT:            Barbara Poelman    Chairperson  
                      Larry Jensen        Vice Chair  
                      Lynda Berry        Commissioner  
                      Joan Peterson      Commissioner  
                      Reed Hancey        Alternate Commissioner

ALSO PRESENT:    Mark Bradley        City Planner  
                         Julie Jepps          Administrative Assistant

EXCUSED:           Eve Jones            Commissioner  
                         Michael Bott        Alternate Commissioner  
                         Rob Munns          Commissioner  
                         Lynn Duce           Commissioner

**AGENDA**

Pledge of Allegiance

Approval of Minutes

Regular Meeting

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

Public Hearing Application # 3362 / Amend General Plan – Transportation System Map / Include future roadways on the west side of the city in areas of West Forest Street, Watery Lane/1200 West, American Way (900 West), and 400 South / Brigham City Corporation

Application # 3366 / Conditional Use Permit / Motorcycle Sales / 58 South Main / Myrick Robbins

**REGULAR MEETING**

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

**APPROVAL OF MINUTES**

**Motion:** A motion was made by Joan Peterson to accept the January 3, 2012 Regular Meeting Minutes as written. The motion was seconded by Larry Jensen and passed unanimously.

**PUBLIC COMMENT**            There was no public comment.

Barbara Poelman noted that there would be a change in order of Agenda to accommodate those present as it was anticipated that the Public Hearing portion of the meeting would be more time consuming than Application 3366. The meeting proceeded from that point.

**Application # 3366: Conditional Use Permit / Motorcycle Sales / 58 South Main / Myrick Robbins**

Mark Bradley presented the proposal to approve a site specific request for the applicants business. Mr. Bradley provided detail regarding the layout and business plan.

Staff recommends and supports approval subject to comments.

Myrick Robbins came forward and discussed issues related to graffiti on the building next to the business. Mr. Bradley explained that this was an issue that should be raised with the police and the property owner.

Larry Jensen asked if the applicant had any additional input. The applicant clarified his interior plans and that they had varied a little due to the type of displays that were available for purchase. Overall it was the same.

Joan Peterson requested information regarding signage. Mr. Robbins explained that they have to get a sign permit through the state to be a dealer. They will have a banner in the interim.

**Motion:** A motion was made by Larry Jensen that the planning commission acting as land use authority on Application 3366 grant approval with the stipulations that the applicant comply with staff comments and that the application complies with the recently adopted regulations for use in the central business district with the findings of fact that the ordinance was recently amended to allow motorcycle sales in the central business district through a conditional use permit per Utah Code a Conditional Use Permit shall be approved if reasonable conditions are proposed or can be imposed to mitigate the reasonably anticipated detrimental effects of the proposed use in accordance with applicable standards. Such use with the noted conditions and stipulations should not under the circumstances of the particular case be detrimental to the health, safety or general welfare of persons residing or working in the vicinity or injurious to property or improvements in the vicinity. The motion was seconded by Reed Hancey.

The motion passed unanimously.

Mr. Bradley clarified that the City sent out notices to surrounding property owners and that there had been no feedback. An opportunity for public comment was offered to all those present.

There was no public comment.

**Public Hearing:** Application # 3362 / Amend General Plan – Transportation System Map / Include future roadways on the west side of the city in areas of West Forest Street, Watery Lane/1200 West, American Way (900 West), and 400 South / Brigham City Corporation

Mr. Bradley presented a map outlining the proposed amendment to the city transportation system. He noted that from time to time it is necessary to amend the master plan and identify critical roads for future planning purposes. In this instance, future roadways on the west side of the city in the area of West Forest Street, Watery Lane/1200 West, American Way (900 West), and 400 South. One of the efforts is for Public Power to obtain an easement from local property owners to allow for a power loop in the area of 350 N. It is anticipated that roads would be constructed in conjunction with future development. Staff agrees with these recommendations.

Paul Larsen came forward and explained that this proposal came about partially because of proposed development on the property at the interchange of I-15 and Forest Street. 1500 West is a general location where penetration would occur and a public street would be built to allow access. In conjunction with that it seemed reasonable to look into the future street grid and the logical locations that make sense for future roads. As explained by Mr. Bradley, Staff recommends 350 North. Mr. Larsen clarified that the proposal is not to put both 350 N and 300 N on the map but one or the other.

It is the intent to have 100 S go all the way through eventually and create a network.

Larry Jensen inquired as to why 100 S does not continue all the way up past the Sheriff's office etc. Paul agreed that it possibly could and it is the intent to have the road go through in that alignment over time.

400 S again is an existing gravel road going down from the High School and crosses the tracks.

There is an existing road at 1500 W that goes past the old landfill and provides access into where the gun range is located. Over time it makes sense to have those connect and make a grid effect.

1050 W would also go through.

Larry Jensen asked why not 2<sup>nd</sup> S, 3<sup>rd</sup> S etc.? Does 350 N have significance and what does it align with on the other side of the rail road tracks?

Paul Larsen explained that both 300 N and 350 N follow existing property lines. The entire frontage of 300 N is the Autoliv property and the utility of that road and benefit of that road is not as great as if there was new access created with the proposed 350 N to two sets of property. With regard to 2<sup>nd</sup> S, 3<sup>rd</sup> S etc. the rail road tracks create different requirements. The eastside has a strong grid. The westside is more industrial, more

open and the likelihood of larger tracts of land being needed to develop a similar grid to the eastside. That is not to say there will not be a 2<sup>nd</sup> S, 3<sup>rd</sup> S etc. It is conceivable. These are the streets that they thought were more feasible. Existing infrastructure was also a consideration. With regard to 1050 W, Mr. Larsen outlined the options for future use as an access for property owners and the back end of a future park.

Lynda Berry asked for clarification regarding requirements of Army Corp of Engineers with regard to wetland issues. Paul Larsen explained that this was also a consideration and road alignments might have to change as a result of that.

**Motion:** A motion was made to open the Public Hearing by Larry Jensen, Joan Peterson seconded the motion and the motion passed unanimously.

The public hearing was opened by Barbara Poelman.

John Adams came forward and expressed concern over the road noted as 150 N. The location is in approximation to wetlands. He expressed an interest in 1500 W as it goes directly through his Barn. Additionally, the relationship to the off ramp to/from I15 would create a traffic flow issue with these additional roads. He would appreciate some research going into that issue. In regard to 300 N, he would be disappointed to see the road go through there and 350 has wetland issues. A Master Plan is a Master Plan and he would like to see the deeds after research is done and these things are proposed and what process the City has gone through. He would hope that the driver of this plan is not proposed development in the RDA area. The plan should provide the best opportunity for development and access.

Larry asked him if he supported a general plan to improve roads in the area and he said absolutely.

Greg O'Brien came forward representing Autoliv and stated that 350 N is more ideal for their situation. He expressed a couple of concerns. Because of their business, they are required to maintain certain distances etc. from the roadway. 300 N would encroach on the distances that they would need to adhere to. They have gas tanks etc. that need to be considered for the safety of the public.

Larry Jensen inquired as to why Autoliv is not acquiring more property in lieu of relying on adjacent property owners leave the land vacant. Mr. O'Brien stated that negotiations are currently taking place to procure additional land.

Morris Clawson came forward and voiced concern over fencing issues and water use issues. He felt that the City should exercise more concern over property owner rights. He was upset that the city seems to go through and pass laws that change the fence lines to the Cities convenience. He feels that the fences need to be maintained by the City and not left to the cattlemen to maintain. With regard to water issues – he goes without water all summer. Complains and gets nowhere. He feels that the city stole his free water. He checks on the changes to the water daily. There are workers consistently moving the water. He stated that once the City builds a fence they do not maintain it and they ought to.

Reece Beeton came forward and asked if there was a time frame regarding 1050 W and the access to the Ball Park.

Mr. Bradley explained that the extension of 1050 W would be in conjunction with development of the surrounding property. Specifically, the road would go in once as Mr. Beeton develops his property.

Mr. Beeton stated that as drawn his property would be cut in two by the road and he would have no access to water on one of the parcels.

Larry Jensen explained that this is future planning. This gives an idea of what the City plans are. Mr. Beeton would be in control of development of the property he owns and as Mr. Bradley stated, the development would be the catalyst for building of the road.

Julianna Larson came forward and stated that she has interest in both 350 N and 300 N as she and her husband own surrounding property. 300 N has significant meaning to her and her husband as they have been up and down that road more times than she can count over the last 42 years. She is very concerned with the placement of 350 N as it will go directly across a piece of property that has been in her husband's family for over 100 years. Respect and consideration needs to be given to the owners who are trying to protect their cattle and the public as well as make a living. She expressed her feeling that arrangements are made and negotiations take place with large companies such as Autoliv prior to the notice given to the other property owners which gives those companies a leg up on the other property owners. If 350 N is developed and 300 N sold off to give Autoliv the additional acreage they need it will leave the farmers on the other side of 350 N without adequate access and fencing etc. She gave the example of a driver who took out 200 feet of their agri-fence driving recklessly on slushy roads. She reiterated that all these issues need to be considered before any decisions are made regarding these roads.

Lloyd McNeeley came forward and explained that his property would be involved in 350 N. There are two access lanes that come off of 300 N that will need to be considered. There are also water rights that come from that area that need to be addressed. He would support the City moving quickly as he is not getting any younger.

**Motion:** A motion was made by Joan Peterson to close the Public Hearing, Lynda Berry seconded the motion and the motion passed unanimously.

The public hearing was closed by Barbara Poelman.

Reed Hancey asked for clarification regarding the I-15 Interchange and the standard distance required for the off-ramp.

Paul Larsen came forward and explained that ASHTO writes the standard for the placement of roads to off and on-ramps. The minimum is 350 feet. This proposal is 700 feet. He does not know at this point of the warrants for a signal at that intersection. If there are warrants, then there could be a requirement for a signal. But he does not anticipate any changes to the curvature etc. The City has looked at a variety of

interchanges along the interstate throughout Utah. They are working closely with UDOT. UDOT could possibly consider other changes. It is not likely, however.

Wetlands were mentioned by several people as a focus of concern. The City is very aware of the situation and is interested in number one, designing around and altering the alignment of the roads; number two, going through a 404 permitting process and doing the mitigation process and three simply saying that the road will not work and take it off the plan. These roads are simply lines on a map for planning purposes. Down the road the questions surrounding each circumstance will need to be addressed specifically.

150 N was chosen because the City likes to avoid intersections that are offset. Some examples were given of this type of 4-way intersection and the problems that can occur.

The same can be said of 300 N, 350 N etc.. All have questions that will need to be answered down the road.

Mr. Larsen wanted to clarify that Autoliv was not consulted prior to this meeting. He stated that Greg O'Brien was correct - there are certain uses that are close to 300 N that need consideration. They are points well taken.

The general plan for this area is industrial and not residential.

Fencing and water issues are concerns to the City. If there is a need to fence - the City will fence. Most of what is shown on the proposal will be accomplished because of development. It is up to property owners to resolve those issues when development creates them. If there are concerns regarding livestock they would be addressed in a development plan.

Water rights are not lost because of adjacent development. Again, these issues are resolved as part of a specific development plan.

1050 W and Ballpark access would be dependant on funding and availability of land. If the City decided that we needed that access now then the individual property owners would be approached. If the properties were not available for sale the project would most likely not move forward.

In 90 percent of these cases, development of the roads would be subject to sale of property by current land owners.

The 350 N came about because need for an electrical loop line and the need for it to coincide with location of a road. It is likely that the electrical looping will be pursued before a road at 350 N.

Regarding the accesses - these would be maintained through existing roads.

Most of this plan is development driven. There is no way to know when development might happen. A lot depends on industrial demands etc.

Barbara Poelman asked how the property owners are made aware of future plans for development etc.

Paul Larsen outlined how all property owners are notified. If the City needed to develop, for instance 350 N then the property owners would be consulted regarding sale of their property. He stated that the use of eminent domain is highly unlikely based on past history.

Julianna Larsen came forward and asked about the power loop. How much width would be required from the center of the road including the easement for the power line.

Mr. Larsen explained that it would be approximately 33 feet on each side of the Center line. In the short term the power department would not build a road in conjunction with the power line, it would just be the lines and a maintenance easement.

Larry Jensen suggested that the map reflect 100 N all the way to the east.

Mark Bradley explained that a portion of that land has been dedicated but is not yet improved. It can be shown on the map.

Clarification was provided regarding the timeframe for City Council.

Larry Jensen stated that they need to clarify if 300 N or 350 N would be on the map. The commissioners agreed that 350 N would be the best option.

Larry Jensen would like to know if this plan conflicts with any of the other plans further south of town.

Mr. Bradley clarified that there was no conflict.

**Motion:** A motion was made by Joan Peterson that application #3362 be forwarded to the City Council with recommendation for approval recommending the use of 350 N in lieu of 300 N as on the plan with the findings of fact that the amendment to the general plan is desirable and is in the best interest of the City. That such amendment should not under the circumstances of the particular case be detrimental to the health, safety or general welfare of persons residing or working in the vicinity or injurious to property or improvements in the vicinity and that the recommended amendment follows the legal process as outlined by the Utah Municipal Code. The motion was seconded by Reed Hancey.

**Amendment to Motion:** An amendment to the motion was proposed by Larry Jensen to include the 100 S adjustment to the map as discussed. The request for amendment to the motion was accepted by Joan Peterson.

The motion passed unanimously.

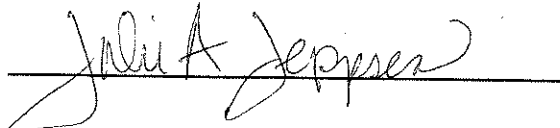
## DISCUSSION

## MOTION TO ADJOURN

**Motion:** A motion was made by Larry Jensen to adjourn. The motion was seconded by Lynda Berry.

The meeting was adjourned at 7:10 PM by Barbara Poelman.

*This certifies that the regular meeting minutes of February 7, 2012 are a true and accurate copy as approved by the Planning Commission on February 21, 2012.*

Signed:   
Julie A. Jeppsen, Administrative Assistant