

**BRIGHAM CITY PLANNING COMMISSION  
BRIGHAM CITY COUNCIL CHAMBERS  
ELECTRONIC MEETING  
Tuesday, May 19, 2020 6:00 p.m.**

PRESENT:           Dean Lester           Commissioner- Chair  
                  Steve Barsuhn       Commissioner- Vice Chair  
                  Scott Mildenhall     Commissioner  
                  Curtis Hoehn         Commissioner  
                  Cindy McConkie     Commissioner  
                  Reed Hancey         Commissioner

ABSENT:           Holly Bell           Commissioner

ALSO PRESENT:   Mark Bradley         City Planner  
                  Tony Ekins           Associate Planner  
                  Sarah-Jane Martin   Administrative Assistant

**AGENDA**

Approval of Minutes

Application #20-025 / Preliminary Subdivision Plat / Langford Townhomes Subdivision / 416 and 452 East 850 South / Bret and Jena Langford

Application #20-026 / Conditional Use Permit <sup>1</sup> / Multiple Family Residential Development Langford Townhomes / 416 and 452 East 850 South / Bret and Jena Langford

**REGULAR MEETING**

Regular session opened at 6:00 p.m. by Commissioner Lester and the Pledge of Allegiance was recited.

**APPROVAL OF MINUTES**

Commissioner Barsuhn made a motion to approve the minutes for April 21, 2020 meeting. The motion was seconded by Commissioner McConkie and passed unanimously.

**Application #20-025 / Preliminary Subdivision Plat / Langford Townhomes Subdivision / 416 and 452 East 850 South / Bret and Jena Langford**

Mr. Bradley went over both application #20-2025 and #20-026 as they are tied together. A separate motion was made for each application.

Mr. Bradley gave a brief explanation of the applications. The Langfords are proposing three phases with a total of 27 units with the first phase improving the east building. The construction plans show 28 units. At one time there were going to be 13 units in the east building and that

has been changed to 12. The preliminary plat reflects the correction. The following are the proposed number of phases and units:

- Phase 1 - East Building: 452 East 850 South – 12 units
- Phase 2 - West Building: 404/416 East 850 South - 8 units (one unit is existing)
- Phase 3 - Future Building: South of Building 404/416 - 7 units

Also discussed at this time were the following key points:

- Site distance of the shown proposed easterly access location on 850 south.
- The designed storm basin with retaining wall.
- Use of the basin for the required recreation area. The applicant needs to provide sufficient evidence that the basin is safe for recreational purposes and usable pertaining to the area, slope and landscape. All recreation and playground areas shall be accessible by all dwelling units within the development.

The applicants' engineer has redesigned the storm basin and retaining wall. Sumps will be brought in which will flatten the area and reducing the retaining wall to roughly 16 inches above grade. The development will then have a 20-foot flat area for the recreation area. This in combination with other spaces in the development meets the required 3000 square feet for recreational space. City Code was referenced where the "detention basin may count toward a portion of the recreation area if the applicant provides sufficient evidence that the basin is safe for recreational purposes and usable pertaining to the area, slope, and landscape." A couple of areas on the site plan were pointed out where recreation area should be counted towards the requirements. The area between phase one and phase two buildings, and the west side of the west building in phase three. The landscape plan exceeds the required tree criteria. There are two shared access streets, one on the west side with Eagle View and the other on the east side with Eagle View and Woodlands Senior Housing. The applicants will need to enter into an access and maintenance agreement with them. Building design and refurbishment items were discussed. Pictures of existing conditions along with updated renderings were shown. Two parking stalls required for each unit and are provided for with a couple extra for guest parking.

Commissioner Hoehn wanted clarification on which unit/units have a flat roof and also wondered if they were being remodeled with a pitched roof. Mr. Langford stated that both unit one and unit 12 have flat roofs and that both roofs will be switched to pitch roofs as stated in the description.

Commissioner McConkie wants to verify that the placement of dumpsters has been rectified since the last discussion. Mr. Langford stated the dumpster is centralized to the development and states that pickup will be based on the needs of the development. Currently, it is a single dumpster, but if more is needed then they will switch to a double dumpster or increase pick up.

Commissioner Mildenhall wanted clarification on the retaining wall.

Mr. Flint explained that originally the recreation area was very sloped. With the use of sumps and a 16-inch retaining wall, they have been able to flatten the area providing a long corridor of recreational space. The gap between the fence and the retaining wall is 4 inches wide.

Commissioner Mildenhall recommended the use of cap over the 4-inch gap. He worries that it will become a garbage collection site.

Commissioner Hancey wanted to know how many sumps are in the middle of the field. Mr. Flint stated there would be two.

Commissioner Lester wanted to make sure that the Staff is in support of the basin redesign for the development. Mr. Bradley stated that changes have been made addressing concerns and Staff is now in support of the design.

Stephanie Tugaw-Madsen had two questions. 1) Will the carport that encroaches on Langford property and parking spot east of this still be usable? 2) Are the two parking spots south of unit one required to meet the minimum parking spaces for Langford property?

Mr. Flint stated that the carport would stay intact. However, the parking spot east of the carport will not be usable. He also stated that the two parking spots south of unit one are not required to meet minimum parking spaces for the development.

Lynn Tugaw had many concerns about what should be included in the access and maintenance contract. It was decided to let the three parties work on this at their convenience. The only stipulation being that it must be completed before final plat approval.

Commissioner Lester verified with the applicant that he has read all Staff comments, stipulations, and Findings of Fact. Mr. Langford verified that he has and agrees to address the items.

**Motion:** Commissioner Barsuhn made a motion to recommend approval to the City Council application #20-025 subject to Staff comments, stipulations, recommendation, and Findings of Fact. that: 1) The P-R-M-30 zoning districts supports and allows for multiple-family housing; 2) The proposed development would be developing and redeveloping the existing properties; 3) The proposed number of units are well under the allowed density for the R-M-30 zoning district; 4) Phasing is allowed as part of the development; 5) A conditional use permit application has been submitted for design review of the multiple-family development (see application #20-026); 6) The Planning Commission is a recommending body to the City Council; and 7) Such land use transaction 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 Commissioner Mildenhall and passed unanimously.

### **Application #20-026 / Conditional Use Permit 1 / Multiple Family Residential Development Langford Townhomes / 416 and 452 East 850 South / Bret and Jena Langford**

This application was discussed with the previous application. All comments and questions can be found in application #20-025

**Motion:** Commissioner Barsuhn made a motion that the Planning Commission acting as the Land Use Authority approve application #20-026 subject to Staff comments, stipulations, recommendation, and Findings of Fact that: 1) A Multiple Family Residential Development is permitted in the R-M-30 zoning district subject to conditional use permit approval; 2) The development will be platted to allow for individual unit ownership with common area and limited common area; 3) The applicant is planning to set up a homeowner's association with governing covenants and restrictions (CC&Rs); and 4) Per Utah Code, "a conditional use 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." Section 10-9a-507(2)(a).

The motion was seconded by Commissioner McConkie and passed unanimously.

## **Motion to adjourn**

**Motion:** A motion was made by Commissioner Mildenhall to adjourn. The motion was seconded by Commissioner Hoehn and passed unanimously.

The motion passed unanimously and the meeting was adjourned at 6:56 p.m.

*This certifies that the regular meeting minutes of May 19, 2020, is a true and accurate copy as approved by the Planning Commission on June 2, 2020.*

Signed: \_\_\_\_\_

*Sarah-Jane Martin, Administrative Assistant*