



Commissioner Manning made a motion to approve the minutes from the January 3, 2017 meeting as written. The motion was seconded by Commissioner Barsuhn and passed unanimously.

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

**Continuation / Application # 3754 / Preliminary Plat / South Bench Subdivision/  
Approximately 600 South 900 East / Casey Crossman**

Mr. Bradley came to the table stating that this application was continued so that property ownership and right of way items could be resolved. A public hearing will be held on January 19<sup>th</sup> to vacate a portion of the street dedication. Once approved and recorded the north half of the property ownership will go to Dr. Ferguson and the south half will go to Casey Crossman. Mr. Bradley stated that the fee simple “insignificant property” owned by the City and located between the end of 600 South and the canal will be given to Mr. Crossman in exchange for him agreeing to pipe the Perry Canal that runs along his property.

Mr. Bradley displayed the future final plat with the boundary following Lot 1. Dr. Ferguson will inherit the property where the road was and his property will then front a public dedicated street. 600 South will be realigned which will allow for Lots 1 and 2 in the proposed subdivision.

Dr. Ferguson stated that he does not want his R-M-7 property to be rezoned for the next 50 years. Mr. Bradley let Dr. Ferguson know it is unlikely that the City would rezone in that area. Mr. Bradley explained that a rezone application will come back before the Planning Commission for Dr. Ferguson’s remnant parcel to be rezoned from R-1-8 to R-M-7 so that the zoning on his property is consistent.

Mr. Crossman, Mr. Flint and Dr. Ferguson approached the table. Mr. Flint stated that in the agreement, Dr. Ferguson received approximately 10 feet of frontage in exchange for the back portion of future Lot 1. Mr. Bradley stated that Dr. Ferguson and the Applicant will be entering into a Pioneering Agreement for a ten year period regarding the development of the road. The agreement states that if Dr. Ferguson develops his property within the ten year period, he will be contributing to the cost of the road.

Commissioner Jones asked if the northeast corner of the remnant piece Dr. Ferguson is giving to the Applicant needs to be rezoned from R-M-7 to R-1-8. Mr. Bradley will look at the property to see if that piece needs to be rezoned.

**Motion:** Commissioner Manning made a motion that the Planning Commission forward Application #3754 to the City Council with a recommendation for approval subject to the Stipulations and Staff recommendations and subject to the remnant pieces in the northeast corner for the future Lot 1 be rezoned according to future ownership, and the Findings of Fact that: 1) The design of the 600 South Street tying into 900 East Street complies with the Road Master Plan (General Plan); 2) The overall design is in compliance with the R-1-

8 zoning upon certain modifications being made as noted in the above staff review comments; 3) A process to vacate a portion of street dedication, exchange city fee simple property, and the cooperation between developer and adjacent property owner to clean up properties is in place to make the project work out; 4) Such land use transaction with the noted review comments and stipulations should not under the circumstances of the particular case, be detrimental to the health, safety, or general welfare of persons residing in the vicinity, or injurious to property or improvements in the vicinity; and 5) Additional findings as determined by the Planning Commission.

The motion was seconded by Commissioner Mildenhall and passed unanimously.

**Application # 3762 / Master Street and Development Plan / Brigham Crossing (Upland Square) / Approximately 1100 South and 1100 West / Mark Daines, Project Manager for Rich Development**

Mr. Bradley came to the table and stated that the Upland Square Development Agreement required a master street and development plan. Mr. Bradley explained that the Agreement expired after three years but the City decided it was in their best interest to keep the Agreement. The Agreement provides flexibility and allows for a residential component if the Applicant desires. It also allows the Applicant to sell and subdivide the property by a metes and bounds process.

Mr. Bradley displayed the site on the screen pointing out Brigham City and Perry City boundaries. Commissioner Manning questioned if the Applicant's plan allows for UTA development of a future commuter rail. Mr. Bradley stated that the Applicant has contacted UTA about a corridor preservation area. Staff has requested that the Applicant's plan show the corridor. Mr. Daines stated that they are waiting to hear from UTA regarding corridor requirements. The Applicant is required to have a wetland clearance and has submitted an initial study to the U.S. Army Corp of Engineers for review. Mr. Bradley explained that if the Planning Commission recommends approval, they need to make the motion subject to obtaining a wetland clearance. Mr. Daines stated that the plan is to work the wetlands into the overall project.

Mr. Bradley stated that Brigham City is able to service the utilities for the site. A lift station will need to be installed to pump wastewater back to Brigham City. He explained that 1200 West will turn into 1100 West and then tie into Perry City's 1200 West. 1100 West has been improved from 1100 South approximately 500 feet to the South. The frontage road, 1150 South, is a private street and will drop down 500 feet to the Brigham Crossing entrance. 1150 South will be improved by future parcel developers. Commissioner Jones asked what will trigger UDOT to install a traffic light at 1100 West. Mr. Bradley stated that there are standards and criteria which need to be met before UDOT puts the light in. The City could install the light now, but the City would have to pay for it. There is existing conduit which the City put in with the road improvements.

Mr. Bradley pointed out the housing commercial element in Phase Two, which could potentially be an assisted living facility. The residential component in Phase Four provides for high density – 30 units per acre or 750 total units. The Applicant has the option to develop Phase Four before the other phases but the roads would have to be in place.

Mr. Bradley read the Joint Advisory Board recommendation to the Commissioners. He stated that Perry City's right of way width standards are the same as Brigham City for residential and commercial, 60 feet and 66 feet respectively.

The Commissioners discussed storm water drainage. Mr. Daines stated that the existing water moves to the west and the notation in the conceptual utility plan for piping to the west is just a general note.

**Motion:** Commissioner Lester made a motion to that the Planning Commission forward Application #3762 to the City Council with a recommendation for approval subject to the Applicant including the UTA corridor preservation area in their plan and subject to the Applicant obtaining approval of the wetlands plan from the U.S. Army Corp of Engineers, and the Stipulations and Findings of Fact that: 1) The submitted plan is a requirement of the development agreement; and 2) Such action with noted conditions and compliance 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 Barsuhn and passed unanimously.

## **DISCUSSION:**

## **MOTION TO ADJOURN**

**Motion:** A motion was made by Commissioner Mildenhall to adjourn.

The motion was seconded by Commissioner Lester.

The motion passed unanimously and the meeting was adjourned at 7:03 p.m.

*This certifies that the regular meeting minutes of January 17, 2017 are a true and accurate copy as approved by the Planning Commission on February 7, 2017.*

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

*Christina Boss, Administrative Assistant*