

**BRIGHAM CITY PLANNING COMMISSION
BRIGHAM CITY COUNCIL CHAMBERS
Tuesday, July 17, 2018 6:00 p.m.**

PRESENT:	Reed Hancey	Chair
	Stephen Barsuhn	Commissioner
	Brian Owens	Commissioner
	Scott Mildenhall	Commissioner
	Cindy McConkie	Commissioner
	Bill Frye	Commissioner
	Zachary Roberts	2 nd Alternate
ALSO PRESENT:	Mark Bradley	City Planner
	Tony Ekins	Associate Planner
	Christina Boss	Administrative Assistant
	Bruce Parker	Planning Consultant
	Joseph Earnest	Applicant's Representative
	Jim Flint	Applicant's Representative
	Craig Martindale	Applicant's Representative
EXCUSED:	Dean Lester	Vice-Chair
	Bonnie Mortensen	1 st Alternate

AGENDA

Approval of Minutes

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

Application #18-059 / Development Agreement / Quick Quack Carwash / 1084 S. Main Street / Joseph Earnest, Lonestar Builders

Application #18-060 / Permitted Use Permit / New IMT Office Building and Site Improvements / 816 N. Main Street / IMT Companies

Discussion Item

A. Title 25 Subdivisions / Bruce Parker, Planning Consultant

REGULAR MEETING

APPROVAL OF MINUTES

Mr. Bradley asked the Commissioners to review the Motion to Adjourn from the June 5, 2018 meeting stating that the recording was unclear as to who made the motion. Commissioner Roberts stated that he made the motion.

Commissioner Barsuhn made a motion to approve the minutes from the June 5, 2018 meeting as corrected. The motion was seconded by Commissioner McConkie and passed unanimously.

PUBLIC COMMENT There was no public comment.

Application #18-059 / Development Agreement / Quick Quack Carwash / 1084 S. Main Street / Joseph Earnest, Lonestar Builders

Mr. Bradley approached the table and stated that car washes are permitted in the General Commercial zone unless they are adjacent to a residential zone. There is a 20 foot wide strip of property that is part of another parcel that runs between 1084 S. Main and the trailer park. Because the two parcels are geographically adjacent, Quick Quack has agreed to enter into a development agreement that will mitigate impact to the trailer park. Quick Quack has submitted a two lot subdivision to combine the two parcels.

Mr. Bradley briefly reviewed the Development Agreement going over the hours of operation, exterior lights, noise levels, headlight mitigation for trailer park residents, orientation of car wash entrance and exit, central vacuum system and walls.

Mr. Earnest was invited to the table. Mr. Bradley stated that the Staff and the City Attorney have reviewed Development Agreement. Mr. Earnest expressed concern over the Engineering Department comment 1.a. A limitation or maximum water use statement for the project. He stated that they recycle 90% of the water they use, they average 12 gallons of water per vehicle and he estimates their usage will be 350,000 gallons per month.

Mr. Earnest distributed an informational handout on Quick Quack's business history. He reviewed the site plan stating that they will have two employees on site and two pay stations. Car washes are three minutes in length and most of their customers will be members. The design prohibits stacking on to Main Street. Approximately one half of their customers use the self-vacuum system. He estimated the noise to be under 65 decibels with the east side being louder. He stated that the UDOT agreement for access has not been approved and UDOT may require right in right out. They are getting traffic impact studies. They would like to open the car wash in spring of 2019.

Motion: Commissioner Barsuhn made a motion that the Planning Commission, acting as the recommending body to the City Council, recommend approval of Application #18-059, subject to the Staff comments, excluding Engineering Department 1. a. A limitation or maximum water use statement for the project, and with the Stipulations and Findings of Fact that: 1) Utah Code, Section 10-9a-102(2) permits the City to enter into development agreements it considers "necessary or appropriate for the use and development of land within the municipality" and use of the development agreement to fulfill land use purposes including the "governing uses, density, open spaces, structures, buildings, ... transportation and public or alternative transportation, infrastructure, street and building orientation and width requirements" while providing "fundamental fairness in land use regulation" and balancing "the foregoing purposes with a landowners private property interest"; 2) The draft development agreement outlines the nature of the site, technicalities, intent of City Code, and establishes standards and regulations to help mitigate impact on the residential neighbors. The agreement is specially tied to the

property and car wash use; 3) Due to the technicalities of the site and language of the City Code, the City felt a development agreement would clean up the land use transactions taken place by previous owners, establish findings, and regulations to mitigation efforts to reduce impact on the residential neighbors; and 4) The applicant voluntarily accepted to enter into a development to address the intent of the City Code and provide protective measures for the adjacent residential neighborhood.

The motion was seconded by Commissioner Owens and passed unanimously.

Application #18-060 / Permitted Use Permit / New IMT Office Building and Site Improvements / 816 N. Main Street / IMT Companies

Mr. Bradley displayed the site on the screen and stated that this site is in the General Commercial zone and consists of two lots and a separate parcel in northwest corner. Staff recommends combining the parcels. The proposed office building would sit on the northwest corner of the site. There are currently two accesses off of Main Street and UDOT will allow one. UDOT will also require the median to be extended further north. The site will have two approaches off of 900 North. The 100 East approach will be opened and improved. The site plan shows sidewalk improvements on 900 N, 100 E and Main Street. IMT will landscape the park strip.

Currently, there are several uses for the site, some of which are industrial. Concerns need to be addressed regarding compliance with the current zoning.

IMT is proposing an MC zone. MC is not in the City's General Plan so if approved, the General Plan would have to be amended. The parking lot adjacent to the street should have a 10 foot landscape strip between the parking lot and the sidewalk. Code states that any area not used for the building or parking should be landscaped. Staff would support a rezone to allow a planned district with an amendment to allow less than 5 acres.

Mr. Flint and Mr. Martindale came to the table and addressed the Planning Commission. Mr. Ekins stated that the Applicant was asked to provide a complete list of all of the businesses currently operating. The list on the site plan is incomplete. Mr. Flint stated that IMT does everything off site. The Planning Commission feels that an official listing of businesses is necessary for review. There is concern that there is on site composting and dumping. Mr. Flint stated that the owner feels that his businesses fall under repair, sales and service.

Mr. Martindale stated that the owner's intent is to get the property up to standards. A large portion of the business is the landscape company. They will store pre-made landscape product in concrete bunkers which they will use for their landscape business and also sell. There will be no landscape waste product brought on to the property. IMT also bundles and sells wood. IMT will do self-maintenance on their landscape equipment and vehicles. There is a paint booth in the building but they do not use it. Ice is made on the premises and shipped out; it is not stored on the property. IMT will have security fencing

and gates. The owner extended an invitation for the Planning Commission to take a tour of the site.

Mr. Bradley reviewed the Code for permitted uses in the industrial district. He also reviewed the zones in the 2017 General Plan.

Mr. Bradley stated that the four compliance options for the property are: 1) rezone to industrial, which staff does not support; 2) amend the City Code to allow for certain uses in the GC District; 3) rezone to create a planned district, which staff does support; and 4) follow the Code for allowable uses in the GC district.

Motion: Commissioner Roberts made a motion that the Planning Commission continue the discussion on Application #18-060 until the August 7, 2018 meeting following an IMT site visit on July 31, 2018.

The motion was seconded by Commissioner Frye and passed unanimously.

DISCUSSION

Planning Consultant, Bruce Parker, joined the meeting via Zoom video conferencing. He discussed some proposed changes to the subdivision plat requirements.

MOTION TO ADJOURN

Motion: A motion was made by Commissioner Frye to adjourn, seconded by Commissioner Mildenhall and unanimously carried.

The meeting was adjourned at 8:07 pm.

This certifies that the regular meeting minutes of July 17, 2018 are a true and accurate copy as approved by the Planning Commission on August 8, 2018.

Signed: _____

Christina Boss, Administrative Assistant