

1 **ELK RIDGE PLANNING COMMISSION**

2 **March 09, 2017**

3
4 **TIME AND PLACE OF MEETING**

5 A regularly scheduled meeting of the Elk Ridge Planning Commission was held on Thursday, March
6 9, 2017, at 7:00 p.m. at 80 East Park Drive, Elk Ridge, Utah.

7
8 **ROLL CALL**

9 *Commissioners:* Jared Peterson, Stacey Petersen, Jim Chase, Bruce Thorpe, Jared Barton

10 *Absent:* David Clark

11 *Others:* Royce Swensen City Controller

12 Laura Oliver, Planning Commission Coordinator

13 *Public:* Colton Peterson, Leighton Polumbo, Chris and Tanya Benard Brook Ewell, Mark
14 Elsworth, Brian Parrish, Lee Haskell, Developer,

15
16 **OPENING ITEMS**

17
18 Jared Petersen welcomed at 7:00 PM. Opening remarks were said by Colton Peterson followed by the
19 pledge of allegiance.

20
21 **JARED BARTON MOTIONED TO APPROVE THE AGENDA. BRUCE THORPE SECONDED.**
22 **APPROVED - VOTE: YES - ALL (5), NO - NONE, ABSENT - (1) DAVID CLARK**

23
24 **PUBLIC HEARING AND ACTION**

25 **PREMIER POINT PRELIMINARY PLAT AMENDMENT APPROVAL**

26 Shay Stark, City Planner – Explained that Premier Point Preliminary Plat was amended due to the lot reduction
27 on the cul-de-sac. A large chunk of land was sold off and no longer requires the cul-de-sac to go further
28 back into the property. The City recently updated the city code regarding cul-de-sacs to a maximum of 16
29 homes on a cul-de-sac. The plans now have only 7 homes on the cul-de-sac. Also, there was stub road off
30 to the side for a potential future street for the Armstrong's property to the east. The Armstrong's have since
31 sold part of that property that included the house and barns. The way the street was aligned, it doesn't
32 make sense to have the stub any longer. It would require the new owner to have to have the street
33 developed partially on his property and the fields that the Armstrong's own. Originally, they had thought to
34 push this road through for a future development, which is not very likely.

35 The last thing that is changed is the phasing of the development. Phase 2, which the Planning Commission
36 will consider in a few moments, will be developed now and Phase 3 will be developed next, which
37 different than previously planned.

38
39 **JARED PETERSON OPENED THE PUBLIC HEARING.**

40 **JARED PETERSON CLOSED THE PUBLIC HEARING.**

41 Bruce Thorpe – Asked if there were any concerns in regard to the code for the preliminary plat amendment and
42 that those were the only changes.

43 Shay Stark, City Planner – There are no exceptions and those were the only changes to the preliminary plat.
44

45 **STACEY PETERSEN MOTIONS TO APPROVE THE PREMIER POINT**
46 **PRELIMINARY PLAT AMENDMENT. BRUCE THORPE SECONDS THE MOTION**
47 **APPROVED - VOTE: YES - ALL (5), NO – NONE (0), ABSENT, DAVID CLARK.**

48
49 **PREMIER POINT PHASE 2 FINAL PLAT APPROVAL**

50 Shay Stark, City Planner – This is the final plat approval. The Planning Commission is looking at
51 engineering issues and constructability. There were a few changes from the TRC that the

52 developer was asked to make. In the initial approval the city was considering purchasing the
53 lot on the corner for a well. The city has since changed the well site to Sky Hawk. Because
54 you cannot have storm water enter into the ground within a 100 feet of the well site, there was
55 a lot of storm water piping in the street. Since the well is no longer in that site the storm water
56 piping was eliminated and went back to sumps and a catch basin at the intersection of 11200.
57 One other modification is at the top of the cul-de sac to change the grade to 6% for city and
58 emergency services. Everything meets the code and the city's construction standards.
59

60 **Jaren Peterson open the public hearing**

61 **Jared Peterson closes public hearing**

62 No comments from the public or the Planning Commission.
63

64 **BRUCE THORPE MOTIONS TO APPROVE PREMIER POINT PHASE 2 FINAL**
65 **PLAT APPROVAL. JARED BARTON SECONDS THE MOTION APPROVED –**
66 **VOTE: YES ALL (5), NO- NONE, ABSENT, DAVID CLARK**
67

68 **HASKELL CORNER COMMERCIAL DEVELOPMENT PRELIMINARY PLAT**
69 **APPROVAL**

70 Shay Stark, City Planner – Lee Haskell, Developer, will go ahead and present his plan.

71 Lee Haskell, Developer – Introduced his assistant Brian Parrish who is going to present.

72 Brian Parrish – This is mixed use commercial complex which has commercial on the first floor and
73 residential units on the second. They plan for 5 buildings all together, starting with 1 unit and then
74 building one a year for the next five years.

75 Lee Haskell, Developer – Elk Ridge City commercial zoning allows mixed use. This is not something
76 that the development is asking for.

77 Brian Parrish – This could provide services for the residents of Elk Ridge. Housing for those who are
78 needing a place to live while they are building a home. Commercial space could hold office space,
79 a small restaurant. They would like to keep it a light commercial area blending with the esthetics
80 of Elk Ridge City and not a sterile commercial block that you would see in perhaps on Orem
81 Boulevard. They are looking for an attractive and inviting commercial place.
82

83 The code at this time for commercial setback is 15 feet. The developer would like an exception of
84 70 feet for parking in front of the building instead of behind the commercial building. This is
85 esthetically more pleasing and accessibility is better. The height of the buildings are 35 feet.
86

87 Another exception needed is 2 garages for 3 bedroom apartments 1 garage and 1 space for the 2
88 bedroom and 1 space for the studio apartment. This is less than what the code is but there are still
89 30 extra spaces which are available from 6 pm to 8 am in the parking lot.
90

91 The Elk Ridge city code for Multiple Family Dwellings states: Not less than three (3) off street
92 parking spaces shall be required for each dwelling unit. Each off street parking space shall be not
93 less than ten feet by twenty feet (10' x 20') per space. Not less than two (2) of the off street parking
94 spaces appurtenant to a dwelling shall be enclosed within a garage. (Ord. 07-14, 9-25-2007, eff. 9-
95 28-2007). Which is more than the industry norm.

96 Jared Peterson- Asked if the parking was covered parking.

97 Lee Haskell, Developer – It is an enclosed garage, which is the code right now.

98 Lee Haskell, Developer – Lee is asking to change that to not have a 2 enclosed garage spaces for the
99 studio apartment and the 2 bedroom apartment.

100 Bruce Thorpe- Asked if the garages are fully enclosed in the building like a residential homes.

101 Lee Haskell, Developer – No not in the building. The garages are near each building. Lee thinks they
102 are overloaded on the parking for the area. They would like to instead use some of the parking for
103 a play- ground (tot lot) and if needed, down the road, turn that into parking. We are recessing the
104 tot-lot so it becomes a catch basin for drainage.

105 Brian Parrish – The 3 bedroom unit the rent will be \$1800 a month, 2 bedroom \$1500 a month and the
106 studio \$1000 a month. There are 3 fire hydrants on the street near the lots. If the fire Marshall
107 deems it necessary another fire hydrant can easily be put in. An outside access door is being
108 provided to the fire suppression equipment for the fire department.

109 Shay Stark, City Planner – The changes from the TRC were to eliminate a drive way and islands were
110 considered to be a problem so they are now painted on. The fire suppression is to be placed in a
111 closet with outside access as mentioned previously.

112 Jared Barton – Asked about outside lighting.

113 Lee Haskell, Developer - There is no street lighting in Elk Ridge so they have not addressed that.

114 Jared Barton- Asked Lee if no outside lighting would be a concern for a business.

115 Shay Stark, City Planner – Elk Ridge does address commercial lighting. The lighting has to be dark sky
116 compliant. Any lighting on the building or in the parking lot cannot escape the bounds of the
117 property lines. Everything has to be downward facing.

118 Lee Haskell, Developer - That is what they did at the Assisted Living Center. All the lighting was on
119 the building.

120 Stacey Petersen – Taking out the poles and islands leaves just a flat unattractive asphalt with lines and
121 is not esthetically pleasing and believes there is a better solution.

122 Lee Haskell, Developer – Lee will be putting in landscaping but haven't presented the landscaping plan
123 yet. He could easily do landscaping in the center of the building instead of the corners.

124 Shay Stark, City Planner – The key issues for the Fire Chief were the places where they needed to get
125 around the building. It is tight around the buildings which is fine but the Fire Chief has to have a 45
126 foot turning radius to maneuver the fire truck.

127 Lee Haskell, Developer – There will be a lot of landscaping in other places.

128 Shay Stark, City Planner – This is a hybrid situation. The code requires a site plan approval for
129 commercial projects. It does not require a full preliminary and final plat process. As a developer
130 Lee doesn't want to have to design plans for construction yet. Another thing that will happen is
131 there are multiple owners, Lee Haskell, Developer, and Mr. Kay. That will need to be addressed
132 with an amendment to the plat. The Planning Commission needs to approve the general layout and
133 the 2 exceptions in the code. Lee can then feel comfortable in moving forward. Shay recommends
134 adding any landscaping requests to the motion.

135 Lee Haskell, Developer – He can build the project to code and put the buildings 15 feet from the road
136 but the citizens of Elk Ridge will not be happy with that. The development can actually even get
137 more parking and a better traffic flow if built to the current code. It's just more pleasing to move
138 the buildings off the road.

139 Jared Barton – Asked if there will there be any consideration to put landscaping in that hides it more.

140 Lee Haskell, Developer – If you want trees and bushes in there Lee can do it, he doesn't want to hide
141 the business though.

142 Stacey Petersen – The Planning Commission needs to make sure, through stipulation in the motion, the
143 code doesn't stamp out the esthetics.

144

145 Jared Peterson open the public hearing.

146

147 Chris Benard – Asked if they will be doing this all at once or in phases and where is Lee planning on
148 starting.

149 Lee Haskell, Developer – Lee will build 5 buildings over the next 5 years starting at the south end.

150 Chris Benard – Asked Lee if a study for the demand for this type of situation in this area was done.

151 Lee Haskell, Developer – A study has not been done yet. Lee needed to know the cost of the civil
152 engineering and such. He has done some studies on the need for apartments and feels that there is a
153 significant need there. He has talked to several home businesses that would like to get out of their
154 homes.

155 Chris Benard- Asked if Lee was going to maintain ownership of the all of the spaces and if there was
156 any contingency plan in case there is no demand and there are three empty units for many years.

157 Lee Haskell, Developer – Feels he just has to take the chance and hope that “if you build it they will
158 come”.

159 Bruce Thorpe – Asked if there is any recourse for the city in regards to rezoning if the mix use doesn’t
160 pan out.

161 Shay Stark, City Planner – There are 2 pluses in this: the residential can pay for the cost of the building
162 and the risk isn’t that high. Phasing it will give him a pretty good feel of what will work.

163 Bruce Thorpe – Asked again if it doesn’t pan out for commercial on the lower floor is there something
164 that can be done and what Lee’s timeline was for the project.

165 Lee Haskell, Developer – Lee confirmed he will build one building per year. Lee had the same issues
166 when he came before the city with the Assisted Living Center. The city was afraid of there being
167 vacant buildings in the middle of town due to a failed business. The Assisted Living Center is full
168 and thriving. This is a different animal though.

169 Stacey Petersen – Elk Ridge City does not have a down town and this could make a down town for the
170 city and she would like for it to succeed.

171 Mark Elsworth – Mark lives across the street. He does not see why zoning is necessarily the reason to
172 build this and is concerned about esthetics. He doesn’t see a timeless appeal and feels that the
173 esthetics can be improved by staggering the height of the buildings. It’s right at the roundabout, the
174 entrance to Elk Ridge, maybe not the best place for it. “Pave paradise and put up a parking lot.”

175 Shay Stark, City Planner – Asked Mark Elsworth if he preferred the buildings set back or out by the
176 street.

177 Mark Elsworth – Closer to the street. He thinks of timeless small downtowns that have a walk around
178 feel. When there is a big parking lot you are going to drive to it and drive away. If you want a
179 small town community feel it seems to lend more towards some paths, some sitting spaces, and
180 more green spaces and having the buildings all together. That won’t work with a phased
181 development. This is the only commercial property in Elk Ridge that he knows of. He wants a
182 community feel where there is outdoor space where activities can be held. He does not think Elk
183 Ridge wants to look like a strip mall that came from someplace else. He can see that appeal for tax
184 dollars. He does not care about the convenience of shops he doesn’t care for high density living, but
185 if there is a community space he can see that as being attractive.

186 Brook Ewell – Agrees with Mark. Her husband Ben was at the last meeting. They moved here to avoid
187 the commercial. This development is not as scary as she thought they would be. They paid money
188 to set their home back 10 feet further from the road. The entrance to the development is right across
189 the street from their home. That is her concern as a mom and a new resident. She feels that she is
190 not the only one that is concerned. She should have known that the property was commercial but
191 she didn’t know.

192 Mark Elsworth- Also wanted to avoid the commercial.

193 Jared Barton – Asked what is the city code on high density housing is and if the city was at its
194 maximum?

195 Shay Stark, City Planner – Controlling the size of this commercial development is the parking lot. The
196 city is requiring all onsite parking. Lee has to have a certain number of parking places. Is this
197 maxed out; no. One of the exceptions is for reducing the amount of parking for a 2 bedroom and a
198 studio apartment.

199 Chris Benard – If the Planning Commission is going to grant this request it seems that a good use of the
200 space would be to improve the landscaping. He envisions a problem with snow removal.

201 Jared Peterson – Asked Shay Stark what exactly the Planning Commission was doing tonight; there is a
202 lot on this check list that is not on this plan.

203 Shay Stark, City Planner – The Planning Commission is approving the site plan, which are construction
204 drawings. There is going to be a final plat approval in order to make this work. This should
205 technically be called a preliminary site plan approval. Based on the city's approval Lee will submit
206 a set of plans for final approval. The set of plans the Planning Commission is basing this decision
207 tonight from is more of a hybrid

208 Jared Peterson – Asked for clarification as to whether the Planning Commission is going to make a
209 motion for every exceptions and a motion for the site plan.

210 Shay Stark, City Planner – Clarified that it will be one motion with exceptions.

211 Brook Ewell – Asked how many businesses and apartment there will be per building.

212 Lee Haskell, Developer – There will be 4 – 5 per businesses per building and 6 apartments per
213 building.

214 Bruce Thorpe – Asked if the commercial spaces remain empty if there is anything the city can do.

215 Shay Stark, City Planner – Maybe convert them to apartments or city office idea is a good idea.

216 Lee Haskell, Developer – Most of the conversation has been about wanting more landscaping and
217 green space. Lee Haskell, Developer, is all for that but the city requires that there be 5 spaces per
218 1000 square feet for the commercial and 3 spaces for residential, there just isn't room for
219 landscaping.

220 Jared Peterson – Asked for any further comments.

221

222 Jared Peterson – Closed the public hearing

223

224 Jared Peterson – Jared likes the buildings back from the road. He does not see any spots for retainage
225 which forces you to do everything underground.

226 Bruce Thorpe – Would like to have a point of discussion in the final plans regarding green space to
227 give some kind of separation from the building and the street. Would like to cut some parking
228 spaces and add more landscaping.

229 Lee Haskell, Developer – It is required that an architectural drawing of the development be done.

230 Jared Barton – Asked why the code written to have the commercial next to the road in the first place.

231 Shay Stark, City Planner – Previous Planning Commissions and City Councils were trying to have that
232 urban downtown feel and create a walkable community. When the commercial zoning was put in
233 place, the Brown's property, to the east and the property to the north, the zoning did not go the full
234 length of the street. Most of the Planning Commission, City Council and the citizens of Elk Ridge
235 do not want that type of urban downtown look.

236 Lee Haskell, Developer, – It took three years for Lee Haskell, Developer, to get the zoning changed on
237 Olympus from commercial to residential and the City Council did not want to do it.

238 Jared Barton – Recommended that the residents with concerns attend City Council meeting if this
239 commercial development proceeds forward.

240 Jared Peterson – Asked if the Planning Commission was ready to make a motion.

241

242 **STACEY PETERSEN MOTIONED TO APPROVE HASKELL CORNER**
243 **COMMERCIAL DEVELOPMENT SITE PLAN WITH THE FOLLOWING**
244 **EXEPTIONS:**

245 **1.) BUILDINGS SET BACK FURTHER FROM THE STREET THAN THE MAXIMUM**
246 **15 FEET THAT IS REQUIRED BY THE CODE**

247 **2.) TO ALLOW PARKING IN THE FRONT OF THE BUILDINGS**

248 **3.) 2 BEDROOM APARTMENT - ALLOWING 1 ENCLOSED GARAGE SPACE AND 1**
249 **STALL REDUCING THE REQUIREMENT OF 2 ENCLOSED GARAGE SPACES TO**
250 **1 ENCLOSED**

- 251 4.) ALLOWING A STUDIO APARTMENT 1 STALL, REDUCING IT FROM 2
252 ENCLOSED GARAGE SPACES
253 5.) TO REDUCE THE COMMERCIAL PARKING REQUIREMENT OF 5 PER 1000
254 SQUARE FEET TO 4 PARKING SPACES PER 1000 TO INCREASE GREEN SPACE
255 6.)LANDSCAPING OPTIONS TO BE DETERMINED AT A FUTURE APPROVAL OF
256 THE DEVELOPMENT. BRUCE THORP SECONDED THE MOTION
257 VOTE: YES – 4. NO – 1 ABSTAIN – 1 JARED BARTON, ABSENT DAVID CLARK.
258

259 **APPROVAL OF FEBRUARY 9, 2017 MINUTES**

260 Jim Chase – Change line 41 from Jim Clark to Jim Chase
261

262 **JARED BARTON MOTIONED TO APPROVE THE MINUTES FOR FEBRUARY 9,**
263 **2017 WITH THE NOTES EXCEPTION. JIM CHASE SECONDED. VOTE: YES –**
264 **ALL (5) NO – 0, ABSENT DAVID CLARK**
265

266 **APPROVAL OF FEBRUARY 23, 2017 MINUTES**

267
268 **JARED BARTON MOTIONED TO APPROVE THE MINUTES FOR FEBRUARY 23,**
269 **2017 WITH THE NOTES EXCEPTION. JIM CHASE SECONDED. VOTE: YES –**
270 **ALL (5) NO – 0, ABSENT DAVID CLARK**
271

272 **PLANNING COMMISSION BUSINESS**

273 **FIVE FOOT WIDE SIDEWALKS** – Discussion tabled

274 **GENERAL PLAN - LAND USE** – Discussion tabled

275
276 **CITY COUNCIL UPDATE**

277 No City Council updates
278

279 **OTHER BUSINESS**

280 No other business
281

282 **MEETING WAS ADJOURN AT 8:35 pm**
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284

285
286


Planning Commission Coordinator