

1 **ELK RIDGE PLANNING COMMISSION**

2 **September 08, 2016**

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5 **TIME AND PLACE OF MEETING**

6 A regularly scheduled meeting of the Elk Ridge Planning Commission was held on Thursday,
7 September 08, 2016 at 7:00 p.m. at 80 East Park Drive, Elk Ridge, Utah.

8
9 **ROLL CALL**

10 *Commissioners:* Stacey Petersen, Jim Chase, Paul Crook, Bruce Thorpe, Gregg Anderson

11 *Absent:* David Clark, Lisa Phillips, Colin Logue (Alternate)

12 *Others:* Shay Stark, City Planner

13 Laura Oliver, Planning Commission Coordinator

14 Royce Swenson, Recorder

15 *Public:* Lee Haskell, Developer, Dean Ingram, Developer, Paige Wright, Kate Wixom,
16 McKay Ashton

17
18 **OPENING ITEMS**

19 Stacey Petersen welcomed everyone at 7:00 PM. Opening remarks were said by Gregg Anderson
20 followed by the pledge of allegiance.

21
22 **JIM CHASE MOTIONS TO APPROVE THE AGENDA AND GREGG ANDERSON**
23 **SECONDS THE MOTION. VOTE: ALL (5) -YES, NO - NONE, ABSENT - (3) DAVID**
24 **CLARK, LISA PHILLIPS, COLIN LOGUE (ALT).**

25
26 **ACTION ITEMS**

27 **1. PROPOSED AMENDMENTS TO THE ASSISTED LIVING CENTER MINIMUM SPACING**
28 **CODE 10-12-31-C-6**

29 Shay Stark – Explained the proposed changes to the Assisted Living Center Minimum Spacing Code. The
30 existing code section 6 reads: The facility shall not be located closer than three thousand nine hundred
31 sixty feet (3,690) (3/4 mile) to any other similar use, as measured in a straight line between the closest
32 property lines of the lots on which they are located.

33
34 The city attorney, David Church, has told the city that the minimum spacing requirement is not defensible
35 and recommended that it be stricken from the code. The proposed change is to remove section 6 from the
36 code in its entirety.

37
38 Stacey Petersen opens the public hearing. There are no public comments at this time

39
40 **GREGG ANDERSON MOTIONS TO AMEND THE ASSISTED LIVING**
41 **FACILITIES 10-12-31-C-6 BY REMOVING SECTION 6. JIM CHASE SECONDS**
42 **THE MOTION. VOTE: YES - ALL (5) NO - NONE, ABSENT – (3) DAVE CLARK,**
43 **LISA PHILLIPS, COLIN LOGUE (ALT).**

44
45 **2. PRESENTATION, LEE HASKELL, DEVELOPER, COMMERCIAL DEVELOPMENT CONCEPT**

46
47 Lee Haskell, Developer – Shay Stark brought the plans up on the overhead projector for Lee Haskell's
48 proposed commercial development. Lee Haskell, Developer, purchased the property located east of the
49 roundabout on North Elk Ridge Drive in 1992. This land is commercially zoned. There are approximately
50 4 acres which Lee Haskell would like to build commercial property. Lee proposes to build commercial
51 fourplexes, with residential housing on the second floor; most commonly referred to as mix use buildings.

52 The city code does allow this type of commercial property. Each fourplex would be approximately 9,000
53 square feet. Each apartment above the commercial space would be approximately 800-900 square feet, and
54 maybe 6 or 7 units would be in each fourplex. Lee does not have drafts of the commercial buildings
55 completed. Lee wanted to make sure the Planning Commission and the City Council liked the idea of what
56 he wanted to do before incurring the expense for the commercial building drafts. Lee would need to work
57 out the traffic flow with the Fire Marshall and different entities. Lee would like to have the parking out
58 against the road, so that the buildings would set back about 65 feet from the property line. There would be
59 a nice sidewalk, landscaping, and planter strips alongside the buildings. Lee would like to put balconies in
60 some of the units.

61
62 Pictures of mix use commercial buildings taken from around the Utah Valley were shown on the overhead
63 projector. Discussion of the aesthetics, and materials ensued.

64
65 Stacey Petersen – Confirmed with Shay Stark if the Elk Ridge City code allowed for mix use commercial
66 property.

67 Shay Stark – Confirmed that the code allows for commercial mix use property.

68 Stacey Petersen- Expressed to Lee Haskell that the residents do not want to have townhomes and apartments.

69 That will be something that Lee will have to face with the residents. She likes what Lee Haskell builds and
70 that he develops quality projects.

71 Lee Haskell, Developer – He wants to give the development an alpine look and would make sure that his
72 development will blend in with the community.

73 Bruce Thorpe – Asked Lee Haskell if there have been any businesses that have shown interest in the location.

74 Lee Haskell, Developer – Lee has had some discussions with people. One dentist has shown interest in having
75 an office there for his son, who has graduated as an orthodontist. This isn't a retail establishment and
76 would not be as good for the city tax purposes. Lee is hoping that there will be some retail businesses that
77 will move into the commercial space and create a greater tax base for Elk Ridge City.

78 Shay Stark – The Planning Commission and the developer need to find a way to fit this commercial
79 development into the surrounding community like the Elk Ridge Assisted Living Center has. A person can
80 drive by the Elk Ridge Assisted Living Center and not notice that it is different from the homes around it;
81 it blends in with the neighborhood. This is the key – a commercial building needs to blend in with the
82 surrounding community. Also key is finding the businesses that would work in this area. The Master Plan
83 of Elk Ridge City has planned for this area to be the city center. That is why this area is zoned as
84 commercial.

85 Lee Haskell, Developer – Would like to develop the whole corner first and fill those buildings in with tenants
86 and businesses before moving onto the other areas. This is a long term project.

87 Dean Ingram – He has been around real estate for a long time. Dean feels that the mix use would have a good
88 shot of working in Elk Ridge City. Mix use lets you bring in revenue from rentals while commercial spaces
89 are between tenants.

90 Shay Stark – Explained how the mix use areas in Salt Lake and Centerville have been successful, especially
91 the residential part.

92 Bruce Thorpe – Asked Shay Stark if mix use commercial buildings qualifies Elk Ridge City in meeting the
93 multi-family requirement.

94 Shay Stark – Mix use does provides Elk Ridge City a minimal compliance with multi-family requirement
95 according to the Fair Housing Act.

96 Dean Ingram – Mix use commercial buildings are more likely to be successful than a strip mall. Lee Haskell is
97 smart in wanting to do mix use and in planning on the development being a long term project.

98 Stacey Petersen – Thanked Lee Haskell for his presentation and told him that she is glad that he is the one
99 doing the project because she feels that Lee Haskell does quality work that adds to the community.

101 Further discussion ensued on the appearance of the development. Stacey asked that all Planning Commission
102 members take pictures in the community of mix use properties for use in future discussions.

103 2. DISCUSSION/DECISION FOR ACCESSORY BUILDING REGULATIONS 10-12-5

104 Shay Stark – The city council sent accessory building regulations 10-12-5 back to the planning commission.

105 The city council wants to clarify three concerns. The three concerns of the city council followed by Shay
106 Stark recommendations are as follows:

107 (1) A lot surrounded by streets on 3 sides and placements of accessory buildings on those lots.

108 Shay Stark's recommendation is to add 1 line into the code 10-12-9: Line of sight shall be maintained at all
109 intersections in accordance with section 10-2-9 of this chapter. This line is already in place in the draft of
110 amendments.

111 (2) Allowance of containers and trailers as storage units.

112 Discussion ensued on what constitutes a storage container and when does a parked trailer become a storage
113 unit and what can the city realistically enforce. The Planning Commission decided to not change the
114 current language.

115 (3) What is the maximum size accessory buildings should be allowed? Shay Stark's recommendation -

116 Accessory buildings may not cover more than 15% of the combined total area of the rear and side yards
117 nor more than 8% of the total lot area, whichever is less

118 Typos found in the draft provisions of 10-12-5 Accessory Building Regulations:

119 Section A1C – Should be changed to: Is not used as a dwelling or place ~~or~~ of residence

120 Section A6 removal of extraneous word; should be changed to: Also known as the main building where ~~the~~
121 the most of the activity on that lot is performed.

122 Section E 3A add the word **of**, should be changed to: An accessory building or an accessory structure shall
123 be located a minimum **of** eight (8) feet from the property line and not located on a public utility easement.

124 Section F should reference A-5-c

125 Section G should reference A-5

126 Section G2 – Asked for clarification on b and c, are they redundant?

127 Jim Chase and Shay Stark – both confirmed that b could be possible battery installation and different in tie-
128 ins to a power source.

129 **BRUCE THORPE MOTIONS TO ACCEPT THE PROVISION AS WRITTEN WITH THE**
130 **EXCEPTION OF CHANGING THE 20% TO 15% AND THE 10% TO 8% IN THE COVERAGE**
131 **AREA SECTION, AS WELL AS CHANGING THE COSMETIC CHANGES DISUCUSED.**
132 **PAUL CROOK SECONDS THE MOTION. VOTE; YES - ALL (5), NO - NONE, ABSENT - (3)**
133 **DAVID CLARK, LISA PHILLIPS, COLIN LOGUE (ALT).**

134 3. DISCUSSION/DECISION FOR ELK RIDGE MEADOWS PHASE 8 & 9 FINAL PLAT

135 Shay Stark – This is the final plat approval of Elk Ridge Meadows Phase 8 and 9. Planning Commission is
136 really looking at the engineering of Elk Ridge Meadows Phase 8 and 9 at this point. The lot lay out was
137 approved at the preliminary hearing. Shay Stark put up Phase 8 and 9 on the overhead projector and
138 reviewed the revisions made to Elk Ridge Meadows Phase 8 and Phase 9. There were no issues with phase
139 8. Everything for Phase 8 and Phase 9 were done at the same time.

140 Bruce Thorpe – Asked about the cleaning up of the barrier where the new Elk Ridge Drive diverts from the old
141 Elk Ridge Drive, now known as Golden Eagle Way.

142 Dean Ingram, Developer – There are plans to build a nice berm and to mound the dirt so that it cannot be
143 driven across and to add reflecting signs.

149 Jim Chase – Asked is the sewer lines cutting into Goosenest Dr. were being engineer filled. Jim is concerned
 150 about compaction because of the cut ins that were made in 2005 or 2006 where the fill was not done
 151 correctly.

152 Shay Stark and Dean Ingram both responded. – Yes, they engineer filled the sewer line when they did the
 153 sewer line project last summer. There shouldn't be any problems.

154 Dean Ingram – The requirements which Elk Ridge City has are much higher than most cities in Utah due to
 155 Elk Ridge City staff and the building code requirements. The sewer line should be good.

156

157 **JIM CHASE MOTIONS TO ACCEPT ELK RIDGE MEADOWS PHASE 8 & 9 FINAL PLAT.**
 158 **BRUCE THORPE SECONDS THE MOTION. VOTE; YES - ALL (5), NO - NONE, ABSENT - (3)**
 159 **DAVID CLARK, LISA PHILLIPS, COLIN LOGUE (ALT).**

160

161 **4. DISCUSSION/DECISION FOR HARRISON HEIGHTS SUBDIVISION PRELIMINARY PLAT**
 162 **AMENDMENT**

163

164 Shay Stark – When the preliminary plat was approved, roughly 4 acres were set aside for a church. It was
 165 determined that there will not be a church built on this four acres. The developer, Dean Ingram would like
 166 these four lots to become residential lots. The planning Commission needs to approve the amended plat
 167 with the four additional residential lots.

168

169 Discussion ensued – The consensus of the Planning Commission was that residential lots fit with the
 170 neighborhood.

171

172 **GREGG ANDERSON MOTIONS TO ACCEPT HARRISON HEIGHTS SUBDIVISION**
 173 **PRELIMINARY PLAT AMENDMENT. BRUCE THORPE SECONDS THE MOTION. VOTE; YES -**
 174 **ALL (5), NO - NONE, ABSENT - (3) DAVID CLARK, LISA PHILLIPS, COLIN LOGUE (ALT).**

175

176 **5. DISCUSSION/DECISION FOR HARRISON HEIGHTS PHASE 9 FINAL PLAT**

177

178 Dean Ingram– Harrison Heights Phase 9 finishes off the development taking Christley Lane all the way down
 179 to 11200 South.

180 Shay Stark– The city would like additional details on the pump house driveway and the pond. This isn't a
 181 change to the design but the city is concerned about the connection to 11200 South and making sure that
 182 the city can get to the pump house. The city also has not received any information back from the fire chief
 183 regarding the fire hydrants. The city will need the Fire Chief's report from the newest revision.

184 Jim Chase – Asked if the pond would be lined.

185 Shay Stark –The pond will be lined with HDPE liner, which is heavier and hold ups better, and covered with
 186 gravel.

187 Jim Chase – The well is right next to residential homes. This is a protected area and is concerned about the
 188 well being protected from residential insecticides and ground pollutants.

189 Shay Stark – The area within 100 feet of the well is protected which affects lot 54. A restriction will need to be
 190 placed on lot 54 through deed restrictions.

191 Dean Ingram – Has the pump house been deeded to the city. In recent searches Dean has noted that the well is
 192 still deeded to the Cloward's.

193 Royce Swensen – Will work on getting the well deeded from the Cloward's to Elk Ridge City.

194 Stacey Petersen – Asked if there are any further comments on the Harrison Heights Phase 9 Final Plat. There
 195 were no further comments.

196

197 **JIM CHASE MOTIONS TO ACCEPT HARRISON HEIGHTS PHASE 9 FINAL PLAT**
 198 **NOTING THAT MORE INFORMATION IS NEEDED ON THE FIRE CHIEFS**

199 **REVIEW ON THE MOST RECENT REVISION AND DEED RESTRICTIONS ON LOT**
 200 **54 AND ADDITIONAL INFORMATION ON THE ACCESS TO THE PUMP HOUSE.**
 201 **GREGG ANDERSON SECONDS THE MOTION. VOTE; YES - ALL (5), NO - NONE,**
 202 **ABSENT - (3) DAVID CLARK, LISA PHILLIPS, COLIN LOGUE (ALT).**
 203

204 **12. CITY COUNCIL UPDATE**

205 Stacey Petersen– Asked if any members of the Planning Commission were interested in applying for the
 206 Mayor position. Stacey Petersen has applied.
 207

208 No other updates to report
 209

210 **13. OTHER BUSINESS**

211 Stacey Petersen – The Planning Commission needs to get the amendments to the commercial code and signage
 212 completed as soon as possible.
 213 Discussion ensued

214 Shay Stark – The Planning Commission needs to decide carefully what the Planning Commission wants to see
 215 in the community. The Planning Commission can get as complex as they want, like Park City, but Park
 216 City has several different committees and more money.

217 Jim Chase – Jim drove by a storage unit in California for a long time before he knew what it was. The exterior
 218 blended in with the surrounding structures with trees and shrubs and it did not look like storage units.

219 Stacey Petersen – If Elk Ridge City is going to have commercial businesses, the businesses need to look good.
 220 The Planning Commission needs to stay within reason. The Planning Commission does not want to make it
 221 too expensive for developers to build commercial property in Elk Ridge City.

222 Shay Stark – The Planning Commission also needs to move forward on amending the conditional use for
 223 animals.

224 Stacey Petersen– Assigned Dave Clark to write the amendment of the conditional use for animals and take out
 225 “and the like”.

226 Shay Stark – The Senior Living Overlay and the PUD are less of a priority then the commercial code.
 227

228 **GREGG ANDERSON MOTIONED TO ADJOURN THE MEETING. VOTE: YES**
 229 **ALL (5), NO - NONE, ABSENT – (3) DAVID CLARK, LISA PHILLIPS, COLIN**
 230 **LOGUE (ALT).**
 231

232 **ADJOURNMENT** – meeting adjourned at 9:03 pm
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234 
 235 _____
 236 Planning Commission Coordinator