

Minutes

Elwood Town Planning Commission

Tuesday, June 4, 2024

The Board of the Planning Commission of Elwood Town met at the Elwood Town Hall, 5235 West 8800 North, Elwood, Utah, at 7:00 P.M. on Tuesday, June 4, 2024.

The following members were present constituting a quorum: Curtis Crouch, Phil Shimek, Britton Hayden, Kevin Hall.

OTHERS PRESENT: Brandon Green(Zoning Administrator), Scott Goodliffe(Town Council Rep), Karolina Munns(Planning Commission Secretary), Jim Thomas, Kadee Thompson, Jeff Spenst, Phil Williams, Kelli Shimek, Phillip Firth, Ryan Bevan, Bryan Buchanan, Zack Pali.

Welcome

Commissioner Crouch conducted the meeting in Commissioner Hamson's absence. The meeting started at 7 pm. Commissioner Hayden offered a prayer and Commissioner Hall led with the pledge.

Minutes

- May 7, 2024, May 21, 2024, & May 28, 2024 - Commissioner Shimek made a motion to accept minutes, Commissioner Hayden seconded, all in favor, motion passed.

Town Council Update - Scott Goodliffe

- Public hearing on water rate adjustment; 21 people attended. Secondary water and sewer questions were answered by Steve Woerner. The town increased the base to \$55; \$1.00 to \$1.50 first 10,000 and next 5,000 to \$2.50, next 3,000 to \$3.50. Sewer increased from \$47 to \$88.83. Increased town fee schedule. 4th of July Celebration at Hansen Park. Discussion about having a Town Cleanup and where to place dumpsters.

Zoning Administrator Update

- None.

Public Comments

- “Resident(s) attending this meeting will be allotted 3(three) minutes to express a concern or ask a question about any issue that is **NOT ON THE AGENDA**. No action can or will be taken on any issue(s) presented.” stated by Commissioner Hamson.
- No comment.

Public Hearing

- Commissioner Hayden and Commissioner Shimek asked about the process of MPC Zones before the public hearing is opened. Commissioner Crouch asked for an explanation of the Sunset Vista MPC Subdivision Phase 2,3,4. Brandon Green explained the Jones & Associates and Jeff Spenst have been meeting for several weeks now, and are proceeding to follow the MPC ordinance 155.460 and found that it is a bit ‘messy’ but are moving forward appropriately. The area is over 10 acres so fits the MPC zone requirements. The plan has single family units, twin homes and open space. There is still discussion as to maintenance of the open space which includes a part. The roads meet city road standards. Density is 2.2 units per acre (.4545 per lot), which is allowed within MPC Zone. Jones & Associates asked the developer to stub a road to the south for future development to tie in. This is sewer property and water shares will be turned over to the town. A development agreement is started and brought to current according to the ordinance and binding approval, but in the future Brandon Green and the commissioners feel that its order is out of place as to when it should be completed. Brandon asked for any questions. Sunset Vista Subdivision current is phase 1, half acre lots. Jeff Spenst commented that open space is 20% and includes a park at 1.1 acres and a detention pond.
- Commissioner Shimek motioned to open the public hearing for Rezone Application (R) Residential to (MPC) Master Planned Community Zone - Sunset Vista Subdivision Phase 2,3,4 located approximately at 10200 N 5100 W. Commissioner Hall seconded the motion, all in favor, public hearing open. Phil Williams, commented that the Zone change is for phase 2,3,4 only, not including phase 1. Acres is 12.15, which then is used to calculate the open space percentage. No other comments. Commissioner Shimek motioned to close public hearing, Commissioner Hayden seconded the motion, all in favor, motion passed.

Commission Business

- Commissioner Crouch asked to open Commission Business and Commissioner Shimek motioned to open Commission Business and Commissioner Hayden seconded all in favor, motion passed and it was asked to start with:
- Action Item B: Recommend to Town Council - Concept Plan Approval MPC Zone SunsetVista Subdivision Phase 2,3,4. Commissioner Hayden asked about the process of concept and engineer's review, and what the commission would normally see. Brandon Green said that concept is usually done between developer and engineer and staff, and then preliminary is brought to the planning commission. So the planning commission usually does not see the plans at concept stage. Brandon Green stated that the plans are done further than concept at this time, but the developer is asking for Concept approval based on ordinance requirements for 155.460. Jeff Spenst added that Elwood Town engineers and the developers engineer, Phil Williams have worked between each other to get the plans to this stage. Steve Woerner commented that through working with other areas, the town has more definitions of how they want detention ponds to look like in future; comments on if the town will maintain open space. The detention pond will be drained to a ditch. Phil Williams says that three feet of water before the drain will activate and drain to avoid a mosquito infestation. Brandon Green stated that in concept we are just talking about location, not about geotech report. Site plan is after the Concept Plan, which will look similar to this plan because the developer's engineer is further in his work. Commissioner Hayden referred to 155.15.90 and phase development starting with Phase 2, then phase 3, phase 4, is there a need for open space within phase 2. Brandon Green stated that the detention pond will be temporary in phase 3 to hold water as a temporary measure to prevent disturbing the neighboring property which is farmed. Phil Williams commented that a small berm will be created at the south of phase 3 property to hold water, and drain with current drain ditch. Bryan Buchanan commented that his property is the farm, wanting to be assured that the berm would in fact hold the water and not interfere with the neighbor. Tile drains have to be documented and maintained, and Jeff Spenst commented that they have found them working and not working. Steve Woerner stated that as part of the subdivision process the tile drains need to be solid piped and the drainage district actually signs off on the mylar. Commissioner Shimek asked for clarification on "twin homes". Brandon Green explained, two separate homes attached by a common wall on the lot line, on two plots of land. Homes have no basements; can have second floors. Jeff Spenst commented that the idea is to make smaller lots with less maintenance, with the desires of future owners. Commissioner Hayden inquired of the pressurized sewer system, and Brandon Green said that this is part of the process the engineer's review goes through and sewer is already at the road 10400 North road. The MPC zone is to allow varying density in Elwood Town. Steve Woerner, comments as Public Works, you are putting 31 units in a smaller area with low impact water and sewer as opposed to larger lots. Commissioner Hall comments on the

value of smaller lots and if they are actually big enough. Jim Thomas, Realtor, stated that many people are interested in this setup. Jeff Spent suggested that the commissioners go look through Visionary Homes across from the Bear River Valley Hospital and how smaller lots work and look. Commissioner Shimek commented on the positive aspects of smaller lots for interested residents. Commissioner Hayden commented that according to the General Plan Update in the process, the varying lots and varying density does work with the town's general plan. Commissioner Shimek motioned to recommend to town council - Concept approval MPC Zone Sunset Vista Subdivision Phase 2,3,4, Commissioner Hayden seconded, all in favor, motion passed.

- Action Item A: Recommend to Town Council - Rezone Residential to MPC Zone - Sunset Vista Subdivision Phase 2,3,4 located approximately at 10200 N 5100 W. Steve Woerner clarified that if the town council does not approve the MPC plan, then the rezone goes back to the prior zoning. Commissioner Hayden motioned to recommend rezone approval, Commissioner Shimek seconded, all in favor, motion passed.
- Action Item C: Recommend to Town Council - General Plan Update and Maps. Commissioner Hayden stated that the lawyer has not had a chance to review, so he recommends that we table it. Commissioner Hayden motioned to table General Plan Update and Maps, Commissioner Hall seconded, all in favor, motion passed.
- Action Item D: Recommend to Town Council - Commercial Site Plan Approval, Bear River Veterinary Clinic. Brandon Green commented that the Vet clinic has gone back and put in the concrete fence as ordinance requires. They need approval on the Commercial Site Plan to obtain a building permit. Dave Whitaker is with PJF Corporation, and he is helping the vet clinic build this auxiliary building. This proposed building where the Call's Nursery had their greenhouses, and explained the bordering ditches and ag and residential lots. Dave Whitaker said that they are back to ask the planning commission to reconsider the recommendation to build the concrete fence before it goes to town council. The vet clinic has done what they needed to get approval. They do need more definition of where exactly the fence is located. According to ordinance 155.189 and 155.209, the purpose of fencing is to 'block direct view to rear yard'. They are looking for reprieve on how to accomplish this with another alternative to concrete fence. Their long term goal is to surround the whole building lot with pipe and rail/cable fence, as a safety measure for neighbors and for those working with the large animals. They are also looking for clarification on the definition of a concrete wall, but again would also be interested in another alternative to a concrete fence. The commissioners talked about looking at ordinance and general plan and future development. Steve Woerner stated that this ordinance was pulled from somewhere that does not apply to Elwood Town. Mark Allred's subdivision does have the concrete slab fence and posts in the ground, not technically the poured concrete fence according to the ordinance. Steve Woerner agreed that the ordinance 155.189 needs to be fixed.

Commissioner Hayden motioned to recommend to town council - commercial site plan approval with comment of allowing vinyl not masonry, with caveat that the zoning administrator and attorney verify that it is legal for the planning commission to approve exception, Commissioner Hall seconded it, all in favor, motion passed.

- Commissioner Shimek motioned to close the commission business, Commissioner Hall seconded it, all in favor, motion passed.

Work Meeting

- Discussion Item A: Ordinance Revision - Final Draft Subdivision Ordinance Chapter 150. Brandon Green talked to the commission about their comments. The commission asked for escrow to be defined. Comments from the last meeting included defining ditch for irrigation and drain ditches. Fencing discussion and chain link for ag use. Fencing discussion along I-15 and decided that this should not be a requirement in Elwood Town Code. Fencing exceptions discussion. The town could come up with desired fencing options in the development standards. Brandon Green is going to return to the planning commission with some clarification and some ideas of acceptable fencing in residential. We are usually talking about separation between residential and agricultural use.
- Discussion Item B: Ordinance Revision - Review Final Draft Schedule of Uses 155.126. Brandon Green also rewrote a definition but didn't quite understand. Kennel discussion about the definition of sportsman and about the number of dogs to any dogs if it is commercial. The noise and smell ordinance is going to protect neighbors no matter what. Brandon Green will look into it and give some recommendations.
- Discussion Item C: Ordinance Drafting - On-street Parking Regulations. The commission does feel that it is together, and they would like Brandon's feedback on it. Karolina stated that the first part with the Traffic rules does still need to be reviewed by the commission.
- Discussion Item D: Ordinance Drafting - Parking of commercial vehicles in residential areas. The commission asked Brandon if this ordinance is in line with other communities.

Adjourn Meeting

Commissioner Shimek motioned to adjourn the meeting at 9:53 pm, and Commissioner Hall seconded, all in favor, motion passed.