

SUGAR CITY PLANNING & ZONING MEETING MINUTES
REGULAR MEETING - THURSDAY, MARCH 5, 2020

FINAL

Commissioners in attendance: Dave Thompson, Paul Jeppson, Quinton Owens, Dan Mecham, Christine Lines, Justin Merrill

Others in attendance:

City Attorney Chase Hendricks, Building Inspector Cliff Morris, Code Enforcement Officer Jon Turner, Deputy Clerk Shelley Jones, Jeff Patlovich, Kelton Larson, Barbara Lusk & Elaine King

7:08 P.M. The meeting was called to order by: Chairman Dave Thompson

Prayer by: Chase Hendricks

Pledge of Allegiance

P&Z Minutes - Action Item

Motion by: Paul Jeppson to approve the minutes of **February 6th, 2020** as amended.

Seconded by: Quinton Owens

Voting was unanimous, motion carried

Report from Design Review – Paul Jeppson

1. The board held a meeting on Feb. 6th to discuss Sugar City Self Storage Units. They reviewed the requirements of city code.
 - a) SCC 8-6-2 G needs to be considered which requires parking to be blacktopped.
 - b) There were concerns over frontage access which is not part of the design review.
2. The board also reviewed Teton Heights Apartments. The plans needed corrections to the site plan for:
 - a) Garbage
 - b) Lighting

It is noted that SCC8-4-5 C 4F requires a landscape plan. There are many landscape features noted on the site plan and after clarification and verification from Ryan Lerwill that the landscaping submitted on the perspectives would be followed, Design Review evaluated this requirement complete.

The board accepted the application as complete and recommends it to Planning & Zoning.

City Engineer Dick Dyer brought up utility, storm management and infrastructure points which are not reviewed by the Design Review Board. The apartments which are going to be in a mixed use zone will be abutting residential zones. See SCC 8-6-2 K. This requirement may necessitate a constructed fence.

3. The board also held a meeting on February 27th to discuss the design of the new Sugar Salem Jr. High.
 - a) The site plan is a substitute for a preliminary plat.
 - b) Some items were discussed with the city engineer and what he needs which is not a part of the design review.
 - c) Drawings must meet the engineer's requirements.
 - d) The property needs to be zoned appropriately, which zone change application is now before Planning & Zoning.
4. The board also reviewed plans for "Top Notch Jerky" for
 - a) Landscaping
 - b) Driveway safety
 - c) Updated lighting
 - d) Snow storage
 - e) Landscape plan

The drawings will be updated and reviewed again.

Report from P&Z Chairman:

Chairman Thompson mentioned Quinton Owens has become a plan reviewer and electrical inspector for the city.

There have been meetings for Old Farm Estates development agreement updates. The new city attorney Chase Hendricks stated that the committee's concerns with upcoming developments in Old Farm such as open space and traffic studies will be addressed in the development agreement.

Other developers are looking at coming to Sugar City. One is interested in the Tuscano property. Questions are being asked of what the city needs and would like. The city would like to see more residential areas and would also like to see commercial developments creating local jobs. There have been suggestions of hotels and eating establishments that may require liquor

licensing. Manufacturing was suggested using available railway access. An interested developer has a possible business opportunity requiring 20 acres which could supply around 200 jobs with higher pay around \$14.00 per hour.

Discussion on Open Space & Plat Process:

There has been a meeting with the county concerning the plat process. They have a new process which was shared with Chairman Thompson. The county would like to see the city's process correspond with their process. Chairman Thompson wants to combine the county process with what Planning & Zoning has been working on and add any other suggestions. Quinton Owens and Mr. Thompson will work on this. The city attorney will need to review it. Kelton Larsen's property can be used as an example of the plat process problems. The county, fire chief and engineer have concerns and surveyors are working on those. There is not enough fire suppression on the parcels. Mr. Larson is aware of this.

There was a quitclaim deed split on NW corner of OFE property near SunGlo.

Open space has a variety of definitions in city code, the definitions are vague. P&Z needs to revamp the definitions for what the intent is. It currently states open space is what is "open to the sky". It was stated that different zones have different specifications for open space.

Homework for the commission is to work on what a good simple, clear definition would be. Review code 10-4-7 for open space. Come with suggestions and they will be reviewed by the attorney.

Commissioner Merrill stated that our minds tend to get hung up on the percentages. The attorney gave the example of 20% USABLE open space. This is not most effective in smaller developments. Look at the zones where you want open space. Think of businesses and different situations and what open space requirements might work best in different situations or zones.

A work meeting is suggested to work on this topic ASAP.

Discussion on Kelton Larsen Plat & Zone Change Application on property located between 3rd N and ProPeat and Possible Setting of Public Hearing – Action Item

A public hearing can be set after receiving an updated plat.

Motion by: Paul Jeppson to move that once the committee is polled with completed plat documentation and approval to set a public hearing.

Seconded by: Dan Mecham

The voting was unanimous, the motion carried.

Motion by: Quinton Owens to amend agenda to move Sugar Salem High School discussion towards the end of the meeting after the Old Farm discussions.

Seconded by: Christine Lines

Voting was unanimous, motion carried.

Discussion on Old Farm Estates Div. #4 Preliminary Plat Application and Possible Setting of Public Hearing – Action Item

Jeff Patlovich, representing Lerwills, was at the meeting to request the commission to set a new public hearing. He reviewed the process he has gone through up to this point. He submitted his applications in October of 2019 which was not complete. There was a public hearing December 5, 2019. There was no P&Z quorum for the January 5th meeting. An amendment to the application was given to the city January 16th. The February 6th meeting more items were requested as a new development agreement, traffic study, an update on Highway 33 effects. The applicant stated traffic study update is under way right now. Open space would be covered in the new development agreement.

City Attorney Hendricks stated that the city engineer is reviewing the application and will document his concerns. The applicant stated that turning lanes are already recommended and approved by ITD and the engineer in 2015/16. There was a concern whether the road can handle the new developments. There was also concern about the number of units. All concerns, engineers, etc., can be discussed at a public hearing. The new updates will be seen at the public hearing. Commissioner Owens questioned what will become of the unbuildable Lot #18. P&Z would like to see the new development agreement.

Motion by: Dan Mecham to set a public hearing for Old Farm Estates Division #4 on April 2, contingent on pending future development agreement and that the engineer's concerns are met.

Motion withdrawn for further discussion.

Commissioner Christine Lines expressed concern about the new development agreement not being adopted yet. City Attorney Hendricks explained what a development agreement is and how it works. Concerns are in motion and being addressed in the updated development agreement. The attorney discussed using Roberts Rules of Order to govern the procedure. The applicant agrees to the timeline if the public hearing needs continued. Mr. Patlovich made a protest as public comments were taken and he commented that this was not a public hearing. (However the citizens were recognized and their input was given.)

Motion by: Dan Mecham to set a public hearing on April 2, for Old Farm Estates #4 with the following conditions:

1. City engineer reviews and approves all aspects of plat.
2. City attorney addresses Roberts Rules of Order prior to public hearing so they are in force.
3. Applicant agrees to timeline if public hearing needs to continue and attorney has plan for continuance if needed.
4. Using agreements with the city as mandated by the settlement agreement and future development agreement that is pending between the city and applicant.

Seconded by: Justin Merrill

Voting was unanimous, motion carried.

Discussion on Special Use Permit for Apartment Complex in Old Farm Estates Division #3

Motion by: Dan Mecham to set a public hearing on April 2, for Old Farm Estates #4 with the following conditions:

1. City engineer reviews and approves all aspects of plat.
2. City attorney addresses Roberts Rules of Order prior to public hearing so they are in force.
3. Applicant agrees to timeline if public hearing needs to continue and attorney has plan for continuance if needed.
4. Using agreements with the city as mandated by the settlement agreement and future development agreement that is pending between the city and applicant.

Seconded by: Paul Jeppson

Voting was unanimous, motion carried.

Discussion on Special Use Permit of School Property

Motion by: Justin Merrill to table discussion of school due to late hour.

Motion failed for lack of second.

Design Review Chairman Paul Jeppson stated that the city engineer needed further information on the school project but those items were not design review issues.

Motion by: Quinton Owens to set a public hearing for April 2, for three separate hearings on the Sugar Salem Jr. High.

Motion withdrawn.

Motion by: Quinton Owens to set a public hearing for April 2, on school property for the Sugar Salem Jr. High. There will be three separate hearings, a zone change, a plat application and a special use permit. All items pertaining to the hearing will be in to the city office by March 11th, 4:00 p.m.

Seconded by: Dan Mecham

Voting was unanimous, motion carried.

Discussion on Development Agreements – No discussion

Discussions on Impact Area Expansion and Annexation of Properties – No discussion

Public Comment from Citizens Concerning Agenda Items

1. Elaine King stated the open space definition is to keep the city beautiful and wants the definition clear so there are green areas for kids to play.
2. City attorney Hendricks stated that P&Z should focus on process of ordinances.

Motion to adjourn: Paul Jeppson

Motion seconded: Christine Lines

Voting was unanimous, motion carried

10:25 P.M. Meeting adjourned

