

**Action Summary**

**Public Hearing for the following**

A) Townhomes on Willow
B) Prelim for Hollywood Corner Subdivision

#1 Ernie Beacham – Willow Brook	PULLED
#2 Critchlow – minor subdivision	Made an action item – Approved
#3 Amending Chapter 21	Move to end then Tabled
#4 Townhomes on Willow PUD	Discussion
#5 Hollywood Corner	Discussion
#6 Worthington Ranch	Discussion
#7 The Highlands	Discussion

**MINUTES OF THE GRANTSVILLE CITY PLANNING COMMISSION HELD 01/05/23.  
THE MEETING WAS HELD IN THE GRANTSVILLE CITY HALL AT 429 EAST MAIN  
STREET AND ON ZOOM.**

**Commission Members Present:** Commission Chair Brian Pattee, Commission Vice Chair Jaime Topham, Gary Pinkham, John Limburg, Rick Barchers

**Appointed Officers and Employees Present:** Mayor Critchlow, City Manager Jesse Wilson, City Attorney Brett Coombs, Public Works Deputy Director Christy Montierth, City Engineer Dan England, Aqua Engineering Consultant Shay Stark, Fire Marshal Jason Smith, City Planning and Zoning Administrator Cavett Eaton, Planning and Zoning Administrative Assistant Lanise Thompson

**Citizens and Guests Present:** Barry Bunderson

Commission chair Brian Pattee officially called the meeting to order at 7:02 pm

**PUBLIC HEARING:**

**A. Discussion of Preliminary Plat for Townhome on Willow consisting of 94 units to be built at approximately 200 S. Willow Street, zoned RM-7.**

**Monte Sides**, lives at 201 S. Willow, (across the street from proposed development). I’m concerned about all the developments popping up all over Grantsville. It seems that we have four (4) or five (5) of them right on Willow Street. That is a big piece of property and that is a whole lot of townhomes. I just hope you are taking into account all the infrastructure that needs to be added. I been in that house for 20 years now. That street has always done great but we are getting a lot more traffic.

**Mike Warner**, lives at 341 Legacy Lane. I own 12.5 acres just west of this property with my brother and sister. I just have a couple of concerns, one of them is, on the scope of work, on page C-101 #18. It says they are going to remove and dispose of the fence. Our fence there is two (2) years old. If the fence needs to come down we would like to pull that fence and reinstall it after they put up their vinyl fence. It shows in there it is going to be vinyl. A vinyl fence won’t keep our cows out. So, we would

need to put our fence back up. I don't know what would be the timeline would be on the construction but once we see everything happening we would pull our fence down. The other concern I have is the number of units I saw on there. I had to look pretty close to see where it says it is a PUD. On the application I wasn't able to see anything where they applied for a PUD. On some of the other stuff in the packet I saw applications for it but there should be a written statement on there and I thought that would be part of the packet where I would be able to see. On the application procedure they are supposed to submit a written application or a written statement of what they are asking the city to waive of the design standards and then what the benefit is to the city. Is that something you have that should be available for us to see. Without that we don't have any idea what they are proposing except what we see is that they are asking for a higher density in our highest density zone. So, if they are trying to put it in a RM-7 it's a great development. Willow street an awful street. They put in some physical facilities in so we are going to wave the requirement for how many lots you can put in. That is seven dwelling units per acre but that is seven dwelling units per acre after you take out the roads. And then the open space, does that really benefit the city when you're hiding it in the middle of the condominiums. So those were the concerns that I had.

**Brian Peterson:** my quick concern is that there is an elementary school just up the street. Willow is so narrow. There are going to be another 94 units and possibly 400 people in that small area. It is going to become a congested mess. I don't know if you are planning to open it up and make a bigger road. This is a small community. We moved out here because we love it, but putting 94 units in that small area that is just going to add so much more traffic. We are concern about what that will do to our community if we go that way.

I also have concerns about water pressure. You add all those other units that will make mine even worst. I don't know if you have plans to improve the water lines. Mostly I'm concerned about the kids. One kid get hurt then that subdivision isn't worth it.

## **B. Discussion of Preliminary Plat for Hollywood Corner Subdivision consisting of 30 lots to be built at the corner of Quirk and Hollywood, zoned R-1-12.**

NO COMMENTS

### **AGENDA:**

- ~~**1. Consideration to recommend approval of Conditional Use Permit Application for Ernie Beacham to own and operate Willow Brook, an event center for small (50-190 guests) gatherings at 628 South Quirk Street in the RR-1-21 zone**~~

Pulled because Ernie Beacham was unable to be at the meeting

### **2. Discussion of Critchlow Single Lot development**

Celesta and Eric Critchlow were present to answer questions

They want to build a house on Booth street. Approximate address will be 133 Booth on a 0.3-acre lot. This is a single lot development. This is a parcel that needs to be made into a lot, because there was a variance need it needed to come before formal body for approve

**Commission Vice Chair Jaime Topham made a motion to move this item to an action item. Commission member Rick Barchers seconded the motion. All voted in favor. Motion passed unanimously**

**Commission Vice Chair Jaime Topham made a motion to approve the Critchlow single lot development with the variance already approved by the Board of Adjustment. Commission member John Limburg seconded the motion. All voted in favor. Motion passed unanimously**

### **3. Discussion for Amending Chapter 21 Minor Subdivision (moved to the end then tabled due to time constraints)**

Shay Stark, Consultant from Aqua Engineering, was present to answer questions

**Brian Pattee** – We have agenda item three and we're looking at 10 o'clock here. I think we should table that unless it's something super urgent

**Shay Stark** – Take a look at what I gave you and get up comments back in a week or so. I'm giving you the description of I've worked with the mayor on this and talked through these different levels of development and I've given you in the first part just a description overall that this is what we're trying to do, where we're going with it. I've started to flush out the code. I didn't want to get too deep in the code. If you come back and say to me, "I don't like these levels. We need to totally change the levels." If you can look at it at least initially and just give me some comments, say in a week or get those back to Cavett and get them to me. Then next time we come and maybe if we can put this on a work session, I'll try to incorporate those comments in and then hopefully we'll be a little more productive.

### **4. Discussion of Preliminary Plat for Townhomes on Willow**

Todd Castagno was present to answer questions

**Todd Castagno** – I did make notes from the public comments and we'll address those in writing next week, so those could be sent out. Depending on the outcome, I have been going to reach out to Mr. Warner to see about the possibility of extending the water line across and connecting with the Cherry Street water line, which would solve those pressure problems over there. It was discovered that the water line in Willow Street is only a six-inch water line. We're going to have to upgrade to eight-inch, working with Aqua right now, an ensign with that, probably bring it down from Durfee Street to the project and then possibly tie in. I'm not sure if we can loop over to come off Quirk Street.

**Dan England** – There is a question right now in regards to that water line. In Willow it is six inch all the way down and we've taken some flow tests. The flow tests are not showing that the water flow is not high enough to handle it. The fire department was going to do a third test just to make sure, because there's another hydrant, see if they can get anything different, but coming off a six-inch line, probably not. If you look at item 4C is what I'm talking about. That water line should be upgraded for the fire flow to that property. That'll probably help the water pressure in the other area there as well. They're willing to do their frontage improvement, which is standard, which would leave the city to have to do that distance from their property all the way up to Durfee to enlarge that waterline size. I don't know that we have projects to do that at this time. There would have to be some negotiation to figure out how that waterline would need to be installed.

**Gary Pinkham** – I have a few things here. As Mike mentioned, we're in an RM7 zone, so we're only allowed seven units per acre of the developable land, and after some crude numbers I did on area, we're probably under the code only allowed to have about 65 or 67 units out there.

**Todd Castagno** – I guess there's some confusion too on gross or net. The code really isn't clear.

**Gary Pinkham** – I think if we read all of the code, we'll see that confusion can go away. The other thing is in 4.34, there's a 30-foot minimum distance between building units, and some areas you guys have got your buildings closed up to like 12 or 14 feet apart. We may need to move the buildings further apart. The other thing is you're down in some areas to around 12 feet of setback from the road, and our code requires 25. There are some setback issues and some building spacing issues that I think definitely need to be resolved and unit density.

**Todd Castagno** – Some of those setback issues, for example, if you look at Carly Drive and Jackson Street, those buildings were shifted to allow for extra parking. We've added parking, which would be to the south of that building. We've gone through, working with the city back and forth, and tried to add in extra parking because we know parking is going to be an issue.

**Gary Pinkham** – That was another thing I meant or looked at in parking under 4.3.4, talks about we need to have a minimum of two spaces per unit. If separate designated visitor parking is not available in approved curbside locations, then all street parking needs to be approved or be provided. That's done at the rate of one for each of the first 10, plus one for every two thereafter. With the 65 or 68 units, we'd need to have 39 available spaces there and I think you're only providing 21. We need to look at the parking and make sure it meets the code.

**Dan England** – Did you include the area where their clubhouse was?

**Gary Pinkham** – The clubhouse has its own requirement for parking, which they've met.

**Dan England** – That was the way it was explained to me is that the clubhouse also took care of this one, but that may not be correct for code. I don't know.

**Gary Pinkham** – So between the parking, the setbacks, and the distance between the buildings, those were the three things that I kind of spotted here that we need to work on.

**Todd Castagno** – On the parking, each unit has a two-car garage and then that two, so you could fit two in the garage, two in the driveway.

**Gary Pinkham** – Our code does not allow the driveway parking to be counted towards the parking requirements of the code. It specifically states that parking in front of or beside the building and the street cannot be counted towards making the parking requirement. That's listed in a couple different places in our code. The parking, the setbacks, and space between the buildings, are the three things I think we need to fix. Density at seven units per developable acre takes us down to around 60 units, and I think you're asking for 93.

**Jaime Topham** – One of the questions from the audience was that, for the people that are here, about what are the specific variances you're asking for under the PUD, and then what is the benefit to the community? Can you address those specifically?

**Todd Castagno** – We're asking for the lot size to be reduced to, I think it's roughly a thousand square feet, to allow for a townhome. The townhome owner would own the footprint of the building. All of the exterior would be maintained by the HOA. It does allow basically 6.33 acres will be common area, open space. We've got the clubhouse in there, basketball, pickleball, courts, playgrounds, walking paths.

**Jaime Topham** – Are those amenities open to the public, for the public's use?

**Todd Castagno** – That's a good question. I don't know that anybody's going to be checking IDs at the playground. I don't know, somebody might.

**Jaime Topham** – That is kind of an important question though, because if that's the benefit of allowing the lot size change, that's the variance, how does that specifically benefit the community? I know you're saying that they won't check their IDs, but a HOA is going to be legally responsible for all of that, and is an HOA going to allow outside public to use the facilities if they're not related to somebody who lives in this HOA? My guess is no. When you answer questions and writing them down, that's going to be something to address.

**Todd Castagno** – Okay.

**Gary Pinkham** – In our DRC we had some questions on the traffic study, whether it was done correctly and/or the traffic issues there, has that been conveyed over them and have we got an answer back?

**Dan England** – It has not been conveyed to them at this point. The questions were with 90, 94 units inside your development the study was showing only half that many leaving the site in the morning or coming back in the evenings. And we were wondering why those numbers were so low. And you probably don't have the answer to that either.

**Todd Castagno** – We hired Hales Engineering out of Utah County. They're a traffic specialty engineering firm. I don't know. We can find out.

**Jaime Topham** – Does this development mean to improve Willow Street in any way?

**Dan England** – Only if the traffic study says that they need to, I think, is the way that ... Brett, is that true? We can't really require them to fix Willow Street unless the traffic study says that they need to. Or is there anything else?

**Brett Coombs** – We can require them to fix the street that's immediately connected to any property owned by the developer. But outside of that, the city can't require them to do any sort of fixes or improvements.

**Jaime Topham** – This fronts Willow Street, and they're talking about a lot more traffic on Willow Street for this development. Is this developer going to be responsible for helping widen Willow Street, at least where they're at? Or any kind of other developments on Willow Street?

**Dan England** – They are widening their whole frontage. They're taking care of that. But that's still about 500 feet short of Durfee, and then a lot farther than that from Main Street to their frontage. So,

they are improving that part right in front of it and they'll have no traffic problems in front of their place.

**John Limburg** – Is Willow even able to be widened? That's a narrow street.

**Todd Castagno** – South of this property is a platted subdivision. I think the dedication was given in right-of-way. That's been 20 years ago probably that that was put in.

**John Limburg** – On the south end, right?

**Todd Castagno** – Yeah.

**John Limburg** – What about the north end?

**Todd Castagno** – I don't know going north.

**John Limburg** – Is there even space to widen up there?

**Dan England** – I'm looking. I don't know.

**Todd Castagno** – Going south, I think there's room to get to Durfee Street, and maybe that's something we could discuss. That we upsize sewer or the water line.

**Gary Pinkham** – Between this project and one across the street, we're potentially putting a lot of traffic on Willow. We built the sidewalk originally off to the east side with the intentions that the sidewalk in the east half of Willow would get built per standard. So, if we go forward here, where's the city with regards to upgrading Willow?

**Brett Coombs** – Well, and I should mention, too, that since the developer is requesting a PUD, that's something that can be discussed as well is perhaps the developer puts in additional improvements to the street in exchange for what he's requesting from the city. The only reason I say that is just because that's another avenue that may be a potential area. I don't know. Then we still have the issue of the water line.

**John Limburg** – That's what I said. Who's going to have to end up paying for that.

**Rick Barchers** – If we okay this then we have to pay for the water, though?

**Gary Pinkham** – What I'm looking at is if we want to upgrade the water line and we're going to tear the street all to pieces, should we bring Willow Street up to standards when we put the water main in? Because we're going to have half street torn out anyway. Maybe we need to work with these fellows and the folks across the street to maybe combine efforts for something here. Because the fire poles that we saw the day were, on individual level, were substandard by quite a bit. For some reason the fire department had to open two hydrants, it would be even significantly worse. It'd probably be a third of the required flow for the six-inch line that's there now. We've got a major fire flow issue out there even without that. We're not meeting fire flow. And we've got a traffic issue. I'm not so sure that between us and them and the folks across the street, we shouldn't be looking at Willow from Main to Durfee and maybe combining these efforts.

**Dan England** – I just looked at the right-of-way down that street for GIS from the Tooele County, and it's only 55 feet. So, that would become a special street size because normally we have 60 feet.

**Gary Pinkham** – Without the city condemning property and taking from it, we might have to get rid of the park strip, for 55 feet and if we move the curtains we can be at 53 feet if we eliminated the park strip

**Dan England** – We'd have to come up with some kind of change to that. It might be able to be improved, but it's also a cost that I don't know the city has in its budget at the moment to take care of.

**Gary Pinkham** – Well, that's what my wonder is. It may not be on our budget, but at the same time, how do we support this development? It's our structure.

**Dan England** – We might need to put that on the negotiation list.

**Todd Castagno** – I'm not sure the sidewalk on the east side is in the correct location either. I think it's...

**Gary Pinkham** – I noticed that.

**Todd Castagno** – To the west because I think it was just put in.

**Gary Pinkham** – I don't know that it is. It was my understanding it was supposed to go up there with the safety of the school still.

Brian – Shay, do you have a comment?

**Shay Stark** – I just wanted to point out with this, I guess a couple things with this. The traffic study and improvement of the street, all we need to get is pavement width to be able to pass the traffic through. And I guess just pointing out that sidewalk, because we did that project back years and years ago. It started out as a trails-grant and we were putting a trail through there. Part of what drove the location of that sidewalk was staying away from utilities and existing trees. That was something that we were specifically directed to do. It is not located at the back-property line on the right-of-way line along there, because it was purposely... We had to miss utilities and trees. There wasn't funding to move utilities and the trees. That was part of that whole process and discussion of what the city wanted to have done at the time. They didn't want to touch any trees.

Now, the subdivision that Todd Castagno's mentioning there to the south of this, I believe they did provide the additional right-of-way from half of the center line. And so, where we're short on right-of-way would actually be on the east side of the street where that hasn't been subdivided. Those homes in there were built long before these standards were in place.

So, I think this is something that could be worked out. Like you said with the upgrade of the water line, if you're putting a water line in and you're tearing up half the pavement on the street, add the little bit of additional pavement on the side and you can bring one side up to locate it correctly on the side that we have the extra width. And then let get that 42 feet of pavement, minimum of pavement that we require. Let that float wherever it does on the other side knowing that at some point in the future, that'll have to be cleaned up. But that will address the traffic issue.

**Todd Castagno** – I think part of the issue on Willow is it is narrow, but I think it appears narrower because of the encroachment. I think the pavement width on Durfee Street is within a foot of the pavement width on Willow. But on Durfee, you've got wide open shoulders, and so it appears wider.

**Brian Pattee** – Dan, I have a question. One of these units, it says the sewer line on Durfee is still being modeled and may need to be upsized. Explain that.

**Dan England** – The flow going down that street, we're not sure yet if that needs to be upsized or not. I know that the city's been trying to make some changes through there and redirecting some of the sewer to make sure there's enough capacity. I was talking with Shay just tonight as the best way for us to go through and do the modeling, maybe actually taking some actual flow data from inside the pipes to find out what's there. With this additional capacity coming, we just need to know if there's enough capacity in that pipe. Right now, we don't know, so that's something that we're still working on there.

**Brian Pattee** – So, that water flow is going to come from this project to the south to Durfee, correct?

**Dan England** – No, it goes from this project toward Main Street.

**Brian Pattee** – Okay. But it says Durfee in here, so...

**Gary Pinkham** – What does the modeling on Durfee have to do...

**Brian Pattee** – That's what I'm trying to think here.

**Shay Stark** – I think I can help you with this. So, when the big water stored tank project was done, one of the things that occurred with that was that the line that was coming down from South Willow was rerouted on Durfee into a larger pipe, and it was sent over so it could go down Matthew's Lane. Matthew's Lane was a new line that was put in. The idea being to be able to take that off the Willow Street line and resolve some issues down on Main Street also. So, that was rerouted.

In doing that, there was other flow coming in, some of it was coming in, some of it's new. There were homes that were connected on Durfee, or they had. At least they've been stubbed out. I don't know if they were all connected on. They're part of this that now need to be accounted for as part of that capacity.

There was some other flow that was routed into Willow that wasn't there before. So really, where we're at is we just need to... And the purpose for that flow test, we probably do it down by Main Street and just see what's going on there. Then look at that area and look at those homes that at least the lines were stubbed out and determine which ones were connected on, which ones are still on septic and haven't tied in yet. Look at all that and make sure that we address the capacity for what's existing, that that's addressed, and then look at what we have here with this new development, so we've got a good fill for what the capacity is. Because at this point, the model that we used to have is totally invalid and we just need a real number to be able to calibrate it to make sure.

**Brian Pattee** – So, part of the flow that's coming north on Willow, turns and goes east on Durfee, but part of it still comes down Willow to Main Street?

**Shay Stark** – Correct.



**Brian Pattee** – Is that what you're saying? And what size sewer main is that on?

**Shay Stark** – Well, I believe the new section on Durfee, you're coming down Eighth and tying in.

**Brian Pattee** – But the existing sewer main on Willow right now between Durfee and Main is eight inches?

**Shay Stark** – Right, I've just got to look at it and see. It's possible that it's smaller than eight. We've got to verify that. And that's one of the things when we do at flow test, that's one of the things that we would verify.

**Brian Pattee** – And so, one other question. So, Cherry Street doesn't come and butt this property. How far away is it? Someone said something about maybe doing a water main connecting from Cherry Street.

**Todd Castagno** – Cherry Street comes in a bit to the north of our Cherry Street. So it's a little different.

**Gary Pinkham** – Cherry dead ends over on this end in another subdivision coming off of it.

**Brian Pattee** – Okay, so it's quite a way through fields and stuff.

**Gary Pinkham** – Yeah, there's probably maybe seven, 800 feet across there.

**Brian** – The water main is six-inch all the way from Durfee to Main Street?

**Dan England** – That's correct.

**Brian Pattee** – Okay, All right, Commission. Any further comments, questions?

**John Limburg** – I've got a question for the rest of committee is why would we give a variance on something that looks like we can't support and it's going to cost the city money to upgrade it to where we can support that many units? You don't have to answer, but that's what I'm thinking.

**Gary Pinkham** – Well, you're going to have to figure that out. With regards to Willow Street, this development between the sewer, the water and street stuff, this development is really overtaxing the city's ability to serve. Even if they upgrade their frontage, we still have offsites that we can't have. So, it's kind of where we are on that. And how can we partner to make sure that when we're done we have sewer, water and traffic capable of handling this without ruining everything out there?

**Rick Barchers** – I'm with you. I hear what you're saying. Go ahead.

**John Limburg** – The only other thing I would say is let's make it beneficial. A little more like you're saying you don't even know if people are going to be allowed to play on the pickleball courts or whatever, right? So, I would like to see something that's going, hey, we're asking for variance on this. It looks like it may cost the city a lot of money to upgrade it to where we can even do it. What is the city getting out of it? I don't know. You don't have to answer that right now, but if you want to. Because it doesn't look like we're going to approve this today. If you want to come back and say, hey, this is what we're offering in order for the city to give us this variance. I don't...

**Jaime Topham** – This has been through DRC, right?

**Dan England** – It is, for the preliminary.

**Jaime Topham** – Oh, I guess remind me of the process. He's not necessarily vested in the density on the preliminary is the preliminary.

**Dan England** – Preliminary does lock in the density.

**Jaime Topham** – Okay. So then, I think that also has to be addressed before you come back, is what density are you actually allowed, even if we grant the variance. Because it seems like what you're asking for the variance is really to make it so that they can be individually owned. It's not really asking for additional density. But the problem is, is that I think that your density is higher than what the RM7 allows. So, that has to be addressed, too, before you come back. Then compiled with all of the rest of this.

**Rick Barchers** – I want to address that, and it kind of goes along with what you're saying, too, and everybody else really. We end up with the squares inside of rectangles discussion. Just sliding squares inside the rectangles to try to make setbacks work and sidewalks in the right places and this and that. At the end of the day, it comes down to a density issue. I'm looking at this saying if this was not a PUD, would we approve it? If not, why? How would we address those issues? Why are those issues issues that they are, and why do we have them as part of our code?

Part of it's parking, I think. Why do we want to take away from parking to gain a sewer when it doesn't serve the people that'll be living in that community, because they don't have enough parking? Okay? Those kinds of things, setbacks are a big deal to me. I think all this stuff's already been addressed. I don't got a problem with partnering with a developer. Seriously, I don't. I know that we've got an issue there it sounds like, right? I get that. So, for me, when it comes to these issues with the street, the density, the setbacks, the spacing between the buildings, I'd like to see you come back with some really solid answers that addresses everything. Not just that we've moved the squares around inside the rectangle sort of thing. Does that make sense?

**Jaime Topham** – If the playground is going to be open to the public, the play facilities, there probably needs to be a lot more parking. Because if you're getting the bare minimum of parking for your community but you're opening the facilities up to the public, then there needs to be parking for that as well. Because otherwise, they'll be parking in front of everyone's driveways.

**Todd Castagno** – Those become legal issues. Yeah.

**Jaime Topham** – Right, but we can avoid legal issues by good planning.

**Todd Castagno** – Sure.

**Jaime Topham** – If we just ignore it and say, well that's going to be somebody else's problem down the road, that's not what we want.

**Todd Castagno** – No, I'm just saying, yeah, we've got to explore the legal issues. If the HOA is owning it, maintaining it and paying the insurance on it, what's allowed? I don't know.

**Brian Pattee** – All right. Any further discussion?

**Todd Castagno** – Thank you.

**Brian Pattee** – Thank you, Todd Castagno.

## **5. Discussion of Preliminary Plat for Hollywood Corner**

Todd Castagno was present to answer questions

**Todd Castagno** – This is a 30-lot half acre subdivision on the corner of Quirk Street and Hollywood Street, down on the south end there. Early on, I got with Dan, knowing that he had ideas and plans and changes for road widths and whatnot. So, he and I have been working on this for a while. We really aren't asking for any variances. It's not a PUD. Everything is to code.

**Rick Barchers** – Isn't Nygreen supposed to go through there?

**Dan England** – It goes right along the edge. It splits his property. He's dedicating half the right-of-way. He has worked with me knowing that that right-of-way will be 108 feet through there. So, he's dedicated that much of it. At this point, the plans don't show the road being built. I know with the Wells Crossing that that was part of what they did, was they dedicated their half and provided the city the cost for the improvements for their half of the roadway.

**Rick Barchers** – So, these are all going to be half acre lots, right?

**Todd Castagno** – Yes.

**Rick Barchers** – On Hollywood, this probably really doesn't have much to do with you, but what's going on with Hollywood there? Do you know?

**Dan England** – The park or the road?

**Rick Barchers** – The road. Is that going to be paved?

**Dan England** – Eventually. Yeah, right now it's a dirt road.

**Rick Barchers** – Are you taking responsibility for any part of that then?

**Todd Castagno** – So, we'll pave half width.

**Rick Barchers** – Okay.

**Dan England** – That will become their second access to their subdivision, so they're paving.

**Todd Castagno** – Half or a little over half.

**Dan England** – Yeah, you have to a little bit more to get your minimum 26 feet.

**Rick Barchers** – Isn't this the, like down here in the corner of Hollywood and Quirk, isn't that where the well house currently? Is there a well there currently?

**Todd Castagno** – Yeah. We've also worked with Rocky Mountain Power and will bury the power line, put it underground at least through the frontage. So, it'll come up on the south side of Hollywood Street.

**Gary Pinkham** – You said something, Dan, that you're not going to build. You're dedicating Nygreen, but you're not going to construct it. Now, those funds would be dedicated over to the city for future.

**Dan England** – It has not been agreed to at this point. But what he's done is he's given us, instead of a 90-foot right-of-way that he would have had to do, he's given us the additional and it's now 54-foot right-of-way that he's dedicating to us. So, he's given us more than what our city requires at this time, because he knows that it's coming. But our traffic master plan is not yet approved, so he's working with the city to give us additional right-of-way.

Also, on Quirk, well he's also given us a bike path, or an additional 10-feet. They've maintained the trail going along Quirk Street there. I think that's something that is required for a bike path going up.

**Gary Pinkham** – Bring me up to speed here. We talked going to a wider dedication on Quirk for the ability to use the trail. That additional dedication we were going to credit towards their open space requirement. Is that correct? Are we going forward or not with that?

**Dan England** – That's a possibility if that's the way he wants to work it. I haven't been involved with those negotiations.

**Todd Castagno** – Well, that's part of all the discussion of the development agreement.

**Gary Pinkham** – Then with regards to Nygreen, not building the half width. What about that?

**Dan England** – That would also be something that I think should be brought up with the development agreement.

**Gary Pinkham** – Okay, so those are two open issues then. We are going to build the half width from Hollywood?

**Todd Castagno** – Correct.

**Gary Pinkham** – And we would build the half width of Quirk with the added dedication?

**Todd Castagno** – It's actually more. It's probably more than the half width.

**Gary Pinkham** – Well, we'll finish the eastern side of Quirk.

**Dan England** – Plus an additional 10 feet for the trail.

**Gary Pinkham** – So, the two open issues on streets right now is solving Nygreen, building or not building the Quirk additional dedication. Beyond that, the only other thing I have, and we talked

about it in the DRC, is your storm waters being collected but it's being delivered onto the neighbor's property. Right now, I'm not seeing any legal easement or provision for that water going to the neighbor, and I'm not comfortable with approving a project that dumps water on somebody else's property without their legal agreement to that and/or some idea of what the future holds for that storm drainage.

In other words, we need a pond somewhere. Is he going to build a pond? Are you going to build a pond on his property? Do we come back onto lot 123 and build a pond for temporary? And when he develops to the north and you two make up a deal on whatever you're doing there like you mentioned you might, maybe then converting lot 23 to a building lot, putting a pond up north. That I'm not comfortable with getting to the boundary and passing water off to the neighbor. Because when you dedicate the storm system, we take possession of the storm system. All of a sudden now, we're dumping water on the neighbor. We don't have a legal easement or legal right to do that.

**Todd Castagno** – Yeah, it's noted on here, provide with the easement. So, that's a red line change. In fact, we hadn't thought about retaining on 123 in the short run. What we're trying to do is eliminate small ones, get it to a more regional downstream. Its just how do we get from here to there.

**Gary Pinkham** – I'm looking at it from a legal standpoint, from the city's point of view, when you dedicate the storm drain system to us, all of a sudden we're now dumping water on private property. I don't see any legal means or legal protection from the liability of flooding and/or for maintenance, et cetera. So, if we're going to go that route, we need to have you guys and your neighbors put together something that shows how that's going to be handled legally and mutually agreeably, and/or for the time being put it on the lot 23 hold.

**Todd Castagno** – Okay.

**Shay Stark** – Just one comment tied with that, associated with what Gary is saying. One of the key parts of this, it's not just the easement for that line, but it is that agreement and that property owner agreeing to actually sizing their basin when that's developed in the future to handle this flow also.

So, when they come in to us five years down the road and it's not even the same property owner, it's another developer coming in and they say, well, here we've taken care of our water. We've got to have something in writing that we can put in front of them and say, no, this was the agreement with that property owner that this amount of water would be handled also.

**Todd Castagno** – Okay.

**Brian Pattee** – I think, and to add to that, there has to be something. Even if it's temporary, there has to be some sort of retainage. We're all in agreement we need some sort of regional. As you design that, just keep that in mind that it's something that, yeah, this lot is the retention basin and then eventually it'll just be a lot because we'll move the flows somewhere else.

**Rick Barchers** – Where's the open space on this?

**Todd Castagno** – We're either going to pay the fee in lieu of, again to get to a regional-

Gary Pinkham – Concerning the fee in lieu of, can you possibly depending on what this Quirk Street lightning issue, get some credit for giving the city the additional right-of-way beyond the standard dedication. So, that needs to be worked out along with Nygreen and the storm water.

**John Limburg** – So, this is half a block away from Hollywood Park.

**Rick Barchers** – Well, I understand that. I just want that addressed. Lot 102 and 103, they planned to go onto Hollywood Street?

**Todd Castagno** – Yes.

**Rick Barchers** – Okay.

**Todd Castagno** – In fact, we should, yeah, I'll make a note. We don't want that on Quirk, so we'll remove that as a possibility.

**John Limburg** – That's a good catch.

**Todd Castagno** – Yeah.

**John Limburg** – I mean, so the driveway's going to come right out onto Quirk?

**Todd Castagno** – No. No. We'll remove that as a possibility

**Rick Barchers** – Right. Well, are they going to... That's what I was asking. Hollywood's going to be a half width street and you've got two houses going onto it. I'm just kind of looking at it going, I wonder how much the traffic's going to be coming down Chestnut Lane and trying to go out that way. I mean, I don't know. That's why I'm asking. Not that it's a huge issue, but we don't want 103 coming out on the Quirk.

**John Limburg** – I mean all of Quirk Street should be that way from now on.

**Dan England** – Agreed. But this is set up so that it wouldn't go that direction, but I do see a few addresses that could double that way, and they need to be removed. There should be no driveways going on to Quirk anymore.

**Brian Pattee** – This is just my little pet peeve, and it's not specific to this project, but we have half acre lots backing streets. They put a fence up. Who maintains the park strip? Because they all look like crap around town in that same situation.

**Attorney Brett Coombs** – Can I answer that?

**Brian Pattee** – Yes, please. Someone help me.

**Brett Coombs** – City law requires that they maintain it.

**Brian Pattee** – I know there is, but they don't do it and we don't enforce it. It's just mainly weeds, so just saying.

**John Limburg** – I agree with you.

**Brian Pattee** – I don't know how we... And this isn't just this city's problem. Every city I've been with, it's a problem.

**Brett Coombs** – Out of sight, out of mind.

**Brian Pattee** – Yeah. It's not out of sight. It's out of their sight, yes. Anyway, in all these codes and laws and stuff we do, there ought to be some way to fix this with fines. One of my last things. All right. Any further discussion, comments on this project, Todd?

**Todd Castagno** – No, I'm good, Thank you

## **6. Discussion of Concept Plan for Worthington Ranch**

Barry Gittleman was present for this discussion and to answer questions.

**Barry Gittleman** – Good evening, everyone. I'm Barry Gittleman. I'm the president of Hamlet Homes. Stetson is here with me. He's on our Hamlet Homes team and he's got copies for the Planning Commission or anybody in the audience who wants to see a larger scale copy of what's up on the screen.

There have been a lot of good concerns for some of the other projects that some of the citizens and Planning Commission have brought up tonight, and I think we can address all of them for our project. Worthington Ranch is already an approved subdivision for 62 homes in two phases on Old Lincoln Highway right near the Walmart Distribution Center. Phase one is already fully approved and development is underway. We are on track to pave streets for those first 30 or so lots in the spring and start building homes.

Hamlet's been around since '95, so 28 years, and we're proud of the homes we build. We're excited about building in Grantsville. We've done several projects in Tooele County but not in Grantsville City yet, so this will be our first in Grantsville.

The new concept planned is here to discuss is what you see up on the screen that's sort of in gray is phase one of the project. What's in yellow is phase two, and we're proposing some changes to phase two. What's in red and green is currently 94 acres of open space. And in the original plan that 94 acres of open space was required to be just open space and owned and maintained by an HOA. As you know, most people who live in Grantsville don't want to have an HOA if they don't have to have an HOA, so one of the things we would like to do for our future homeowners is eliminate that HOA.

We've also been approached by city staff that there are some needs of the city going forward that our land might be ideal to accommodate the city requests. Number one request is that the city needs a regional storm pond. This location, what's currently the 94 acres of open space, could easily accommodate that regional storm pond, and we could install that and donate that to the city. No cost for the city to construct it or buy the land, we would just donate that, but then the city would own it and maintain it for your needs as a regional storm pond.

Request number two from the city staff was that your future parkway, Meadow Lane, is probably going to need to go through that open space at some point in the future. Might be in a few years, might be 10 or 15 years, but at some point, that's going to happen. The request was that we provide some of our land as 108-foot-wide right of way for the future Meadow Lane.

And number three in our discussions with city staff and some of the adjacent neighbors was that it would be nice to have some amenities, parks, that are for the public. I know for one of the earlier projects that came up, whether that would be HOA owned and maintained with the townhomes, would that be open to the public? Our thought here is that we would pay for and install some amenities. We're open for input from the public or the Planning Commission on what would be ideal for those amenities. But in our preliminary discussions with staff, we've talked about pickleball courts, we've talked about covered pavilions with shade, maybe a barbecue pit area, and definitely a lot of walking trails. We've talked about multi-use trails that could be for horses. We've heard everybody in Grantsville loves their horses and wants horse trails and also walking trails.

What's shown on the concept plans that you have and in the green area up on the screen includes, I think it's two to three miles worth of trails that could be multi-use for walking and for horses. And then at the top of the phase three sort of orangish, reddish, pinkish area, there are some pavilions, there are some pickleball courts. Right now, we've got six shown, but staff suggested maybe nine would be a better number. We're open for input on what the right number is.

We've got a large parking area there, so there wouldn't be a parking problem when the public comes to use this park area and the amenity area. And then we've also got some extra parking down at the bottom of the green area that would be at one of the trailheads for people who don't want to go play pickleball, but they just want to go horse riding or walking.

Our thought is that this new plan would accommodate all of the requests of the city of Grantsville. It would provide some new amenities that the city would not have to pay for but would own them and maintain them after they're dedicated to the city. It would provide for the future right of way for Meadow Lane. It would provide for the regional storm pond that the city of Grantsville needs. And all of those things could be accommodated with the existing land that we have.

Those things are going to cost money however, and so our request would be that in phase one we'd leave the current plan alone since development is already underway, but in phase two and phase three we do some additional density, and that's laid out on the concept plan you have before you. The total site rather than 62 homes would end up in this proposal being 139 homes. It is still less than one home per acre. When you consider the overall site, it's about 155 acres and the proposal would be 139 homes, so less than one per acre. Every home is a single family detached home with an average lot size over the entire site of about an acre. The smallest lot size in this concept plan is 0.27 acres, but the average is much larger than that, and some of the home sites are well over an acre.

Traffic came up as an issue on some of the earlier discussions. We have spoken with a traffic engineer. Since we're just at the concept plan stage, we haven't actually paid for the full traffic study yet. But in speaking with him, he doesn't expect that there would be any measurable or significant degradation of traffic in the area. We've got major roads with Old Lincoln Highway. We're near the Walmart Distribution Center. Parking shouldn't be a major issue because we're adding a lot of parking near the amenities and the trailheads, and every home is a detached home that has a minimum two car garage with also parking in the driveway. We expect that most of the homes would be three car garages just in this area. We also suspect, given the price point of the homes and the large lot size and the location in Grantsville, we are not going to make it an age restricted community, but we do believe that a lot of our buyers would be older buyers who are retirees and wouldn't significantly contribute to the demand on the schools or the roads. But that wouldn't be a requirement to live in the neighborhood.



We've addressed traffic, parking, the earlier question about how the open space is used to benefit the city and the residents. We're definitely doing that, and it would be open to the public. The advantage for our home buyers in the new plan is that the HOA would be eliminated. We would install everything then dedicate it to the city to own it, and so the HOA would go away, which future home buyers would prefer in Grantsville.

We've also worked closely with the neighbors. Some easements came up in the earlier discussions, and at the bottom of the green area you can see that there are easements already in place. Nicole is here tonight, and her father, Bud Christiansen, owns that adjacent property. They worked with the previous property owner and those easements are already done and recorded and there was an agreement in place a couple years ago. And we've continued to work with Nicole and her father, Bud, to accommodate some of their requests for his property that's adjacent to ours. And we're trying to be good neighbors as best we can.

What questions does anybody have for us?

**Jaime Topham** – I appreciate you bringing the original map, because my question was what were the houses like and what was the plan originally?

**Barry Gittleman** – Sure.

**Jaime Topham** – So answered that right off the bat, so I appreciate that. I really appreciate you working with the Christiansen because they have been down there and they've been through a lot trying to get their property the way they want it. That's key. Honestly, I mean if it were my house, it's ideal that they're next to your never to be developed parcel.

**Barry Gittleman** – Yes. That's also nice for them. And hopefully we can build Nicole or some of her kids a new house someday.

**Jaime Topham** – You don't have the actual lot sizes particularly laid out yet? I mean, I can kind of get idea as to where the bigger ones are.

**Barry Gittleman** – On the concept plan, we don't have individual lot sizes, but the civil engineer has confirmed there are no lot sizes in phase two or three that are less than 0.27 acres. That's the minimum.

**Brian Pattee** – Those phase one lots, they look like they're pretty big.

**Barry Gittleman** – They are. Those are about an acre average lot size.

**John Limburg** – So that's what's bringing your average lot size up. You're including that.

**Barry Gittleman** – That's right. The average for the entire site is all three phases. Yes.

**Rick Barchers** – So the open space is currently slated to be taken care of by the HOA, correct? It's going to benefit the people that live there to turn that over to the city, correct? So how does that benefit the city that you're turning it over to the city?

**Barry Gittleman** – Fair question. So right now, it's just an empty field, a lot of tumbleweeds, and so the maintenance cost for the HOA would be minimal. They would own it. They would have to have insurance on it and then clean up some tumbleweeds every once in a while, but that maintenance cost is pretty minimal.

The benefit to the city would be if we stick with the current plan, there are no pickleball courts, no pavilion, no barbecue, no horse trails, no walking trails, no stormwater pond and no right of way for the future parkway. But the new plan would provide all of those things to the city and the residents, and there wouldn't be a cost to install them to the city, so that's a benefit. But the cost to the city would be the ongoing maintenance after those are dedicated to the city, so you're right in that regard.

**Rick Barchers** – It's kind of like a six of one, half dozen of another. There's a benefit, there's a gain. For your sixes, basically you're wanting to double the density for sixes. That what you're saying?

**Barry Gittleman** – Approximately. Although I would debate whether it's really sixes to the city, because what we're dedicating to the city, I would argue has much more value than your ongoing cost to maintain it. We're talking about hundreds of thousands of dollars for the construction of the trails and the amenities. The value of 94 acres is substantial. And then the ongoing maintenance costs, they're going to be relatively low maintenance costs to maintain the trails and the open space. And really, it's just going to be the ongoing maintenance. I mean, city staff would know better than I would how much it costs to maintain a pickleball court once it's installed, but we would cover that expense for the install.

**Rick Barchers** – Yeah, but I mean you just said the value of 94 acres that you can't build on anyway because it's required as open space, so I don't see how you can claim that as being of value to the city because it's not really a loss to you. And that's okay. It's cool. I mean, I see where you're coming from. I'm just trying to see... And I'm not saying I disagree with this plan.

**Barry Gittleman** – Sure.

**Rick Barchers** – What's this currently zoned?

**Gary Pinkham** – Two and a half acres.

**Barry Gittleman** – It's a zoning that no longer exists in the city code.

**John Limburg** – Are these trails going to be paved? Talking about hundreds of thousands of dollars to build the trails. I mean, are they dirt or are they paved? What's the cost in the trails?

**Barry Gittleman** – We haven't determined or finalized what the trails would be, but when we met with city staff the recommendation was that they'd be sturdy enough that they can be horse trails and walking trails both, multi-use trails, and so that was our plan. But if we pave them, we've heard that that might not be good for the horses and so it would probably be a different material that's good for both horses and walking, which also makes it easier for the city to maintain as well.

**Dan England** – One of the suggestions in the meeting was lime chips to keep the weeds down in the trail area plus keep it soft. Lime chips.

**John Limburg** – What is the future improvement area?

**Brian Pattee** – That's what I was just going to ask.

**Barry Gittleman** – Where is that shown?

**Brian Pattee** – It's not on this one. On this map it says future improvement area, right? Right in the center of that.

**Barry Gittleman** – That's right. The reason that that was part of our discussion with the city staff is that the location of the future parkway, Meadow Lane, is not determined yet. And so originally, we had the regional storm pond for the city up in that area and we moved it further south so that the city now has the flexibility to put that 108 foot right of way for the future Meadow Lane anywhere you want to put it in that whole top half of the 94 acres as it's shown.

**Jaime Topham** – Down on your map is this red line that we think going to be Meadow Lane? That's kind of ideal to get people to the parking area and the pickleball and whatever the future-

**Dan England** – It would end up working out real well. And it ties in with the asphalt road that's along the hillside kind of where it comes down. So, if that's where it comes through, that's where it would all line up as it comes through. So that's kind of the area that looks like where the master plan will be put in.

**Gary Pinkham** – That regional storm retention, under the original plan, that pond was going to be there anyway. Who else is going to be using that pond?

**Dan England** – I keep looking at the hillside, and the hillside development is keeping some drainage ways open that would end up coming to the back side of the Walmart Distribution Center, and they would have overflow that would come under the highway that would have to go through their development, the Desert Edge development, and then possibly coming out across the south end of this area. How it gets from there to there, I don't know.

**Gary Pinkham** – That's my problem right now. We've got a subdivision in the way. We can't water from here to there. The other thing that bothers me is that tan colored area there, down where the open space was. If I'm not mistaken, that's below the level that can be sewerred, so you can't sewer that. The other thing is that all of that open space, the reason it wasn't developed or taken over by the city in the first place is, as Rick mentioned, it's unbuildable, unusable. I mean, it doesn't even grow tumbleweeds on there. I see no reason for the city to take that property off of your hand. And in so doing take on the legal and financial responsibility of what to me has always been and why it wasn't built in the first place, is worthless ground.

**Barry Gittleman** – Well, we're trying to turn what was worthless ground into useful land. And the amenities that could be used by the residents, not just our residents, but any of the citizens of Grantsville that would be open to the public would be a benefit for the area. The regional storm pond would benefit the city, as Dan mentioned. The trails would benefit the public. We're still setting aside... Right now, without trails there, it is kind of wasted land, but with trails for horses and walking, that would be a benefit to the public.

**Gary Pinkham** – Well, there's nothing stopping anybody from walking up there now, or riding a horse up there now.

**Barry Gittleman** – True. They could.

**Gary Pinkham** – So the fact that somebody might go up there and outline a trail across 90 acres that they could walk or ride all over, again, I'm having trouble seeing it has a benefit.

**Barry Gittleman** – Actually, if it is owned by the HOA, then the public would not be able to go walk on it because the HOA would want to put up signs and keep people off of it so that it doesn't become a liability for the residents.

**Gary Pinkham** – I'm kind of thinking that if I were going to go walking somewhere, I wouldn't go down there in that mud hole. I go up on the hill somewhere, and go riding and walking on the uphill side of the highway.

**Barry Gittleman** – That's fair.

**Gary Pinkham** – We've got wetlands there. We've got groundwater problems. We've got nasty sour soil. Like I say, won't grow weeds. I don't see any compelling reason for the city to take possession of that property unless somebody's doing something within the city that we've not been informed of. I can understand the right of way for the road with regards to the future development of the north side of town here. In the past, a two-and-a-half-acre minimum, the 62 lots that you've been granted or your predecessors were granted, is the 62 lots that you would've got under 2.5-acre deal.

**Barry Gittleman** – That's correct.

**Gary Pinkham** – To double that now and go down to one-tenth that size of lot, I mean, drifting so far from what the code permits out here, I'm really having a problem with this. The development that is there now had been granted one acre lots to make up for the fact that this piece was unbuildable. It's been granted the street modification. It's been granted the deletion of sidewalks and a number of other concessions to date, and I'm having trouble coming in and renegotiating all of that now. The potential of us taking on the liability for that chunk of worthless ground.

**Barry Gittleman** – You bring up a good point, sir. And all of the stuff that was done with the previous owner, we don't want to revisit any of that. I mean, we can talk about it if you want to, but that's already been, as you said, discussed, negotiated, and resolved and approved.

**Gary Pinkham** – And the city's made some significant concessions in the process. I'm not seeing why we should make further concessions here.

**Barry Gittleman** – Well as I said, the city approached us and said that the city has a need for the regional storm pond, potentially amenities.

**Gary Pinkham** – Even if half of that pond was under the original scope of the subdivision, we double the site, we're talking another three acres of pond.

**Barry Gittleman** – I think we talked about more than that. More than three acres for the regional pond.

**Dan England** – I don't know what size it would be

**Barry Gittleman** – Not yet.

**Gary Pinkham** – I'm really having trouble seeing where the city, I guess I just don't see the carrot out there for us. Unless you can convince me, you have a carrot. I'm really having trouble with this idea at this point in time.

**Jaime Topham** – I have a different viewpoint than Gary. I don't see it as a useless piece of ground. I have horses. I mean, my friend used to actually lease this ground and run her horses on it and actually attempted to grow alfalfa on it. I don't know how successful she was, but she attempted it. So I understand the ground. I see it as a potential for the community, particularly with the Meadow Lane, Meadowlark, whatever that is going to be. That lane that would go through there eventually could be beneficial to get people into a more open area.

We talk about how rural Grantsville is, but it's becoming way less rural all the time. Todd, love ya, but it makes me sick to watch you put developments on top of all the alfalfa fields I used to get my alfalfa from, and I'm not the only one, right?

Everything's changing in Grantsville. We have to recognize that we're not going to be rural for much longer. This could be an opportunity for the people who want to live less rurally in a rural type environment. There could be some great things down there, like Dimple Dell Park is a great community asset over in Salt Lake that probably the people who originally were around the area thought it was exactly this, an onion, something that couldn't be used. I'm sure it will take time and it will take some effort to make it usable for the community, but I think that is a possibility.

I also agree that I think that the density reduction might be a bit much. I mean, you are going from one acre lots to potentially quarter acre lots and doubling the density down there, so that is a concern for me. I don't know anything about storm drains and storm parks, storm things. That's their department. But that's my overall view. I don't have a huge problem with it, but I think the density's too much

**Gary Pinkham** – By moving that pond down there, knowing we've got a groundwater problem, can we even make a pond down there, Dan? In regards to the soils in the ground that's down there and the wetlands right there, can that be a regional pond?

**John Limburg** – Does it even percolate?

**Dan England** – Yeah, it's probably got really high groundwater out there, especially with the wetlands in that area, so it's not going to necessarily percolate very well. But right now, I don't know what water would even go to get to this site. I haven't been able to study it. I don't see any direct runoff creeks or washes that go toward that area, so I don't know what would end up going to that area. And having a spot to hold it rather than flood. If water does get there, the only thing it would be able to do is just hold the water, not necessarily percolate it very well in that area.

**Brian Pattee** – Was there any stormwater plan for the original phases of this?

**Dan England** – Where the park is, is where they had their basin. You're talking about this area right there. That area right there is where the basin used to be.

**Barry Gittleman** – Yeah.

**John Limburg** – So the one thing I would... On phase two and phase three, you have quarter acre lots on 90% of it, it looks like, and you're not even going to be able to put horses on those lots, so we're talking about doing horse trails, but the only people that are going to be able to put horses on their lots are the people in phase one.

**Gary Pinkham** – Well, they're going to have to be outsiders that truck their horse in there. There will not be a horse in that subdivision, because it won't be code to a distance from there to the house. There's not going to be a horse there. This is not horse property unless you're going to hook onto your trailer and drive there. Like I said, if I'm going to hook on the horse trailer, I'm not going to drive there. I'm going to drive up on the hill.

**Jaime Topham** – How would the people with their horse trailers get down into that area before this eventual lane arrives?

**Barry Gittleman** – The plan for the amenity area did include a parking area that could accommodate trailers as well.

**Jaime Topham** – Right. But how do they actually get there if the Meadowlark or Meadow Land has not been developed

**Barry Gittleman** – Go down through the subdivision.

**Jaime Topham** – It that what you're wanting to have happen. How wide is your subdivision roads?

**Barry Gittleman** – Normal.

**Jaime Topham** – What's normal mean? Are we talking about?

**Dan England** – 66 Feet, 66 foot right of away, which means is 42 feet.

**John Limburg** – I pull my horse trailer all over South Willow.

**Jaime Topham** – Yeah, that's true. As long as nobody's parked on both sides of the road.

**Brian Pattee** – So one other question. That upper north part that's green, above the Meadow lane, is that not part of this proposal or how does that work?

**Barry Gittleman** – It is. So I believe on the copies that you have, Dan has suggested that instead of the right of way being up here at the north end, the right of way be moved down to this section right here. And this northern part of green could still have trails for walking trails and horse trails. It would still be dedicated to the city. The trails would still be installed by us at our expense, but that would all be part of what we dedicate to the city after installing the amenities that are open to the public.

**Rick Barchers** – So Dan, the red line is in the proposed, and not yet approved road plan, and the gray line at the top is what used to be, is that kind of what he's saying?

**Barry Gittleman** – Our civil engineer drew it up here at the north end, thinking that it could go anywhere the city wanted to put it in the open space that we would dedicate to the city. By putting it at the north end. It makes it easier for all the trails to be accessed by the public. But as Dan pointed out, to comply with the city's expected plan, it makes sense to move it further south. And you could still have trails that are open to the public that go on both sides of it.

**Brian Pattee** – Right. Exactly. Thank you. One last question for fire guy. With two exits to this subdivision, as it is with all that added density, is that enough roadway exits out of that area?

**Fire Marshal Jason Smith** – Yep. I'm fine with it for the two that are there.

**Brian Pattee** – Okay, thank you.

**Barry Gittleman** – So you've all had some good questions and comments. I guess our requests would be, are there things that you would like to see us amend into this plan in order to have you comfortable with us coming back to the next meeting and submit the concept plan for requested approval?

**Jaime Topham** – I think the density needs to be different, larger lots in the area.

**Gary Pinkham** – Who wrote this?

**Cavett Eaton** – These are Dan's notes.

**Dan England** – Yes, those are my notes.

**Gary Pinkham** – Someone here has made a mention that changes are being made to sewer in phase one.

**Dan England** – That's correct.

**Gary Pinkham** – And lot changes in the next phase. Why are we changing the sewer from what we originally designed?

**Dan England** – Because where the roads are being located for this redesign, they are sewer-ing phase one through phase two through the future roadways to make it work. They have now submitted to me a redesign where it can stay in phase one and get to the sewer lines. So just making you aware of it that they're making changes so that they can get that higher density through the phase two area, especially to the north of where their phase one is.

**Gary Pinkham** – We're already building on the assumption we're approving this?

**Dan England** – No, what they did was their phase one and phase two, they sewer'd part of phase one through phase two, the roads are changing with this, so they came back and they changed how it was being sewer'd with their phase one. So it doesn't impact whatever phase two does, it can stay as it is or it can change, it'll still work. So it's just noting that.

**Barry Gittleman** – There are two reasons to change the phase one sewer. Number one, there's a more efficient way than what the original plans had. So we're going with a more efficient plan that

doesn't go through phase two and that will allow us to complete all of the sewer for phase one with no work being done in phase two, regardless of whether you approve any changes or not. The other advantage is that if we do agree upon some changes with your approval and the city council's approval in phase two, then nothing needs to change for the phase one sewer because they're independent and they weren't in the original plan.

**Gary Pinkham** – Are we changing the sewer here in such a way it's impact what happens on the uphill side of Old Lincoln?

**Dan England** – No, no. These plots in here, were being sewerred up and around through this area. And what they did was they just put a manhole in this area and brought it back here and lowered the sewer so that they could make it all flow this direction.

**Gary Pinkham** – Okay.

**Brian Pattee** – Where does the sewer flow?

**Dan England** – I think this is the easement for the sewer, the easement through Christensen. Comes down here. It ties in to Walmart distribution main.

**Gary Pinkham** – And the sewer that went north and south through the gray area. On the north, that was so shallow in one of their proposals that it was a foot or two above the water line and all of those, there were nine lots if I remember right on that corner. It all had to have lift stations on. If we go further down the hill into that new brown area with the small, we're going to be underneath the sewer line. That can't be sewer.

**Barry Gittleman** – We do expect that we would still want to build basements. Grantsville home buyers want a basement, but we expect that many of the homes in phase three and the north end of phase one would require a pump in the basement.

**Dan England** – What's groundwater depth in this area?

**Barry Gittleman** – I don't know, off the top of my head.

**Gary Pinkham** – What about basement's in the wetlands?

**Dan England** – About six foot. Nicole says. So you have a very shallow basement.

**Barry Gittleman** – Yes, and there may be some of them where we can't accommodate a basement, but we expect that most of them we would be able to do it and many of them would need sump pump in the basement.

**John Limburg** – Our code calls for, it can't be anything less than a half-acre, right?

**Gary Pinkham** – No, two and a half. They are zoned RR-2.5. If it's RR-1, it can't be less than 43,560 square feet.

**Dan England** – Well what they had done is they had taken two and a half acres over the whole property and said, so we don't have to build on this area. We'll take all those, combine it down to this.



They got the same number of lots that would've been two and a half acres over the whole thing. They've just made them one acre lots and condensed down to that smaller area.

**Rick Barchers** – If they're building on the brown area now, shouldn't they be no bigger lots?

**Gary Pinkham** – No, the brown area was originally undeveloped, along with the green. That was as I thought, as I recall, it was supposed to be put into a conservation set aside or something.

**Barry Gittleman** – The mayor mentioned that when we spoke with him also, but there was no requirement that it be placed into a conservation easement. It was in the original agreement that it would be open space owned by the HOA.

**Jaime Topham** – Rick, are you talking about the brown or are you talking about the grayed-out area?

**Rick Barchers** – The gray out area is already approved and being built. It's not part of a discussion. I'm talking about this brown area.

**Brian Pattee** – This here has been approved, but they want to change the density.

**Rick Barchers** – But it was previously use to determine the density of the other area, right? So you're wanting to change smaller lot sizes.

**Barry Gittleman** – Correct.

**Rick Barchers** – This was originally city dedicated land.

**Barry Gittleman** – That was HOA open space.

**Rick Barchers** – Well I understand, so you're asking to double density this and add this in exchange for this? Is that where we're going?

**Barry Gittleman** – We're not doubling density in phase two, but we're increasing density in phase two. Everything else you said is correct.

**Brian Pattee** – Shay, you have something I believe.

**Shay Shark** – What I was just going to point out, we used to have an ordinance. This one came in under a conservation subdivision. When this was brought in, and we're now on the third group of people here with this. This was originally brought in with Adam Nash many, many, many years ago. And then it went through Mountain Vista with Derek Ellis. And then these people, I'm assuming who purchased it from Amber or maybe there was somebody in between.

**Barry Gittleman** – One more. To Adam Nash to Mountain Vista, to Colin Wright to us.

**Shay Shark** – And we're on four. Okay, well the third one at least I'm not aware of didn't talk to us. I only know a three now. So as a conservation subdivision, as it was said, this is zone RR2.5, but the idea of the conservation subdivision was they went through, they jumped through a whole bunch of hoops. They looked at the land, determined the areas that were wetlands, the areas that couldn't be built on. All this was studied out. Ultimately, we went through a calculation that was this big monster

spreadsheet that basically in the end kicked them out with essentially the same number of lots at a roughly one-acre lot. It could have been less lots. I mean there were so many factors that were going into it. That's hence why the city got rid of it because it was unwieldy and it took years to determine and get final approval on it.

But with that, so there were a couple options here with that land because it needed to just stay as open space. I think what probably happened, because I know that there were discussions about it going into a conservation easement, but I think what probably happened was Derek came back in and you'll remember this was renamed Remington Estates and then it went back to Worthington. It bounced around there and when Derek came in, he came in first and asked the city. He had his architect design a park in that area and asked the city if they wanted that land and showed them this parkway out. And one of the roads was, if I remember right, it was going to be widened so it would be an entrance into the city park. And the city at that time came back and said, "No thank you. We don't want it."

That was thrown out. Then he came back and he said, "Well okay, I want to name it Remington Estates. I want to do a shooting range up in the north part of it. We're going to have some sort of an arena and some areas that, I guess fence stop areas that people could keep their horses down in there. We're going to have a spot where people can store their trailers or RVs down there for the people who are in the HOA." So those are the amenities that they would have inside that HOA and a nebulous space in the middle. It was going to be where they could ride horses, they could ride their four wheelers or whatever they wanted to do.

I'm just guessing with this, but I think when it went to that option of well we're going to provide amenities that the idea of the conservation easement and because there would be a trust associated with conservation easement to maintain it, I think that went away and the HOA replaced that as part of that final approval.

Because of that, I was asking Brett about this earlier just because my mind's kind of foggy on where that all went over so much time, but we don't have anything on the plat that specifically says that that is preserved in perpetuity. But we do have in the agreement that it is preserved as open space. But the idea of the change in the wording was to be able to allow them to be able to put amenities in there and allow it as useful space for the HOA.

**Gary Pinkham** – But remain open.

**Shay Stark** – Yeah.

**Gary Pinkham** – I remember they brought the plan for a park in which was a single sheet of drawings, but it didn't bring any offer to contribute to it. So we sat there and said, "Well wait a minute, that's a really nice plan, but who's going to put the 10 or 15 million bucks in the bucket to go do that?" And Grantsville City said "No, we're not going to take this piece of ground because we can't build on it. We can't do anything with, and we're not going to spend 10 or 15 million to haul in top soil so we try to build something up."

It was left in open space and with that conservation development type deal, the density was moved up to the upper half and the bottom half was not to be developed. What's the point of us making deals with anybody if the next guy can come along and change it all?

**Barry Gittleman** – We're not asking to change anything without getting something in return.

**Gary Pinkham** – But again, I don't know. You're building a number of units. You're getting out of an HOA. You're getting rid of the albatross down there and that lake bottom flat spot for a couple of pickle ball courts.

**Barry Gittleman** – You want more pickle ball courts?

**Brian Pattee** – All right, let's give him ideas on what we want. If the density doesn't tell him it's quarter acre lots. Do we say we want a minimum, a third acre lots or what?

**Jaime Topham** – Yeah, I mean it's got to be higher density. Of course you got to decide if that makes financial sense to you. But I think there's too much density and I think Gary's got a point about putting all that housing that's in the well, I'm going to call orange on that screen down there in that basin.

**Barry Gittleman** – If the city wants to say that minimum third acre lots and not quarter acre. Quarter acre lots are too small. We could have the civil engineer go redraw the site. We're probably losing 20 to 30 lots out of this current proposal. And we may still be able to make that work depending on the extent of do you want two pickle ball courts or 50 pickle ball courts? Do you want one mile of trails for multi-use or do you want 10 miles of trails? But we're certainly open to having that discussion.

**Brian Pattee** – I think there's some flexibility too with the trails. I mean we've talked about a lot of money to asphalt the trail, but it's a lot cheaper to just have a gravel trail and maybe that works better with horses. I don't know. Then the other thing for maybe the city staff or whatever is we're going to have to maintain those trails in that area. We're going to have to plow them. You can't plow gravel very good around here when you do have to plow the snow, right? You wouldn't plow it. Any other comments from the commission? Are we hung up a little bit on the density?

**Barry Gittleman** – We're open to saying minimum one third acre lot instead of quarter acre lot size.

**Rick Barchers** – No, no. I do have one question. The rest of this had no sidewalks. Right? Are you coming in with no sidewalks on this too or am I wrong?

**Barry Gittleman** – I don't remember whether we were one side or both, but we weren't suggesting any changes to what's already in place there. Is it nine or is it one side of the street you were asking?

**Rick Barchers** – Well, I would rather see consistency. I would. What are you thinking minimum lot size, Jamie, half? John what are you talking.

**John Limburg** – I kind of feel like I'm talking off both sides of my mouth because I say on one side we need apartments and affordable housing and then, but I don't want, also, I drive up old Mormon trail and see those homes five feet from each other and that's not Grantsville.

**Jaime Topham** – Yeah, this isn't a property that would be amenable to apartments or anything and they're not in U. So that's a big difference. But it was more rural. But now we're also talking about the development kind of bayou is going to be half acre, one-acre lot. So that falls place and then across the street, I don't know what that is going to be, but I don't want to see that and do not want to see that on your land. What's going to maybe eventually be across the street is not what I want to see in your property.

**Barry Gittleman** – I think I forgot to mention this, but one of the other things we'd have this civil engineer do is keep the lots that are on Old Lincoln Highway larger than the rest of phase two so that when people come up to the subdivision, they're seeing larger lots and larger homes along that main road. We could certainly incorporate that into the plan that anything along Old Lincoln Highway right now, everything along the southern property line is already in phase one and those are all larger lots as well. So pretty much the perimeter would remain larger lots and larger homes when people approach the subdivision.

**Brian Pattee** – I'm just trying to keep it simple. I like you trying to do the minimum third acre lot. The rest of it, to me, I like it. I'm comfortable with it and I like the idea that we have the flexibility with that Meadow lane Future road and Dan, if that ever gets put in, you could put a big storm water pipe down that road and dump it into that pond right there. So those are just things you can think about down the road.

**Gary Pinkham** – Well the only thing is the ground immediately above the Old Lincoln's going to take care of its own water. And the ground immediately above that is the Walmart. They're taking care of their own water.

**Brian Pattee** – There's a lot open ground out there that's going to need to go somewhere. And if we regionalize, yeah, we're going to have huge pipes for storm water. Any other, this is the time to tell him what we're thinking, how we feel.

**Barry Gittleman** – We appreciate all the feedback and if we can get with our civil engineer to incorporate your changes into it, would the timing be right to come back to the next meeting?

**Jaime Topham** – Still as a concept? I think as a concept. Yeah.

**Nicole** – I kind of agree with the council. The bigger lots would be better just because I appreciate our rural town.

**John Limburg** – On the Old Lincoln highway, as long as none of those driveway's coming out on the Old Lincoln.

**Barry Gittleman** – No, they're all internal to the subdivision.

**Nicole** – I don't know if it's appropriate for me to bring this up now or not, but you know the pending issue with my dad.

**Barry Gittleman** – That is fine. We can talk about that. We've spoken with Nicole and her father Bud about Bud's property is here just where the easements are for the sewer to the south of us. And he has requested if we could deed a sliver of land along that south property line to him. We've been talking about maybe 25 feet wide. Our concern is that that might be somewhere between half an acre or an acre. And we don't want planning commission and city council to say, "Well, you get five fewer lots because you just gave up another acre."

But we've told Bud and Nicole that we're open to discussing that. And we actually have a meeting with the mayor Monday afternoon that's scheduled now to discuss that. But our thought would be we would go through this approval process the way that you normally do it and have an agreement that

we will continue to discuss with the city and the mayor and Bud of potentially dedicating a portion of our land throughout this process to Bud. And we just want to be open and make sure everyone's aware of that. Does that cover it accurately?

**Nicole** – For agricultural use? We have a growing an apiary and we run a cow herd and then that's what it would be for.

**Brian Pattee** – So that would be where this wetland? That's just along that south edge?

**Barry Gittleman** – Correct. We just want to be open with the city and with Bud and Nicole that we're trying to work cooperatively with everyone for the benefit of the public. Okay. Thanks for your time everyone.

## **7. Discussion of Concept Plan for The Highlands**

Guy Haskell was present to represent all the companies

**Guy Haskell** – Hello, I'm Guy Haskell. I don't know whose names are on the actual application, but I represent all the companies that might be. There's a holding company that holds a land and a development company and a home building company, but I represent them all. Can answer questions for any of them.

What we're looking at doing here is trying to find some kind of a macro plan to move forward on this. Right now, over the past four phases, we've been doing 25 lots at a time because that's what the requirement had been. When we started, this was 25 lots. If you look at this, if we developed 25 lots in this thing year after year, it'd take 80 years to get through this project. We need to have some kind of a plan. My plan is for me personally, probably to build probably up to 50 homes a year depending on the market. We'll probably end up selling some of this to some other people with some other product types that are helpful to move through it. I'm still thinking it's going to take 15 or 20 years to get through it.

With that in mind, we need to have some kind of a plan on how things are going to move forward. For instance, the area number three right there, I would like to see all of that to just be single family with no HOA and so have no open space with them. They're just single-family homes, but have a bigger area of open space somewhere else. The city's probably not going to want me to move forward in working areas continuing phases in phase three. Phase three's is where I've started now, but the city's not going to want to move forward unless they can see a plan for where the open space is going to be. My preference would be to have where there's some multi-family townhouses and such, they'd have their own open space, but have a bigger open space that's open to all the public, not just this project but another. In area four for instance, I would like to see a big 10 acre park that ends up being a public park. The other areas in there other than three, having their own private open space with an HOA.

Finding the best way to come about what the city wants and what I feel the project needs and just come into some kind of agreement that works best for everyone is what I'm trying to do here.

**Jaime Topham** – So Guy, have you talked to the people who just came, Sean Johnson and their project that they're kind of trying to kick off? I'm guessing no. They just brought this to us earlier tonight and your property is right here. This might be an ideal conversation for you two to have.

**Guy Haskell** – We meet with them on that west side development group that meets once a month and goes over these different projects. We're trying to talk with each other and find plans and master roadways and stuff that fit and work together.

**Jaime Topham** – What you said about your plan, if you could get with them that particular group and see if there's a way to make your two pieces congruent because with your A3 and kind of what their plan would be in that area, those wouldn't be congruent right now. That's not to say that you have to do that, but it might be beneficial.

**Guy Haskell** – We had some discussions with them and the city's had some discussions. For instance, we've brought in some plans that shows this whole thing in lots and units. I think you've seen it at the last meeting we brought in. We've kind of scaled it back here, not to show individual lots and sizes. Knowing this is going to take some time and not knowing what the market changes is and okay, this is what we're going to do in this area, but we don't know today what the market's going to be like 10, 15 years down the road and we might be doing, so let's just get this kind of thing in place. Part of that was in area three was have an adequate road stubbing into them to continue on.

Another thing that I would like to do is that area four is you see that road that goes around all of area four, I had planned on a walking trail right there that actually had a wide space of open space before the trail and that open space would be like a dry stream bed that we're going to be used for storm retention, but it would look like an amenity. It's a dry stream bed with rocks and stuff, but it'd be used as for storm retention along the side of the walking trail and then, so that none of the homes had problems with driveways over this, all the homes that were facing that were going to be entering from the other side of that road so that big walking trail that people go across wouldn't have any driveways to conflict with people that are walking and they could ride their bikes fast along there without worry about cars backing onto it. It's those kinds of things on a more macro level that I think we're looking for in a master development agreement to kind of handle the whole project and whatever feedback the city has, I want to take a look at and see if we can make it a positive thing.

**Rick Barchers** – What's it zoned?

**Guy Haskell** – RM-7 seven.

**Jaime Topham** – This whole thing is RM seven.

**Guy Haskell** – It is, yeah and that wasn't the zoning that I rezoned, that was what I purchased at.

**Gary Pinkham** – We're to discuss what? This plan or the development agreement?

**Guy Haskell** – They go hand in hand. This plan is what we're looking at, but the development agreement has some things in it too.

**Gary Pinkham** – Let me address this plan right here, first of all. We're in the RM-7 zone, which has a maximum density of seven units per acre based on the lot sizing launch. If I look at layout in a single-family situation for a city block, that would give us the maximum utilization of the ground, we're going to get about 5.45 lots per acre out of there because of the 10,000 square foot lot requirement and so on. If you look at the ground that's being used for streets for that, we're losing about 29% of the gross area just to the streets. We also have 10-acre open space dedication, so we're

losing 39% of the ground gross area which means we can't get the kind of density you're talking about per the code.

I'm coming up, if I look at the code for the various areas there, I'm coming up 1034 lots permitted here. You're looking for 2100 lots, which is more than double with the code allows. And I haven't factored in retention basins, which are going to take away even some more lots. I would say without allowing for retention basins or anything else, I'm at about 5.45 lots per acre. I'm guessing your 4.24 in area 3 is what you're currently averaging? This is your retention basins and stuff in the areas that you've already built out? Somewhere between 4.24 and 5.4 is the maximum you're going to get in area 3. The 630 lots is based on a gross area. If we take out the streets in the open area, we're down to 402. In area 2, which has got a 7 unit per acre maximum. If we take out again the open space and streets, we're down to 128 units there in lieu of the 400. In area 4, which I believe you're looking at multi-family again because of your 9.4 for the proposed units there. Again, taking up the streets and the open space, we're down to 540 units in there.

I think the density is grossly overstated, which when we get into the planned unit development, and we get down to, I think it's 1.18 where it says maximum residential units will be 2096, that needs to be revised downwards to somewhere around a thousand in order to meet what the code permits, or allows. Probably one of the biggest issues, but there were a number of others. To start off, I think we've got a 2022 date in the opening sentence there. We need to correct the date.

On 2.1, 2.3, there's a whole lot of things that don't match our code that we would need to address. With regards to open space, you're looking for waivers and a revised version of open space and I don't know who Steve McCutchen is, but in this thing that he did, you're wanting to put the stormwater basin into the open space but also up above you're saying that that's going to be a park, but you're going to do it as a low intensity development with minimal grading and native plants, cheat grass and knapweed. I don't see that as a park. I am just really having a lot of problems with this master agreement the way it's drafted. The other part of the open spaces that you want permission not to build any of it now, on a subdivision by subdivision, or piece by piece basis, but if nothing in there says when it will be built. If you're talking 50 units a year out there, we're talking 20 years. This open space isn't going to get built for 20 years when you decide to walk away from it, hell, you'll be dead by then, so will I.

The same thing with the utilities. You're saying that you're only going to size and build the utilities on the individual subdivision component and that as this thing grows, if the off-sites don't support it, you're looking to the city to pay and install those off-sites to up-size to cover your development? I've really got a serious problem with a lot of the components in this land use plan as to how and when some of stuff's going to happen, if you can pay for it. I think internally here, we as a staff, probably need to sit down and go through this proposed agreement and maybe change some of the provisions or at least make some proposed changes to it.

**Guy Haskell** – Would you like me to comment?

**Gary Pinkham** – Go ahead.

**Guy Haskell** – There's some good things in there that are really important and that's why if our project decides we need to sit down and work them out and I don't always see your side of the picture. Learning some of the things that are there, there are some things we might need to sit down with and determine what they mean in the ordinance. There's some real differences that as I've talked

to Steve McCutchen, who's the land planner, and then my attorney who's drafted the MDA, have on their interpretation of the code versus the interpretation that you are given Maybe some of those things need to be worked out maybe in a work meeting separate from one of these. I don't know how you want to go forward, but I do know there's issues that we want to make sure, work for everybody.

**Gary Pinkham** – Yeah, well I think we internally need to figure out some of these things. I mentioned some stuff Dan earlier today that caught him by surprise. For instance, the offsite requirement of the city to furnish and up-size utility for you and then also the timing issue on the open space. If we're going to wait 20 years to see the amenities and the open space and things like that provided to this community, I'm not sure why we're wasting our time talking about open space.

**Guy Haskell** – What does the city want? I mean do they want a bunch of small open spaces or would they rather have a big 10-acre park?

**Gary Pinkham** – I don't have a problem with having a big 10-acre park, but I'm not willing to wait 20 years to see it. Not knowing what the market is going to do or the economy to doesn't change and a few other things, we might be looking at 30 or 40 years here.

**Guy Haskell** – As for the economy, that was one of my big questions. Maybe the land for the park needs to dedicated now. How do we satisfy the city on a park area if we don't have it?

**Rick Barchers** – One of the things that I would like to bring up on the park issue is, this is just my personal viewpoint. If you put one park in this, in the middle of it, some of these kids are going to have to go quite a distance to get to that park. For me personally, I don't want to see 30 of them in there, but if it was broken down a little bit, maybe that would solve the issue of who's going to build the amenities when, just an idea. I don't know how other people feel about that. I don't know how the maintenance crew feels about it or anything like that, but I mean you could maybe put three or a couple in there and not wait till the very end and put one giant one in, does that make sense?

**Guy Haskell** – That that is possible. We did have a work meeting with the city council, just a discussion item and one of the things they said is if it's a city park and a public park, they didn't want anything under 10 acres and so putting in smaller parks that wouldn't really work for it. We were trying to get something big enough that they could put soccer fields or lacrosse or baseball or whatever it's in there and that people could really use.

**Rick Barchers** – Well it's 300 gross acres, you're figuring its 10 acres?

**Guy Haskell** – Well, that's 10 acres that's public. There would be private parks also.

**Rick Barchers** – Okay.

**Guy Haskell** – In area 3, I didn't want any private parks in area three because I was all single family. I didn't want to have an HOA for those guys to have to worry about and an extra expense of it, but the other areas all have their own private open space.

**Jaime Topham** – What size are the lots in area three?



**Guy Haskell** – The area three is the, pretty much the same as I'm doing right now, which are the 7,000-foot lots, which with just 7,000 square foot lots under the ordinance, we can just do those without a PUD or anything, that's just what they're zoned for.

**Gary Pinkham** – What he's done to date in this area right here, meets code. Like I say, it's probably averaging by meeting code 4.24 per gross acre.

**Jaime Topham** – But you're talking about 630 houses with no parks on only 7,000 square foot lots.

**Guy Haskell** – But they'd have it right there in area four, is we're planning on a 10 acre park. It would be really usable. The people don't want a private park. These lots and these people we're looking at... I'm trying to be the best looking, nicest, affordable housing out there and affordability is getting to be a problem and these guys do not want to have the extra expense of a park or have to deal with an HOA, but they would like to have a public park that they could go to and if they have to drive a couple blocks or walk a couple blocks to it's not a problem. That's common everywhere.

**Brian Pattee** – So to Gary's point, I mean to put in a 10-acre park, that's great, but it's like it can't be 10 years down the road. Honestly it really can't be five years down the road and it's just like we've been talking about to putting this stuff off and even storm water, it's like we need those things built first in the first phase. I mean literally before... We can't wait till there's no water pressure to go, "Oh, maybe we should have put the tank up on the mountain in Phase 1 instead of Phase 8 or 9 or 10," and so I just... There's got to be something and you're not... This is something that we as the city have to figure out.

**Guy Haskell** – And that's the same thing I've been telling my land planner attorney, I said "The city's not going to be happy all these are coming here and them not know what's coming. We need to find some way that whether it's with this master plan, it's recorded, there's a 10-acre park that's planned or maybe it's even deed to the city up front so they know they've got it coming." I don't know the answer to that but I know those are questions that need to be answered.

**Brian Pattee** – I feel bad that it comes to a point where you have to come before us in a public hearing to discuss something that should be more black and white way before it gets to this point and that's for all you staff. We beat this dead dog every meeting. We drag it out and we beat it. I'm sorry, I don't have an answer for it. We can't have 10 phases of a project and all the amenities done down the road, they've got to be, if we're going to take on a 10-acre park, that's going to be the city's. Well, there's got to be something figured out up front. It's just got to be that way.

**Guy Haskell** – Yeah, I agree. I stayed after and the last meeting you had, I was on Zoom with. I think you were talking with one of the other guys that's doing this development. It's just in between the two highways there and he's doing townhouses and one of your comments was, "How come no one's doing apartments? They're just doing townhouses. We need some apartments," and I do have some planned in areas too and maybe the next thing I do is go into them because they will have a lot of open space, but the problem with them just having open space, they're going to want their own open space. We don't want to really put the people in area 3 into the open space for some apartments. So how do you deal with that?

So that's why I think we got to really need to have some public open space that people can go to, not just from here but from other places. And what's the city's needs? Is the city's needs to have some soccer fields or lacrosse fields and is this a good location? Should we put them there or is it

somewhere else? Those are things that I don't know that side of but I'd like to work with you to try to make it the best we can.

**Brian Pattee** – Well, we don't necessarily know it either. I don't know who our parks people are. I don't hear any feedback from them. In fact, we get a lot of this information... You've already talked to the council about this is the first time we've looked at this so.

**Jaime Topham** – Okay, help me out here. You're already building on this; how did that happen? I'm sure I was a part of it, but that was many, many moons ago. Remind me how we got to where we are and why we haven't already master planned this?

**Guy Haskell** – Well we did a concept plan on a certain area when I first came in here, I had like 44 acres and I got a concept plan on that 44 acres before we even started developing that. I bought the rest of the ground for the 300 acres. I had to go back and reduce some of that master plan to up-size some of the lines for the sewer and the water. Everything that's going out of Phase 3 has been up-sized for this project. There is one kink. My sewer comes out right here and I've up-sized that sewer into a 10-inch line. Down here in this Silver Fox subdivision, that's an eight-inch line and that eight-inch line will not handle this entire project.

Either for size or for depth because where it comes up into to a highway 138, it wasn't deep enough to be able to sewer this whole project. I had a sewer line drawn up for my engineer. They surveyed in topography, cleared down to Mack Canyon Road, figured out what depths we'd have to have and I actually went back into the Silver Fox subdivision on that first road and I dug the road up, went down to the manhole inside of there and brought that deeper. So that manhole where it comes across the highway there was 20 feet deep. And from where I went down that main road into the Silver Fox subdivision that's all upsized to the size to handle this.

I also got an agreement recorded with the property owner just on the other side of Silver Fox saying that they had to tie in that line, the eight-inch line in Silver Fox to the Walmart line with the same 10-inch line which handles this project. The only kink on the sewer right now, is that little strip of road in the Silver Fox subdivision. I've got a 10-inch line there and I've got it recorded, a 10-inch line has to go out, which you guys need to be aware of and those guys bring their development in that that is recorded against the property that they have to bring that line. There is a kink in between there of the sewer line. The water on this project, the water pressure that we have right now, without another tank further up the hill or possibly linking this with another pressure area, because I'm in one of the lower pressure areas for water. Shay probably knows, but I think I'm in the lowest pressure area.

**Shay Stark** – Right now you're in the lowest pressure area, but the land is actually in a pressure zone above that but it's working right now.

**Guy Haskell** – Do we need another tower tank up the hill or can we tie in on the other side of Mack Canyon Road or that project is there, which is in a higher-pressure area and would that solve the problem? Those are things, but right now I can develop about halfway up that property with the pressure zone that I'm in and then something has to happen before we can move forward. So those are the kind of issues that need to be worked out and we all need to understand.

**Jaime Topham** – Okay, so... Got to give me more information but it didn't really answer my question. How are you developing 44 lots or... Yeah, 44 acres, did we do a subdivision plan?

**Guy Haskell** – Yeah, we did. We did a concept plan for that first piece. We've done each of the subdivisions. I mean there was 144 lots in there. There was six phases originally, we've got four in, but now the ordinance has changed, we can do more. I've combined the last two phases into one which is 44. Those have preliminary approval and I'm turning in my final plot application on the last part of that.

**Jaime Topham** – And those are included in the yellow area?

**Guy Haskell** – Correct.

**Mayor Critchlow** – That is phase five, how that ended up on that paper, I have no idea, but you have more. It's like quarter acre lots in here, right Guy?

**Guy Haskell** – They're all 7,000 foot minimum, but some of them when you get the cul-de-sacs or some corner lots and stuff, they're bigger than that. There's some like this phase five, I think the biggest one on my application is like 17,000 square feet, but 7,000 is the minimum.

**Jaime Topham** – Okay, so I got that, I understand now. What we're talking about this whole. The rest of this is a new development that now you're asking us to help master plan to bring in and you need to know what water you need and all that, is that right?

**Guy Haskell** – Yeah, yeah. Yep. I'm just trying to get a master development agreement that shows this is the whole project, how can we plan this overall thing so that we don't do it a bit at a time and then look back and say "Whoops, we should have done something different."

**Jaime Topham** – Okay, got it. We are way ahead of ourselves dealing even a written legal agreement, in my opinion. Way ahead of ourselves. They don't even need the written agreement just yet because you have a lot of other questions you got to answer. Sounds like the water is the biggest one, the pressure zone, right?

**Guy Haskell** – Well, I don't think it is because we can only develop so far until something else has to be done.

**Jaime Topham** – Well, but that's kind of anti what you just said. You're wanting to try and plan ahead so we do it all right and we're not building so far and then, "Oh crap, we should have but we didn't."

**Guy Haskell** – That's just one element. I mean we still got to figure out parks and open space and where you're going to have higher density and where you're going to lower density.

**Jaime Topham** – Right, and parks and space and all that's not going to matter at all if you can't develop any of it because we don't have the water, right? We need to start with the first part, which is probably the biggest part is the water. How are you going to address the water for this whole plan and then plan from there coming and bringing us yellow, orange and brown and red doesn't mean anything if we don't know the rest of those components.

**Guy Haskell** – Well and the water tank issue, when's it going to come along? I mean it might be 5 or 10 years before we need it. Well we also, we just need to have some kind of a plan on how that's going to progress.

**Jaime Topham** – We were just talking to Sean Johnson six o'clock hour and they were talking about the needs for a big water tank and how that's going to happen and which is why I said maybe you should be having some conversations with them because it sounds like these two developments are going to try to getting kicked started at the same time and then you told me that you actually go to meetings with them. I don't know what this West Bench Group is.

**Dan England** – Yeah, it's the West Bank... Basically I tried to get all the property owners up there and monthly we have an update meeting of what's happening with the study that's taking place along that West Bank and so we try to keep them all updated. The study is going to answer a lot of those questions that you have. Especially, they're trying to map out where things will work the best as far as where those commercial areas or apartments or whatever will work, and then also where the main roads are, where the utilities at, what size they need to be, those type of things will all come through that study. That is a couple... At least a couple of months out still.

**Jaime Topham** – I guess Guy, my answer is, I can't give you a direction of whether this yellow, orange and brown and red the way it's laid out is going work for us or not, A) because there's hardly any detail, but B) because it sounds like there's a whole lot of other things that need to be addressed. If you came with a more laid out plan then maybe we can give you a better direction.

**Guy Haskell** – Well there's certain things that I can address and certain things that I can't and I'm trying to address everything that I can. One of them is, I know I can develop so far before there's a water issue, but I can't single-handedly solve the water issue, but I can know that I can get to that far before something has to be handled.

**Brian Pattee** – Well when we get complaints all summer long from people in brand new subdivisions because it was phased and some line wasn't connected, that they don't have any water pressure in a brand-new subdivision, in a brand-new house, that is disturbing as heck to me and that's inexcusable. Whoever is responsible, I don't know who it is, but we can't have that happen and that happened this summer. Why? And what if the fireman gentleman needs some water out of a hydrant and he's at the upper end of his zone, and we're just right on the edge with split that hair and he doesn't have any water to fight a fire. Someone's house burn down, someone gets killed. We can't have that. The thing I get so disturbed with this because this all should be figured out by you people before it ever gets to us. Anybody disagree with that?

**Jaime Topham** – I don't disagree with that.

**Brian Pattee** – This needs to be figured out. Not we're not city staff that figures all this out.

**Gary Pinkham** – At least the development Dan's got going, is going to do a lot of that for... It's going to lay out the what do you call, West Bench, basically everything above the highway. Actually, it's more than that, but it's going to address water, have some suggestions on where maybe we need put water tanks, we need possibly to drill more wells, where we're going to put those to get the water from the wells up to those tanks. We may need booster pumping stations.

A lot of that is going to be addressed in this West Bench plan that's been going on since about the time that Dan got here. He saw a need for that right off, and it includes traffic and by West Bank, I mean we're talking going all the way down to the military boundary. It's the entire west half of town.

It's going to include some regional discussions on storm drainage that I've been pressing on for 15 years. As we get up on that side, we got all these washes and with the storm we've got right now, if it stays long and rains harder, we're going to have flooding on the west side of town because we don't and we haven't made any plans in here right now to take care of that water.

This West Bench program is working on addressing that and until that gets done, we're a little bit working in the dark here. As far as what Guy's presenting here, this colored map in general says, "This is what I'd like to do in these areas," and he's not providing any specifics with regards to street layout or sizing anything else. The master development agreement would be, "Okay, within this area this is what you can do and how you can time it with regards to the development of it," which is what's in the document over here. I think my problem with that is we need to be more specific and add timelines to some of those areas and maybe correct a few of those things so that he can take that then and apply it to here and go into the design phase here of laying out roads and stuff like that.

**Guy Haskell** – We do have a plan that's laid that out and it has been presented to this body, we've gone to the city council first. I wasn't at the meeting, I wasn't able to be here, but Steve McCutchen and my attorney came to that meeting and they presented to this planning commission, the one that had all the details and all the lots and all the stuff on it. That was done a few months ago and they came back from that meeting saying this is going to be a long-term project having this much detail on here, we came away from the meeting thinking we need to do more of a bubble diagram. I've done that based upon what they told me.

**Gary Pinkham** – Was that plan that they brought you here a couple of months ago?

**Guy Haskell** – Yeah.

**Gary Pinkham** – Okay, that concept plan is no different than this.

**Guy Haskell** – It's the same thing. Yeah, it just had all the extra detail on it.

**Gary Pinkham** – And until we iron some of the issues that we brought up here this evening, on density and a few other things. I think with regards to the development agreement, if we could address the issues we brought up tonight and maybe get the development agreement in a better shape, we can get that into place, which will then tell you how you go about doing the rest of it, the design phase.

**Guy Haskell** – Yeah and maybe the density is one of the first things to start with because your interpretation of the city code versus the people I've hired to do this are vastly different.

**Gary Pinkham** – It'll drive your design, no doubt.

**Guy Haskell** – Yeah, it does drive the design.

**Gary Pinkham** – I mean if we cut the number of houses in half, the infrastructure, I mean including the off-sites, do you need a 14-inch sewer or do you need an 18-inch sewer? There is a big difference between a thousand homes and 2000.

**Jaime Topham** – We can't do a master agreement until we have those answers. This is how we got in trouble somewhere else.

**Rick Barchers** – Dan, does that come up against the, in how we interpret it, does that come up on the West Bank meetings? Does that come up at all?

**Dan England** – Yes. They're doing these bubble areas on the master plan. You can go on the website and see it. Those are concepts. They're adjusting those based off the comments that they get. Once we have that, they will put numbers to it to figure out densities and how much flow is needed, how much water demand is going to be needed, where the roads are going to go. All that stuff comes out of that West Bank plan.

The problem that we have, to answer your question, I agree that those things need to be addressed before they come here. However, we can't stop people from moving forward with projects because there's no moratorium. There's a lot of reasons we don't necessarily want to have a moratorium. We need these answers to be able to answer their questions, and they're trying to move forward before we get those answers. I don't have answers to give them. I'm hoping that you guys can give general direction to them that I don't know what you guys want as the city. That's why you're getting some of these now is because we don't want them to go through and spend a lot of money to do a design that all of a sudden, "This is a stupid idea. Why did we ever get to this point," after we've made them spend all that money? At this point, it's a concept. We can make huge changes to projects without them spending a lot of money. We're looking for general big ideas of what you guys think is good for the city.

**Rick Barchers** – I guess maybe I need to ask Shay or Brett; do you think that his interpretation of the density is off? Because this is two times or half or however you want to interpret it. So how is our code reading? Is Gary in the ballpark?

**Shay Stark** – I think there's a couple of things we need to realize here and one of those, I saw what was in Gary's notes and based on what we're seeing in the existing development for single family, I think we have a good handle on that. The density, the way it's set up, it's not 7 units per acre per single family. It's a minimum of 7000 square foot lot. That's what's called out for single family. That's what he's doing right now and that's why his project, like he said, he could go forward with it with single family lots throughout this project and meet the code. Realistically, he's getting somewhere between four or five lots per acre with that when you pull your roads and those things out of there.

Now the one thing that's new on that from when he started this with that first project is we brought this concept of open space into the code. Originally all this open space was done under the conservation subdivision. It wasn't required as part of the other subdivisions. That has changed and that's going to affect that.

As far as the other types of residential, I need to know what those types of residential are because an apartment under this, there's a certain number of units per acre that they can have with an apartment. Then we go to, for instance townhouses. Townhouses talk about essentially a certain amount of square footage that needs to be in land. The townhouse itself is not, when it says 4000 square feet per unit, that's not saying that that townhouse has to be 4000 square feet. That's not what it's saying. It's saying that there should be that amount of land set aside for each one of those townhouse units. What that essentially becomes is a green space. You're going to have visitor parking that's going to be inside of that. It addresses several other issues, you probably have a clubhouse. You'll probably have top lots or some amenities for those that are in those. But there'll be that 4000 square feet set aside for each one.

I look at this and without knowing all those details of the different types of the development that are in here, I can't tell you for sure whether we're at 2000 or rather we're down at 1000. Looking at the yellow area just based off that acreage and what they're showing there, 4.2 units per acre essentially is what they're seeing in there. That number feels right to me. Based off of Gary's calculations, I think we were in agreement with the yellow one. The other one I need to know what are we looking at. Are we looking at apartments or are we looking at townhouses and multifamily units.

**Rick Barchers** – If they put apartments in, they can go above seven units an acre?

**Shay Stark** – No. The way our code is written, in the RM 15 and the RM 7, the only way that you truly get 15 units per acre or 7 units per acre, if you're looking at it as a density, is with apartments. When you look at single family, it's a certain square footage that's listed in there. There's a minimum square footage. When you start looking at multifamily, there's minimum square footages that are required on that site for that multifamily for the number of units.

**Rick Barchers** – Thank you. That helps.

**Gary Pinkham** – That's where the confusion has been coming in is the old code gave very specific information on how you calculate your area and your density. It had this kind of, God only knows where it came from number says you have this many units per acre. That number doesn't match what the code tells you, you have to do and comply with. It doesn't say what kind of acre it is. We got in the 15 unit per acre number, people come in and say, "Well I got 100 acres so I can get 1500 units." No, you can't because you got to go back to the code to see how you create a lot and on that lot, how many square feet you have. That will then tell you how many units you can have because the units are based upon so many square feet per unit, not so many units per acre.

**Rick Barchers** – So all that helped. Yeah. I mean that helps me. Does that help-

**Guy Haskell** – Well, one of the things reasons I went to the effort to put this together is in order to create this plan that they're trying to do for the whole city, they wanted to see a master plan from each of us that have land up there on what we can do so they know what kind of density so they can do this big master plan. It's that thinking that I did this for the city.

**Gary Pinkham** – I agree with Dan working on this West Bank deal, a lot of you guys have really put a lot of effort into it with him knowing that it's going to help you guys, it's going to help us, is going to help everybody. I've been working this past week to try to clarify this unit density issue within our code. For instance, the RM-7 says 7 units per acre and if you take the lot size in you can do that. It also says if you want to do multiple unit housing, i.e., apartments or town homes, you have to go to 4.34 multiunit housing.

In multi-unit housing 4.34 it says that if you're going to do that in an RM-7 or RM-15, the lot sizing and density has to be per that code and then the other items apply to that high-density housing such as parking, open space, development of open space and so on. The sizing still refers you RM-7. So even though into 4.34 where it says you can get 15 units per acre, it doesn't apply to the RM-7 because it puts you back to RM-7. That 15 units applies to the CZ or CM or CS code. There's a confusion there that people say it's really quick to flip it open and see 15 units per acre and say, "Holy cow. Man, I can go get 1500 units on my 100 acres." Well there's a catch-

**Guy Haskell** – Well I'll tell you what my consultants have interpreted this as and you can see what you think. But what the code says, is my understanding is that, in RM 7 we can have 7000 square foot lots or 7 units per acre. You can't get 7 units per acre with 7000 square foot lots. In order to do that, you would have to do it as a PUD with some open space. That's the only way you can get that number.

**Gary Pinkham** – Well, no. You can get 7 units per acre in the RM 7. If you look at, you got-

**Guy Haskell** – Not with 7000 foot lots, you can't.

**Gary Pinkham** – Yep. If I've got 70,000 square feet, I have to have, the first lot I think is 10,000. Then 7000 square feet per unit after that. If you calculate it out, you can get 7 units on an acre. That's only on that lot. That doesn't include the street that you guys are doing, that doesn't include open space, which you guys are including. Your acreage here is gross acres, which includes the street and the open space. You can't put lots and/or houses on our street and you guys are calculating it that way.

**Guy Haskell** – Well, what we're calculating is a 7000 square foot lot, times 7 units per acre is 49,000 square feet. There's 43,560 in an acre, so it doesn't work.

**Jaime Topham** – You guys are saying the same thing.

**Gary Pinkham** – Well, except on the multi-unit. On the multifamily in the RM 7, you get so many for the first unit and I think it's 6000 square feet per unit thereafter, that will make 7 per acre.

**Guy Haskell** – Yeah, but then I have to go to a PUD. What I'm saying is if I just keep the regular single-family lots, it doesn't work.

**Gary Pinkham** – And you could get the 7000 per acre of lot. But what happens is all the developers are coming in and saying, "I could get 7 units per gross acre." That's not per lot, that's per acre of street or per acre of park or per acre of retention basin and per acre of lot.

**Guy Haskell** – Yeah, and that's where we need to come to some understanding on the code because my consultant's interpretation of that is different than what Morris's is and I don't know if the rest-

**Gary Pinkham** – If I were in your shoes, I'd want 2000 units too. And I'd swing the code to do it.

**Jaime Topham** – Okay, hold on. What is your consultant's interpretation of it?

**Guy Haskell** – Well Gary, what you're saying is you have to take all the streets out of it. What the code says is that it doesn't count existing streets and we have no existing streets.

**Gary Pinkham** – Your area two. It's got 28 acres in. At 7 units per acre, why has he got 13.92 dwelling units per acre? He's doubled what the code allows.

**Guy Haskell** – Well, because Grantsville's general plan has the first 500 feet along that area right there as a different zone, as a mixed-use zone with commercial or up to 15 units residential for the first 500 feet. We've still maintained the 7 units per acre overall, but Grantsville's general plan has that put a difference.



**Shay Stark** – The future land use. You're right, right now the property is currently zoned RM 7, so they'd have to rezone, but future land use, there's a strip along there that's MU.

**Gary Pinkham** – But the current zone is RM 7. That's what guides us.

**Jaime Topham** – You're here asking us to do a concept for what you can do on your property as it is. You have not come to us for a rezone, so therefore you're stuck with RM 7. You can't be using an excuse unless you come for a rezone.

**Guy Haskell** – My understanding is that the general plan shows that and it wouldn't take a rezone as long as we keep the seven units per acres as an overall.

**Jaime Topham** – Nope, because that's future land use. It's not the current zoning.

**Guy Haskell** – It's not a future land. That's on the general plan. It's not on a future land use plan. It's on the general plan.

**Shay Stark** – The general plan, the map of the general plan is the future land use map.

**Guy Haskell** – Okay.

**Brian Pattee** – The zoning map is a separate.

**John Limburg** – It would need to be rezoned

**Brian Pattee** – Yep.

**Guy Haskell** – Okay. I wasn't aware of that.

**Shay Stark** – But still, that's fine. Recognizing that saying, "Okay, well my intent is to rezone that to MU and look at those numbers," which for planning purposes that they have, that would be good to do because if there's a possibility that that's where this is going to go, then we want to see higher numbers than... But as far as for a master development agreement, there's got to be, it's got to be based solely on the zoning-

**Guy Haskell** – If there is a master development agreement under PUD, then the city has a lot more latitude on what they do. If that is part of a master development under a PUD and the city thought it beneficial to do that, would it still need to be rezoned?

**Jaime Topham** – Yes. I think so.

**Brett Coombs** – We can't use the PUD process to avoid the zoning on the property. The idea with the PUD process is that we can meld zoning between zones, but you can't just say, "Well, we don't care that that's zoned as RM-7. We're going to put more units on that property and leave it as RM-7 when really what it should be is rezoned MU." We just can't avoid it. We can't use the PUD to avoid law.

**Guy Haskell** – Okay. My legal counsel thought it would be okay as long as the overall project didn't exceed the seven units per acre. But if not, I can look at that.

**Jaime Topham** – So Guy, for the purposes of tonight, because it's almost 10 o'clock and we still have other things on this, do you have enough direction to understand that we're not ready to look at a master unit?

**Guy Haskell** – Not really. I don't, no.

**Jaime Topham** – Well, we are not ready to look at a legal document that binds us to anything at this point. You're going to have to decide if you're going to do that as MU and make that change.

**Guy Haskell** – The first thing we need to do is just get the legal counsel together and see what the real density is and get an agreement on that and then work from there I think

**Jaime Topham** – Potentially, yep. I think you're probably right because we aren't ready to do anything.

**Guy Haskell** – Okay.

**Brian Pattee** – Just for the record, the city gets screwed on PUDs since I've been here.

**Jaime Topham** – Yeah, legal counsel probably is the next step.

**Guy Haskell** – Okay.

**Brian Pattee** – Thanks Guy.

### **Discussion for Amending Chapter 21 Minor Subdivision (moved to the end then tabled due to time constraints)**

Shay Stark, Consultant from Aqua Engineering, was present to answer questions

**Brian Pattee** – We have agenda item three and we're looking at 10 o'clock here. I think we should table that unless it's something super urgent

**Shay Stark** – Take a look at what I gave you and get up comments back in a week or so. I'm giving you the description of I've worked with the mayor on this and talked through these different levels of development and I've given you in the first part just a description overall that this is what we're trying to do, where we're going with it. I've started to flush out the code. I didn't want to get too deep in the code. If you come back and say to me, "I don't like these levels. We need to totally change the levels." If you can look at it at least initially and just give me some comments, say in a week or get those back to Cavett and get them to me. Then next time we come and maybe if we can put this on a work session, I'll try to incorporate those comments in and then hopefully we'll be a little more productive.

### **8. Report from City Council liaison Mayor Critchlow**

**Mayor Critchlow** – I have a development here for the Worthington Ranch subdivision. It says that that 94 acres has to be left the way that it is. It was agreed to contractually. The guy across the street,

the development agreement was given, it didn't come to you, I know. We have to honor that as well. But they ought to honor their part of it as well on this Worthington Ranch thing. So as far as parts go, they need to be 10 acres. They need to be in earlier phases, that needs to happen.

**Gary Pinkham** – Well, they need to do something that can be a park. In the case this Worthington Ranch parcel hasn't got a future as a park.

**Mayor Critchlow** – It's great cattle grazing area.

**Gary Pinkham** – [inaudible 02:55:04]. Where it's a piece of ground that can be developed and put to the community use, I don't have a problem with folks giving us some ground but I just don't want the city inheriting the [inaudible 02:55:25].

**Mayor Critchlow** – Correct and that's why it was left open space.

**Gary Pinkham** – Yeah. Adam Nash was supposed to go through and do some research on that.

**Mayor Critchlow** – I understand all the why they didn't and it's pretty complicated really.

**Gary Pinkham** – It needs to stay where it is.

**Mayor Critchlow** – Yep. So, you guys, I appreciate you. Brian, you got one more meeting in you?

**Brian Pattee** – Yes, one more.

**Mayor Critchlow** – Okay. Gary, you got one more meeting in you?

**Gary Pinkham** – I haven't heard.

**Mayor Critchlow** – Got one more meeting in you, Gary?

**Gary Pinkham** – I've got as many as you need, sir.

**Mayor Critchlow** – Okay. Thank you for everything you do. I was coming back from the COG meeting listening to this conversation. Very nice you guys. Okay. I appreciate you.

**Jaime Topham** – Mayor Critchlow?

**Mayor Critchlow** – Yes, ma'am.

**Jaime Topham** – If you had that development agreement and it said that, that would've been good information to discuss during the discussion so that they have that-

**Mayor Critchlow** – Well, I've been trying to not do that.

**Jaime Topham** – Well, but that's a pertinent information.

**Mayor Critchlow** – But they are aware of that we have this and I made them aware that we have this.

**John Limburg** – But they said that they didn't.

**Jaime Topham** – They also said that they've been talking with the city, whatever that means, and getting direction about what the city wants and pickleball for parks and all this stuff. So, if that's not the case we need to know. I'm going to be a Gary and get on a soapbox for a minute. These are the things that drive me crazy. I don't hear about it from anything and then the people come to us and they say, "Well the city said," and then I don't see anyone in the city saying, "Yes, we did," or, "No, we didn't." I'm like, well is somebody trying to pull one over on us?

**Mayor Critchlow** – I'm not here to take those discussions, okay?

**Jaime Topham** – Okay.

**Mayor Critchlow** – But if you'd like this copy of this development agreement, I am glad to give it to you all.

**Jaime Topham** – Absolutely. I think it needs to be pointed out to the developer so that they understand that that's something that they're going to be held to.

**Mayor Critchlow** – They're well aware of it. We just don't need to make any deals. Thanks. Appreciate you. And we should name that road out there Topham Road, don't you guys think?

## **9. Adjourn**

**Gary Pinkham made a motion to adjourn. Jaime Topham seconded the motion. All voted in favor. Motion passed.**

Meeting adjourned at 10:05 pm