

**Action Summary**

#1 &2 Matthews Development	Discussion
#3 Zoning Maps	Moved to Action Recommend Approval – Sent to CC
#4 Front & Side Yard definitions	Moved to Action Recommend Approval – Sent to CC
#5 Minutes from 06/06/22, 06/16/22, 07/07/22, 11/17/22, 12/1/22, and 12/15/22	Approved

**MINUTES OF THE GRANTSVILLE CITY PLANNING COMMISSION HELD 04/18/23. THE MEETING WAS HELD IN THE GRANTSVILLE CITY HALL AT 429 EAST MAIN STREET AND ON ZOOM**

**Commission Members Present:** Commission Chair: Jaime Topham, Vice-Chair: John Limburg, Rick Barchers, Kevin Hall, Derek Dalton.

**Appointed Officers and Employees Present:** City Manager Jesse Wilson, City Attorney Brett Coombs, Public Works Deputy Director Christy Montierth, City Engineer Dan England, City Planning and Zoning Administrator Cavett Eaton, Planning and Zoning Administrative Assistant Lanise Thompson. DRC specialist Gary Pinkham

**Citizens and Guests Present:** Howard Schmidt, Connor O’Leary, Brett Lovell,

Commission Chair: Jaime Topham called meeting to order at 7:01 PM

**PUBLIC HEARING:**

- a) **Proposal to amend the Grantsville City Land Use Management and Development Code by adopting updated zoning maps**

No comments

- b) **Proposed amendment of Chapter 2 Definitions of Front Yard and Side Yard to the Grantsville City Land Use Management and Development Code**

No comments

**AGENDA:**

**1. Discussion of PUD Narrative for Matthews Ranch PUD**

Howard Schmidt and Connor O’Leary were present to answer question.

**Howard:** My name's Howard Schmidt and we are the development team that is working on Matthews Ranch Development. This is Connor O'Leary.

**Connor:** Connor O'Leary.

**Jaime:** Hello, welcome. So, kind of tell us what you've got going on.

**Howard:** Okay. Well, if I could kick it off here. This is a 70-acre parcel, probably all of you know where it is. It's right in the center of town. It is a parcel of land that is a mixed-use zone, and as such is required to provide commercial space. We have a commercial user that is going to come in and take eight acres. There'll be another seven acres that will be commercial, and we're working with several large commercial users that are looking at coming in on that. You've probably seen the layout. It will include a planned unit development for housing of

several types. We're trying to accomplish a lot of different types that will be around that commercial node and it will provide for some affordable housing, some medium cost housing, and some rental units.

We have an amenity package that will go into it that'll be operated and run by the homeowner's association. As you can see, the commercial on the south-end local grocery store here is under contract to build out that and move in about a 45,000-foot grocery store there, which will be a huge commercial benefit to the city. On the north end, we're still working with several potential users of that property. And so, what we want to do with this is put together a development plan that will allow some flexibility for various housing types, but allowing us to move it around as the economy adjusts and as we try to fit into the different things that may come along and working with the various demands. As all of you know, affordable housing is a big deal and about the only way we can provide, we've got a lot of half-acre lots here in Grantsville right now that we're trying to sell, and you got to buy about a \$600,000 house if you're going to be on a half-acre lot, and that just precludes a lot of my kids.

I think all of us are trying to figure out how we can get people's first step into homeownership, and this is one of the ways that they can move into that and still live in this community. By the way, I want to say we kind of fell in love with Grantsville this last year. We went to the sociable activity and you guys put on an amazing program. We really gained a lot of respect for the community here, and I know there's a great community feel. Probably this is, people are looking at this going, "Wow, that's going to ruin Grantsville". It won't ruin Grantsville, but it'll give Grantsville an opportunity to continue to grow and continue to provide some housing for people that need something a little bit more affordable in a way to get started in homeownership. Interesting fact, and this was a few years ago, the average teacher has a net worth of \$5,000 and the average homeowner, and like I say, I think it's higher now, the average homeowner has a net worth of about \$200,000. So just getting that first step, getting your foothold into being able to own a piece of America is why this is an important part and a help to the city.

Solberg's has is trying to create what's called a C.D.R.A., which is, I'm going to let Connor take that and kind of explain a little bit about what that is and some of the benefits that causes for the city and why commercial users need that.

**Connor:** Yeah, sure. No, I'm happy to take over from there. I mean, I don't know if any of you are familiar with the C.D.R.A., but that acronym stands for Community Development and Renewal Agency, and that's a really important piece to getting Solberg's on that site, both from an economic and a financial perspective that's really going to allow Grantsville working in tandem with SOELBERGS and us, the developers, to really get them on that site, creating that C.D.R.A., which provides some benefits to Solberg's, some tax increment financing. One of the things that we need to do as the developer and the owner of the site to ensure that they adhere to the guidelines of that C.D.R.A., is affordable housing. And I know Howard mentioned that we plan to do affordable housing. The current requirement for that C.D.R.A. is 20% of 80% of the AMI, which is the area median income, which is kind of that threshold to affordable. And so, we are fully on board to work with the city and Solberg's to ensure that they're adhering to those guidelines because as Howard said, affordability is a huge issue and it's something that we would want to tackle regardless.

**Jaime:** What does affordable housing mean to you?

**Connor:** So affordable is set by HUD, the government agency, HUD, and so every year they track what that median income is, and from there they back pack into what it rents or what you could charge for the home. So, we can easily pull that data for 2022.

**Jaime:** I was just specifically meaning I want to know how you are defining it, so thank you for clarifying.

**Connor:** Oh, sure, sure. Yeah.

**Jaime:** We have had people come in and say, "We're going to do affordable housing, and then their idea of affordable housing is a \$300,000 house. So, thank you for tying it to a specific criterion.

**Connor:** Sure, sure. Yeah. I mean,

**Rick:** I would like to see, I've looked at the affordable housing issue myself. I've seen a calculated several different ways. If you're going to claim affordable housing as a benefit to the city, I don't have a problem with that. If you show me the math on it, show me how you calculated it and then show me how you're going to hold those properties responsible for meeting that criteria. Does that make sense?

**Connor:** Sure, And I think speaking to that, I mean, we absolutely would be held accountable, right? There would be some type of land use restriction agreement in place for that portion of the property because of the C.D.R.A. So, because of that, there would have to be some safeguard and some stop that really limits what you're able to charge, whether that's rent or whether that's a for sale product. I mean, yeah, affordability is kind of a hot word and there's a lot of discussion around it, even from the state level. I mean, especially when you look at this last state legislative session, there is a lot of mandates, requirements that are coming from the state now to almost every municipality across the entire state, which kind of forces everybody's hand. I would say probably 99% of cities aren't complying with the affordable housing requirements that are going to go into effect. And so, we feel like this development has the opportunity to really not only help the citizens and the community provide that affordable housing, but also help Grantsville City comply with the state requirements.

**Rick:** Currently, we go through some discussions over that recently. Yeah, I think we're already in compliance with what's coming up anyway, and we're not concerned about growing. I mean, I'm not trying to cut you off at the knees, honestly, I'm not. So, I don't think we're going to have any trouble growing. I guess. I know you are kind of in the middle of the presentation and I want to respect that. So, if you want to continue with that, go ahead. Sorry.

**Connor:** Oh, no, totally fine. I think more than anything, we're looking for feedback from you as well. We want this, as we move through the city process, to be something everybody can be proud of and hopefully, ultimately get a positive recommendation from the planning commission. So, we're happy to chime in and add our thoughts when necessary, but if there's any comments from you or questions surrounding development, we're happy to answer and hear your comments.

**Rick:** I have several.

**Howard:** By the way, I, these will be in the minutes for us to be able to follow up on, right on your comments.

**Rick:** Yes, right now, it's zoned MU that's 20% commercial, and I'm looking at that property and wondering how Soelberg's is going to have a problem with putting a store on 20% of that. The thing that I'm not seeing there is, and this is just 30,000 feet, I'm not seeing anything of what you're going to do with the storm water. If this ends up being one of these situations, and we've seen this, where that storm water retention goes into the commercial part of it and then it's just not developed ever. Okay. So, when you go to do that storm water retention, which isn't on here, at least anything resembling what I can see, it needs to be proportional. I mean if you've got 20% of it commercial and you're disposing of 20% of the water here, that's fine, but it needs to be a viable scenario because that's something that we've run into in the past.

**Howard:** So, we haven't done deep engineering on this yet. This is conceptual and we're working on it generally on a commercial development, you'll put that storm drain retention nowadays underneath the parking lot in pipes where it perks into the ground there for the commercial side. On the residential side, we'll have to retain and detain onsite and meet all those engineering requirements. So, there will be some modifications as we go through this as we try to comply with that. But it's definitely high on our list and we understand those requirements.

**Rick:** Okay, I'm good with that. It's just, that's been kind of a stumbling block for some folks, okay? I see nothing about the viability of that well. Has the water been tested on it?

**Howard:** Yeah, if I could. The well, when the Matthews put that well in, they made sure that it met with the pipe they used, the casing they used in it, meets regular drinking water requirements and they've got a certificate saying that it does meet those drinking water requirements.

**Kevin:** Do you know when that was drilled?

**Howard:** I think it was five or seven years ago, it's fairly recent because they transferred water into that from another well, and put that in.

**Kevin:** So, it's not an existing old well, then it's something new.

**Howard:** It's a fairly new well, is what we understand. Matthew sent me a certificate on it that I have on my phone. Happy to share that with you.

**Rick:** The one part about that, that just really scares me to death, and I'll be quite honest with you, it scares me and it was brought up when we had the discussion of whether or not this was going to go to an MU designation, was the property owner was aware that there were some fuel storage tanks on the facility and that you're going to be responsible for testing the soils, et cetera, to make sure that there's not groundwater contamination. That's my concern with that well. Outside of whether or not people should be living there. I've had some personal experience with that, that it just really scares me. So anyway.

**Jaime:** Are you sure that's not on the property to the west?

**Kevin:** It is on the property to the west. It's not on the Matthew's property, it's on Jay Hell's old property.

**Rick:** I'm just throwing that out there.

**Howard:** So right here is where the well is, in this corner and I think all the fuel storage stuff is up here, not even on the, it could be over here and we'll find out for sure, but based on the phase one that we've got, there was nothing reported.

**Rick:** Okay. Like I said, this is just kind 30,000 feet, just some quick thought on the property. One thing that I am really stuck on, and you're going to prove to me, this is already approved for 20% commercial that benefits the city, whether it's the Soelbergs or whatever. I mean, I don't know why they have to have some sort of special criteria for them to put a store in a mixed-use zone. I don't, maybe there is one. I mean, I don't know. Right. We're trading 20% commercial property for, what is this 20% commercial property here?

**Connor:** Are you speaking in terms of the total acreage?

**Rick:** Yes

**Connor:** Then yes, it's 20% of the development.

**Howard:** These two nodes right here are a total of 14 acres and the entire site is 70. So, it's 20%.

**Jaime:** Can I interject right where you left off? So, my concern with the commercial is we're talking about putting Soelbergs on the corner of Durfee and Matthews Lane, neither of which street handled the current traffic they have well, already. How are we going to handle that? Why are we choosing to put Soelberg's on the corner of Durfee and Matthews instead of on the corner of Main Street and Matthews?

**Howard:** This is the land that we're working on right now and we played with it, tried to see if there was a way we could do that. It just doesn't fit because of the big box store needing the proper frontage. It was actually Associated Foods and Soelbergs that came up with the idea of coming to this point. Right now Matthew's Lane is about 20 feet of asphalt, maybe not even. You're right. So once this is engineered curb and gutter goes in and so

forth, it will handle considerably more traffic. To me, it seems like, I know it's not right on Main Street, but sometimes getting off Main Street's helpful too.

**Jaime:** Don't really share that viewpoint.

**Kevin:** So, if we're talking about Matthew's Lane here, first off, where's the entrance planning on to be? I don't know. You probably got that car. Is it on Durfee or Matthews? And then what's the plan with Durfee? Because that's going to be.

**Jaime:** It's not any different. Yeah, it can't handle the traffic it currently has.

**Rick:** Both those roads are going to have to be a big overhaul

**Howard:** And they probably will. I think that's true. I know that I've seen Soelbergs layout and I think they've got entrances on both, but in fact they do have entrances on both streets.

**Kevin:** Does the front face Durfee or Matthews

**Howard:** The front's Matthews. So, it's going to face here.

**Connor:** And we're already getting studies from Dells Engineering.

**Rick:** Okay, I'd like to thank you. I'd like to get back to the 20%. We're trading 20% for 20% basically. Is that what you're saying?

**Howard:** What do you mean by that?

**Rick:** Commercial acreage of the property

**Jaime:** This proposal is 20% of the property.

**Rick:** Right, right. So, we're trading 20% for 20%. What justifies coming in, I mean I've got a printout that's like 60 pages long that's got things that don't meet code like this is drawn. So, where's the trade-off? I don't get, do you see what I'm saying?

**Connor:** Are you saying for the P.U.D.?

**Rick:** Yes. If you're going to go from MU to PUD, why does the city want do that?

**Howard:** What is the city's density in a mixed-use development?

**Rick:** Much less than this.

**John:** It's 10 per acre, 10 residential lots per acre I think, isn't that right?

**Shay:** So, the MU code basically states that in general it's ten (10) and with special conditions it's fifteen (15). And that's exactly why in the report that you guys received, one of my questions in there was what are the densities of the different types of development? I was able to go in, count the zeros of the different colors and kind of figure out how many units. You'd mentioned overall. I knew what it was going to be apartments. But we need to know that component with the area with the densities because if we have components of that that are higher than the ten (10), then we need to look at those and say, "Okay, what special conditions need to apply? Is there buffering that needs to occur". For instance, and you're showing something right around there, your apartments, and I'm assuming those are apartments.

**Brett:** So, you look at Riverton where they just Costco in, and I know you guys aren't Riverton, right? But when they do a commercial development, typically they say, "Hey, you have 70 acres here, let's just use our project and you're going to mix the densities to achieve under 10." And in a typical commercial development or a mixed use, they do the overall density. So, if you took 70 acres divided by our unit count, we were seven (7) point something per units per acre. If you took just the residential, we were at about nine (9). So, we were under ten (10). And the state code that we're dealing with to get the C.D.R.A, which I don't think you would have to talk to Carol, I can't say what you can or can't do, but Carol has indicated to us is very important for her to get the C.D.R.A. The state as a whole, thinks that 10 is already light. So, that's where, I guess I'm frustrated. Frustrated isn't the right word. That's where I guess I'm trying to get some understanding. We're showing under ten 10 units to the acre because we are a master plan community.

**Rick:** I've heard guys such as yourself come in and say, "Well, density is the issue." Well, to get that density, how many other codes do you have to step on? Setbacks, street widths, distance between homes? I mean, understand that we're going to want you to meet all of those.

**Howard:** The reason we are requesting a planned unit development is because we can't comply with all, there's no way that you can even come close to 10 units to the acre and meet your current setback codes. You've created setback codes that don't comply with your zoning. Well actually how do you get 10 units to the acre?

**Rick:** It's not our responsibility to do that.

Howard: But you've created a zoning that allows for it.

**Rick:** If you meet all other codes, you can have that. That is the maximum density.

**Howard:** Right? Yeah. And we're not trying to get to the maximum, Actually the maximum's 15, if you do certain things.

**Rick:** If you're going to say that we have to allow you that maximum density by violating all of our codes. Then the PUD is just irrelevant. I don't even know why we're talking. Does that make sense?

**Howard:** We're talking because that's what we do. And we try to come to something that is a benefit to everybody, and that's why we're here is to hear you out.

**Rick:** Right. We have our setbacks in lot dimensions for a reason. And I don't want to explain to you what those reasons are. We'll be here forever.

**Jaime:** Are you okay if you put a pen in your statements for a minute and transition?

**Rick:** Please do.

**John:** I just want to go back to when we created the future plans and we brought and encapsulated all that property into the mixed use. Because we knew that that was going to be the only place that they could put big commercial properties, like Soelberg's. But then we're going to take that whole thing and only do a tiny chunk of it.

**Jaime:** That was the other comment I was going to have.

**John:** That doesn't make any sense to me. I don't even know why it's gotten this far without even having that discussion.

**Jaime:** Right. And you guys weren't privy to that I'm sure, because you probably weren't here. But when we went through our master plan, the Matthews family specifically wanted to keep that all commercial. It was originally under our future land use to be commercial, not MU. And I think our expectation was it was going to stay all commercial, but the people who helped us craft our new general plan created this mixed use. And we ended up

with something that honestly, I don't think most of us intended or wanted the way that it turned out. But that's neither here or nor there. We're stuck with it. But this is the only large piece of property in Grantsville, right in the heart of Grantsville, that could contain commercial. And you're telling us that should only have 14 acres and those be divided up. And the most important part, which would be the grocery store, isn't even going to be on Main Street.

This isn't all that palatable. And I get that you guys are coming, and quite frankly, you guys are coming from the housing part of it. Not even the commercial part of it. You're not coming to us with this is the commercial Jeffrey's to some degree, but if they don't get their funding, they're not going to do it either. And then we're still not going to have that anchor. And it's still going to be on the wrong streets that causes a whole lot of problems with transportation. You're also then asking for PUD with a whole laundry list of things that would have to be changed in variances. I assume that you got the report that I don't even remember how many pages long, but does not comply. Does not comply. Does not comply. We have to have a really big discussion about that.

**John:** I think it would help if he pulled up the future land use to just show everybody.

**Kevin:** While he's doing that, can I just make a comment Jaime?

**Jaime:** Yeah, of course.

**Kevin:** One of my concerns is that I think in Grantsville we don't have any... Well, I shouldn't say any, but we don't have many desirable commercial spots. And as we grow, my intent, or my hope, is that we'll improve that. The grocery store would be an asset to our main street, I think. It would help clean up our main street because it needs to happen, in my opinion. I just think that there's so many more benefits for the city, for the main street property. And again, I hope that maybe can be considered.

**John:** But I think when we were talking about it originally, it was commercial towards Main Street and then if we're going to do housing, it's on the south end of that piece of property. Now, we're talking the opposite.

**Howard:** Yeah, we're under the challenge of this is the only land that we have to build it on. We're trying to figure out how to accommodate all of that and make it work for everybody.

**Jaime:** Why are you dividing up the commercial?

**Howard:** Well, we agree with you that mainstream makes sense for commercial, but there's just not... We kind of took the lead from the Jeffreys as to where they wanted it. And they preferred the south end since we couldn't quite make it fit on the north end.

**John:** When he gets it up there, this is my thing is, and I think they said, "Hey, there's some big farm property that we know is going to be sold here pretty soon and it's the only place where we're going to be able to put these big commercial projects." So now we're talking about taking that whole thing and putting high density housing in it. And it's the exact opposite of what we were trying to do.

**Howard:** See, I wasn't a part of that or of this. I just knew that it was, the rule is 20%. And so, we followed that rule. Does that make sense?

**Brett:** What we could do is a state mandate. That's where I know that frustrates people. I'm not trying to frustrate anybody, but the CDRA before was all based on sales tax revenue. And one of the stories that got brought up was in Riverton and Herriman. Costco was fighting over going in between Riverton and Herriman. And there was another issue with Top Golf, so the state came back out and said, "If you want assistance with this, it's no longer just going to be based on commercial." So now the real driving force, before it was a different name, they changed the acronym. And this is pretty recent code.

I know your attorney has reviewed it a little bit, but they changed the code about a year ago in July. And so now most of the codes to get these commercial retailers in here is more so forced around affordable housing and not as much commercial. If you want the assistance, the governmental assistance that most retailers want to come in, especially big box, it's driven... I'm not trying to upset anybody or anything, but that's just the code. It's driven by affordable housing more than it's driven by... And I don't mean to put you on the spot, Mr. Coombs, but you were on the phone call with us with the consultant, where so much of it was focused on affordable housing to get the CDRA money.

**Jaime:** So, here's the problem though. The CDRA is for the business owner, not the city. Those are different interests.

**Brett:** Except the CDRA is in line with... It's a state, city, and business partnership because-

**Jaime:** Right, but we wouldn't need the CDRA if what you're proposing is not beneficial to the city or the city decides this isn't what we want. We'd only need that if the commercial developer needs that particular funding. And then there's the benefit of it all working together.

**Brett:** Our understanding, our talks with staff in the city and others has been they are excited about the commercial that's coming. I apologize, this is the first we've heard about it. We've been told they're excited to see Soelberg's.

**John:** I think they are.

**Kevin:** Well, we are. I agree with that. We are excited about it, but we just think it's maybe in the wrong place.

**Brett:** If you're Soelberg's, how do you put it on Main Street? We would love to hear feedback from you guys. We have tried to slice it up.

**Rick:** It's on Main Street.

**Jaime:** It is on Main Street.

**Mayor:** Can I say something that may clear a little of this up?

**Jaime:** Who is this?

**Mayor:** The mayor.

**Jaime:** The mayor? Mayor Critchlow, go ahead.

**Mayor:** All right. Originally, they were planning on Main Street. But that got pulled away because my understanding is Kirk didn't want to have it next to the houses right now because his family still has that part of the farm. They're going to move it to the other side, widen Matthew's Lane out. At some point in time there will be the commercial down on Main Street, but just not right at this moment. Does that make sense?

**John:** Because they're wanting to hold onto those homes until... Because that's the Matthew's property still?

**Mayor:** Correct.

**John:** His grandma still lives there

**Mayor:** It's Kirk's mom and dad's place, and the family tradition.



**Jaime:** Yeah, I think I understand that. I appreciate your input. I understand that, that doesn't necessarily mean that it makes it best.

**Rick:** So they're thinking, mayor, they're thinking that most of this residential traffic is going to go out down through Durfee?

**Mayor:** Well, you already have a lot of residential traffic that's going down Durfee to get to South Willow Estates. We're going to have to widen out Durfee eventually, and make this all happen. We're going to have to turn lanes in. I mean there's a lot of work that has to be done with this. And basically, what they're looking at right now is a concept, so that we can make this plan go forward. And I wish I was there in person, but we've got water running.

**Jaime:** Yeah. We heard. We want you doing that for sure. Thanks for your input.

**Rick:** I'm just looking for somebody to sell me on this. That's all.

**Jaime:** Well, I agree. I mean I'm not sold. I'm looking at it and I'm not understanding why you couldn't put all the commercial together more towards Main Street. It can't be 100% on Main Street. But I'm thinking about where Soelberg's is in Stansbury, it's not exactly on the road. It has a lead way in and yet it works. And they've filled in all that commercial. And that would have the traffic more coming off of Main Street and a little more on Matthew Lane.

**Howard:** If I'm hearing you right, you're saying if the Soelberg's were sitting right here, you think that'd be better?

**Jaime:** That seems more palatable because then you've got the traffic coming off of Main Street, not Durfee Street that can't handle the traffic.

**Howard:** We can talk to him about that. I think that's reasonable.

**Kevin:** Couldn't the parts be shifted?

**Jaime:** Right.

**Kevin:** And increase the size of that property? It's going to face Matthew's anyway, right?

**Brett:** And I think again, our hands are tied to some extent.

**Kevin:** We understand that.

**Jaime:** But you're the ones presenting it. So, you take the questions.

**Brett:** Sure.

**Howard:** And that's why we're here. We want to hear you guys and we're listening. We're paying attention.

**Brett:** Absolutely. And when we presented this to Soelberg's and we found out that Main Street probably wouldn't work from them, this was their best alternative in terms of traffic flow, traffic count. They ran their studies and so this is where we landed. Now again, are we married to that as the developer? No, we can work around that, but it's more having a conversation with Soelberg's in terms of what works for them on the site.

**Jaime:** The other thing about Soelberg's being down in that corner is across street from a church. What about their liquor license? Well, their beer license. They don't have liquor license.

**Howard:** I think they have the required distance, that there is a required space. I know. And I think it-

**Brett:** It just makes it easier on Sunday to head over and...

**Jaime:** Well, that's an excellent point. I haul hay from my farm over here, off of Race Street, from over here off Worthington. So, I've utilized Matthews Lane to haul that hay on Sunday around church time. And it's terrifying because there's so much traffic that goes down Matthews Lane already, that has nothing to do with all of this development that was going to be there. And that's the concern I heard the mayor say, "Well, you already have all that development." But this is a ton of density with a whole lot of people. And then you add in the commercial part of it, you're going to have tons of traffic in those two areas. Now, one of the things that I saw in the notes was about you would have to do 45 feet because that's going to be Matthews is going to collector. Is that, is everyone aware of that? You're going to be able to do that. You are going to do it.

**Howard:** I think we haven't got the traffic study yet. This is kind of our first stop right here. And we're going to get a traffic study on that to determine what that needs to be.

**Dan:** Our master plan says it's supposed to be a commercial.

**Howard:** Yeah, I'm aware of that. It's funny because it'll probably never go south and it'll never go north of there, I believe Dan. And so, it seems funny that that would be a collector to me. Does that strike you as odd?

**Dan:** I hear what you're saying, but it does seem to... Especially, if your development is going in, it's going to carry a lot of traffic and there's traffic there already.

**Howard:** Yeah. Yeah, I get it. And that's something we'll deal with as we go along here. But I think a study is going to be helpful on that.

**Jaime:** So, I'm glad that you said that you are open to talking to Jeffrey's about commercial at the other end, putting it all together. That's what I would prefer to see. I'd also prefer to see actually more rental apartments because we don't have them anywhere else. Nobody else is willing to build them. You guys, if you do the CDRA, are going to be required to do affordable housing.

**Howard:** Correct.

**Jaime:** Does that mean that you work with the Tooele County Housing Authority?

**Howard:** It doesn't require us to work with them, but we really like them. And have a great relationship there with them. So, we would love to find some ways that we can coordinate with them and help.

**Jaime:** Does it require them to have deed restrictions for rentals? You can't turn them into condos. They have to remain rentals.

**Brett:** So even if they were to turn, they have to maintain. So, Tooele County Housing Authority, the benefit of doing that is you will see some developers do... We're a for-profit developer. I hate it when developers get up and say we love to do it for the good of community. It's cool to have a good project and have a good relationship. But at the end of the day we are a for-profit entity. We're not a 5013c. County Housing Authority is a 5013c, so that's where it makes it a cleaner cut. I'm sorry if I'm not using the right term, I'm just a regular Joe.

**Howard:** We actually had a conversation though with Deanne Christiansen there. And she is like, "Keep me in mind for some of that. I'm going to need some of that." It's definitely on the radar.

**Brett:** The question is yes, this can't be some bait and switch. They even did some stuff in South Jordan where to put a spin on it, they called it workforce housing instead of median income. But this is exactly what they did and they had put deed restrictions on them. A lot of it is meant to really market towards school teachers, public

works employees, police officers, that type of thing. That's really the idea behind it. But the other thing that they didn't want to create with this project in South Jordan was, "Hey, I go buy this because I meet that criteria. And then sweet, I am going to go sell it. I just got a fat reward." So yes, through deed restrictions and different things that would have to be approved by your council. And even on the state level, that has to be met for the CDRA. So literally, I don't know that he really reviews it, but it's literally signed off by the governor's office.

**Jaime:** Well, that's why I was asking because I don't know anything about CDRA's. I want to make sure that it's not a bait and switch because we do need the affordable housing. We need apartments that people can rent, not just for kids who are graduating and need somewhere to live. But for single parents, domestic violence victims that need somewhere to go and move out. And that's happening in our community. And they currently have nowhere to go. And we've heard projects come in front of us and use this affordable housing pitch of why we should give them all this density that looks great, but they have no intentions whatsoever of deed restricting, or working with Tooele County Housing Authority to make sure that those things actually happen. I appreciate your transparency in that.

**Brett:** And so even the Matthew Sisters, who we're working with on, they have indicated... And not even indicated, they've been in meetings. I know Jesse was there. Where they want to really try to give back to the community as far as school teachers, police officers, that sort of thing. They've done it before with deed restrictions in South Jordan. And that was kind of the first kickoff where if we need to go through the legal process, but for the general overview, if there's a waiting list to get into the department and you meet that criteria, then you actually jump to the front of the list to take priority. I know I'm getting a little bit lost in the weeds there.

**Jaime:** No, no you're not.

**Rick:** You're not really. I appreciate all that.

**Jaime:** Because sometimes the weeds are the important part.

**Brett:** Because that's really what we're trying to do. And I appreciate you seeing that apartments are really the way to make things affordable because...

**Jaime:** I know. And then I know there's a lot of community members that don't really want to see apartments because of beliefs in what they bring. But the reality is that we need them.

**Howard:** And if we went by a show of hands, probably all of us have spent some time in an apartment in our life. You got to start somewhere, my point is.

**John:** I don't think that's the issue. I just wanted to say this. I drive down Main Street and I personally think the library should have been put on Main Street. I think that the Public Safety building should have been put on Main Street. And now we're going to take another building, that in my opinion, should be on Main Street and we're going to put it in the middle of a residential. It makes zero sense to me. I will fight this as hard as I can because I can't see that working. Why not put it, like she said, put it up there near Main Street and where you can eventually, when they sell those homes you can put a little A&W or whatever they have near the Soelbergs in Stansbury. People may have to drive a little bit to get to the store, but it doesn't make any sense to put it down there to me.

**Howard:** We're hearing you. Thank you.

**John:** That might sound like a strong opinion, but I drive down Main Street. I want it to be a cool Main Street. I want Grantsville to have some character. And you're going to take one of the things that would be cool to put on Main Street and hide it in a residential neighborhood. It doesn't make any sense. I know you guys are trying to do what you can do, but I'm just saying what I think.

**Brett:** Yeah. No, loud and clear. No.

**Howard:** And we're going to take all these things into consideration. We appreciate, we don't mind having a frank discussion. So, thank you.

**Rick:** I agree with what Jaime and John are saying about the apartment buildings. I'm not opposed to it because I realize and understand that. But please understand that if you come in here and half of that's covered with apartment buildings, it's going to be a little rough.

**Brett:** Well, and I don't think-

**Rick:** And this is how many acres? 70? What if 30 of those acres were a pond. Would I be responsible for making sure that you can put the correctly assigned density for that 70 acres? No. It's your responsibility to meet the code. That's just how I feel about it.

**Howard:** I hear you.

**Jaime:** We have kind of gone off based.

**Derek:** I just feel like we got off, we went the wrong way. They were here for more the residential stuff when we went towards commercial. Because I don't feel like a lot of stuff got answered

**Jaime:** True.

**Howard:** Well, we're working on site plan here and I know that the Jeffrey's will be in soon with their development agreement that they want to work through with the city also. We'll be dovetailing those together. But I think we'll immediately be meeting with them and passing on this information.

**Kevin:** I'm not sure this is appropriate, but do they have ownership of that property already?

**Howard:** They have it under contract. It's in a purchase contract.

**Derek:** If that goes to plan how it's drawn up right now, what's the plan for the front commercial site? Strip malls? What's kind of... And here I'm talking about commercial again.

**Howard:** Honestly, we are, like I said, we're working with some users that we can't disclose right now. But some major players that are interested in Grantsville right now, we don't have anybody that has signed at this point. I really don't have that to tell you at this point. But we see it as a key component of this. And I will say in our planning, the rest of the Matthews property's going to be thought of in all of that planning as well.

**Jaime:** You mean the rest of the Matthews property that's on Main Street?

**Howard:** Correct.

**Jaime:** Is it available?

**Howard:** When it's available. It's not available, but when it is.

**Jaime:** So that gives me even more heartburn.

**Brett:** Why?

**Jaime:** Because you're saying that we're going to take that into consideration and that's going to be a possibility at some point, which tells me that that's where our grocery store needs to be.

**Howard:** What about your drug store? Where do you want it?

**Jaime:** What drugstore? That's inside Soelberg's

**Howard:** There will be a Walgreens or a CVS that wants to be in Grantsville, I would think.

**Jaime:** Is there going to be enough land for that?

**Howard:** Well, of course.

**Jaime:** You say that, but we don't have enough land for Soelberg's.

**Kevin:** But natural progression. If Walgreens really wants to come, they got deeper pockets than some.

**Howard:** Correct.

**Kevin:** They're going to come in and buy somebody's house up that's on Main Street, or two. That's where they're going to build. I think part of that comes with natural progression.

**Howard:** And they're going to want a good corner because they want to be on the corner of Main and whatever. You got to get the rooftops.

**Kevin:** Yeah. But the commercial's what pays the bills. And I recognize that. It's important.

**Howard:** This has been a good discussion, been helpful for us. Is there anything else you want to kick us out the door with?

**Jaime:** With the actual residential part, there is a huge long list of things that you basically presented us with in the narrative doesn't comply. And under a PUD you have to show us why we should give a variance. So, if you're going to go do homework, that's going to be part of it. When you come back, it has to be specific. What are you giving for what you're asking?

**Howard:** Very good.

**Kevin:** And I think you need to take a real hard look at the narrow streets. I think that's a real issue.

**Howard:** I know Grantsville has a love affair with wide streets. The state legislature in this last session has mandated that, State legislature in this last session has mandated that residential streets are now 53 feet wide in the state. I don't know if you're aware of that. Were you aware of that?

**Kevin:** No, not necessarily.

**Howard:** So, that's one of the things that... There's state compliance and there's city compliance and so there'll probably be some adjustments that we'll all be working on and making together. But I appreciate that.

**Jaime:** And storm water is part of that. The stormwater ponds, we don't see. The open space, we don't currently see. All of that's got to be addressed before it comes to be a plan, a PUD that we are going to consider approving.

**Howard:** Okay, awesome. Thanks for your time.

## 2. Discussion of Development Agreement for Matthews Ranch PUD

**Jaime:** I don't know how we could possibly discuss what terms we should agree to on a development agreement when we don't have a plan that we can even consider. And there's no way that, in my opinion, the city should contract in a development agreement until we know what we're getting.

No new discuss.

### **3. Discussion of the Proposal to amend the Grantsville City Land Use Management and Development Code by adopting updated Zoning Maps - Shay Stark, Aqua Engineering**

Shay Stark from Aqua Engineering was present to discuss this item.

**Shay:** I think what I'd like to start out with, because it's been several months since we had the previous discussions about this, and what kicked this off in the first place was that we've had several years that the zoning map has not been updated. We had a lot of properties that needed to be updated. Now those have all gone through approval.

We only modified and updated the zoning on properties that had previously been through city approval. They were technically now zoned at what's shown here. And then the other thing when we had that discussion several months ago was that we were talking about these concerns with the zoning descriptions and the code and conflicts between that. Conflicts between that and future land use.

The idea was brought up, "Hey, let's just get rid of the zoning descriptions on the zoning map. They just refer back to the code." And so that's really the two major changes that you're seeing on this map. And we will also a bit, because I think somebody mentioned this or asked this, I presented to you in this overall map just because the big picture, I knew all the zoning had already been approved. The big picture to me was kind of a more important thing. But we will provide the same, we've had it broken up into thirds. Those sheets are actually still in there also.

**Jaime:** I actually appreciate this because I can't tell you how many times we're dealing with something that's kind of on the boundary

**Shay:** You can't see what's going on around it. That's why I wanted to do it this way and maybe we can actually post it on the internet with this. And then the three and zoomed in.

**Jaime:** Zoomable... Well, is this zoomable where you can, like Google Earth, you can just zoom in and it fixes and orients.

**Dan:** These are just high definition pdf file. Zoomable is tech we don't have

**Rick:** I'm sorry, I'm not trying to get off track, but I am.

**Jaime:** That's what we count on you for, Rick.

**Rick:** On, you said we had talked about putting the definitions into the code, right?

**Shay:** Well, no, no. Basically they're getting rid of these definitions off of the map 100% and solely relying on the code, so what's in the code right now is defined in that zone. That's what we're solely relying on.

**Rick:** Okay. When did that happen? Has that already taken place?

**Jaime:** That's what we're looking at.

**Shay:** That's what this is, is it is all you're seeing now is this legend that's calling out the zones. The previous maps had a paragraph by each one of those.

**Rick:** So, my point here is this brown area was zoned MU, right? Am I reading that right? Zoned MU.

**Shay:** Correct.

**Rick:** When it said on the map, that that's up to the discretion of the planning and zoning committee, correct?

**Jaime:** On our future land use map, under it. Because it was a planning area. Is that what you're thinking?

**Rick:** Well, if it's zoned MU now, they're probably not going to want to change that. My point is are they able to come in and say, "Oh, well was that put into the definitions?"

**Jaime:** What do you mean?

**Rick:** Is that still up to the discretion of the planning committee?

**Shay:** Well, let me see if I can understand your question and hopefully, this will help.

Everything that is on this map, the zoning that is on this map, every one of those properties went through a public hearing, went to planning commission and went to city council. Now it may have been a large area that was annexed in and it came in through that annexation, but all of that zoning went through that public process to become the zone on there.

And so that same thing, say somebody decides out there by the Walmart, you've got that MU and they've got some up on the hill, so they decide they want to put a gravel pit up there. They're going to come in, they're going to ask for a rezone to industrial, it will come to a public hearing, it will be come before you as the planning commission and it'll come before city council for an approval for that. So yes, it's driven by it. They've gone through that process and at the time planning commission and city Council said "Yes, we'll will allow you to zone it, to that."

**Rick:** My question revolves around what came up tonight. What's allowable in mixed use? Who determines that? What percentage is it? Is that still the planning and zoning committee?

**Shay:** That's what it says in the code.

**Rick:** It says that in the code?

**Shay:** Yes.

**Rick:** Okay, now-

**Jaime:** I think you understand. Hold on Rick. You're asking about what MU says, and do we have the authority to do stuff, right?

**Rick:** Yeah.

**Jaime:** That is what is in the code. This is only a map of what is currently done. We need to talk about and would like to get on our agenda, staff, a conversation about MU and what is allowed under MU, how much commercial we have under MU, how much density. So, they're kind of two different questions.

**Lanise:** You want a better definition of what MU is.

**Rick:** Shay has brought this up before. I was reading through the minutes, going over the minutes and I'm looking at how many times that has come up. It's come up tonight. Was it 20%? How many units is it? Does anybody know? And I understand that there is a definition, but I think you would agree that it's not really super. My

concern with, since that part of the definition isn't on this map anymore, is it reflected in the code? Does that make sense?

**Jaime:** Yeah. the code, this is only referencing you back to the code. What happened before is that we had a description like this on the map, that wasn't actually the same as the code. Then we're having the question of, well do we follow the map or do we follow the code? And that's why we're not putting the definitions on the map is so that they can only go to the code to come up with the definition.

**Rick:** And I agree.

**Jaime:** But your question is exactly right. We need to have that conversation and we want to do a work meeting. I was supposed to send an email, but life is life. We would like to set a work meeting to have that specific conversation about what MU is. I know we have a definition right now.

**Shay:** No, but I totally support this a hundred percent.

**Rick:** We had a discussion on what we thought we would maybe accept at a time, but it's not written into the code.

**Shay:** I think that the challenge with commercial in all of this is it would be nice to put in the code and say, look, I'm just throwing out a wild number here. But 80% of that property has to be commercial. But the challenge is, the reality is, that the percentage of commercial that the city will actually support is honestly, as you hear from the developers all the time, it is based on the number of rooftops.

I've worked with some small communities and that have desperately wanted something to come into their community, something commercial, and they get told over and over again "No, you can't even get this a fast food restaurant because you don't have enough people in town to make it happen." And so, I think that that's why it was written the way it was in the MU zone.

But at the same time, we are growing like crazy. And to set a reasonable minimum, and I'm not exactly sure how we determine that, but I think we can look at other communities and get a feel, look at the communities and say, okay, what percentage of the community is commercial versus rooftops? And maybe that can give us an idea for a feel for that. And I definitely believe we need to modify these definitions and these descriptions in the code.

**Rick:** What's sticking me on it is they put that MU zone down along there to encourage commercial development. That's the purpose of what's happening. And they're coming in here with MU, oh, well it's 10% commercial and they don't ever plan on developing it. What do we end up with? We end up with something that violates all these other codes and nothing.

**Jaime:** Does that answer your question?

**Rick:** Yes.

**Jaime:** There's two specifics. Looking out in what used to be the flux area on the future land. Or not on the future land use, on the density map of 2015, which was of course ancient, but it showed that brown parcel that now has a blue at the end. It showed it brown and white and brown. And not light blue. Can you go to the current one you snapped?

**Shay:** Across from across from Walmart?

**Jaime:** Yeah.

**Shay:** The 150 acres.

**Jaime:** Has that actually been approved? All of that MU and when did that happen?



**Shay:** Okay, so back, and I wish I could pull it up on the GIS because I could tell you the exact date. I can provide you the exact date, I've got it in there. But back before with Derek Ellis, when he purchased that property. He came in and he had that rezoned. And if you look at the minutes in the ordinance and look at the ordinance, it stated specifically in there that property was going MU, except for 29 acres would be commercial. The problem is they never defined what the 29 acres was, where it was, or anything like that. There wasn't even a concept map tied to that, at the time, that was clear. And so that wasn't defined. It was nebulous. It's just that okay, we have 150 or 155 acres, whatever that is being rezoned to MU, it was approved through planning commission. It was approved through city council and it's 155 acres or 150 acres that with 29 of it being commercial. What I've done on this map, because the way I had it shown before, and I explained that some of these were incomplete. And that was one I actually brought up because I didn't know how to deal with it at the time.

You haven't seen it yet because it's just started through the process. But we actually have a preliminary application for all that property right now that's in front of the city. What I've done is I've looked at what they've put on the preliminary and said, "Okay, this is what you are assigning is that 29 acres of commercial." And then basically carve that out and show the rest of it is MU.

**Jaime:** Okay.

**Shay:** So that's how that's occurred.

**John:** Did it get sold again? Because it's been like two plans so far.

**Shay:** That was Nelson's property, they sold it to Derek Ellis and then Derek Ellis sold it to CW Land. This is in October and now it's gone to LBI, or I can't remember. It is to the east of Walmart, it is that kind of a little rocket shaped piece between Lincoln Highway and HWY 138.

**Jaime:** Okay. Yeah. I at least understand that now. And then the purple, so there's this purple area, the blue square in the middle of it.

**Shay:** It. Okay. Yeah, the Matthews Meadows subdivision and the school property, and I'm trying to think the name of the person who is other property is right behind it. It's left me. But anyway,

**Jaime:** Okay. So that's all been properly changed?

**Shay:** Yes. yeah, there was a question when I was looking through that. There was a question about, so there were two properties right there on the corner or part of the Matthews Metal subdivision. And when they came through planning commission, they came through as separate applications, but you approved one in one meeting and I think the next meeting the other one was approved. And then that went to city council and I found the one in city council, but I couldn't ever find the discussion for the other one. And yet there was kind of an anomaly too in the way it was worded that it was like, well, maybe it's actually covering both of them. But anyway, so the problem is I hadn't looked far enough out to find out that there was an additional discussion.

I can't remember now. Almost six months later or several months later, I can't remember exactly how long the city council discussed that and went through it. The interesting part of that is that at the time they then tabled it. There was an assumption that it had gone through an approval. The developer turned in a preliminary, everybody thought that they had been approved again because of the language in that earlier one, making it sound like there might have been both pieces of property in there. They came through with their with their preliminary, which went through everything and was approved. Essentially by default, by the approval of that preliminary, and city council approving it, that's ultimately when that last little piece was approved. But it did go before city council previously. And they had discussed it. It went through public hearings, it went through all the steps. In fact, that one I guess technically went through a couple of times.

**Jaime:** Okay. All right. The last question is, we had previously had conversations about some of the lines that were there before, cut some of the properties in half. And we were talking about just cleaning that up. But I think I had a conversation with Attorney Coombs and I think that we decided that we can't just do that. Is that right?

We have to actually go through the process with the landowner to change them. Everything has been left the way that it was?

**Shay:** The simple answer is yes, it's been left the way it was. I will point this out, this map is far more accurate than the original maps that we had. As I was going through these, because this is based off of the county's, all of the plats get put into their GIS. This is based off of those plats, the actual plat drawings.

I realized the original one was based off the 1911 plats that were all measured in chains, which a chain was 66 feet long. They would literally take a chain out there, mark it off, and then they'd take to the next spot and then they'd measure the difference, and that's how they did it. Our original maps that we were using and that we had our zoning on across the whole city are actually 500 feet shorter than what this is. The only reason I'm bringing that up is I had to best guess on a lot of those because some of them, the property lines weren't even the same.

**Jaime:** I've done some of those quiet title actions so I know exactly what you're talking about.

**Shay:** That's what we expect to do is that we'll hit at some point when we want to address those, we'll go through a public process, inform those people, see if they want to and go through that process.

**Jaime:** Does anyone else have questions?

Derek: Is this the current map that we're using now? Is that one that you pulled up?

Cavett: The one that says draft is the one we're currently using.

Lanise: The draft of October 22. There's three on our website.

**Jaime:** Do we need any further discussion or are you guys ready to make this an action item tonight?

**Rick:** I'm ready to make an action.

**Jaime Topham made a motion to make item 3 proposal to amend the Grantsville City Land Use Management and Development Code by adopting updated Zoning Maps. Rick Barchers seconded the motion. And all in favor? Motion carries unanimously**

**Jaime Topman made a motion to recommend to City Council for approval the proposed amendment to the Grantsville City Land Use Management and Development Code by adopting updated Zoning Maps. Kevin Hall seconded the motion. All in favor? Motion carries unanimously**

#### **4. Discussion of the Proposed amendment of Chapter 2 Definitions of Front Yard and Side Yard to the Grantsville City Land Use Management and Development Code - Cavett Eaton, Planning and Zoning Administrator**

**Cavett:** This is our new updated, hopefully like definition for front yard, the permeable area. We put that in particular because it doesn't mean sidewalks or driveways. So that helps us with a couple of things. With the new water reduction program, this is important. With the state's new lawn removal rebate, this is also an important thing to have. This is front yard definition, side yard, and the street side yard. It was important to put both of those in there because of corners. Then the diagram is there and it kind of gives you an idea of what we are trying to describe.

**Jaime:** Oh, that's so much better. Well done. That will save us so many discussions.

**Cavett:** We hope so. We are still working on a way to work with the developers so that when they do these water waste reductions, they're going to give us a percentage to help us do the math. Because this is impossible for 700 homes to come up with how we're going to give them that rebate. But anyway, that's our best shot at this. We're hoping this works for you guys.

**Rick:** You know what? I have to applaud you for the simplicity of this. I mean, not making this a big drawn out, I mean this is just, we're just trying to change one little point and I can appreciate that. I mean, I'm ready to make this an actionable item if we can.

**Jaime:** I'm guessing that this was not written by an attorney. Cause there are not enough words.

**Cavett:** This was actually provided by Chris Hupp who's doing our West Bank study. He's used this in several cities. He said this is the best way to do it and we loved it.

**Rick:** Are you okay with the wording on this, Brett?

**Derek:** Does it have to have a public hearing?

**Cavett:** We did a public hearing the first thing this evening. So, it's good

**Rick Barchers made a motion to made item #4 and actionable item. Derek Dalton seconded the motion. All in favor? Motion carries unanimously**

**Rick Barchers made a motion to recommend approval of the adoption of the amendment to Chapter 2 Definitions of the Front Side and Side Yard to the Grantsville City Land Use Management and Development Code as proposed. Kevin Hall seconded the motion. All in favor? Motion carries.**

#### **5. Approval of minutes from the June 6, June 16, July 7, Nov. 17 and Dec. 1, Dec.15, 2022 Planning Commission Meetings “as drafted”**

**Jaime made a motion to approve the meeting minutes for June 6, June 16, July 7, Nov. 17 and Dec. 1, Dec.15, 2022 Planning Commission Meetings “as drafted.” John seconded the motion. All voted in favor. Motion carried unanimously.**

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

Mayor: North willow creek is coming down. Filling the various basins. No big problems yet.

Jaime set a work meeting for Worthington Ranch, MU and External ADU and West Bank Study. **April 25 6:00 pm**

PUD joint work meeting needed May 10 6:00 PM

#### **7. Adjourn**

**Jaime Topham made a motion to adjourn the meeting. Kevin Hall seconded it. All voted in favor. Motion carried unanimously**

**Meeting adjourned at 8:39pm**