



Sept. 7, 2023

**Planning Commission
Meeting**

Information Packet

PLEDGE OF ALLEGIANCE

ROLL CALL

PUBLIC HEARING:

- a) Proposed Preliminary Plan for Heritage Farms Subdivision consisting 137 lots to be built on 105 acres, located on the south side of Nygreen between 500 and 600 East, zoned R-1-21
- b) Proposed Amended and Restated Development Agreement for Worthington Ranch Subdivision PUD consisting of 157.6 acres, located at approximately 1062 N. Old Lincoln Hwy, zoned RR-2.5

AGENDA:

1. Consideration to approve PUD for Desert Edge Subdivision PUD
2. Consideration to approve PUD for Worthington Ranch Subdivision PUD
3. Consideration to recommend approval of an Amended and Restated Development Agreement for Worthington Ranch Subdivision PUD.
4. Discussion of Final Plat and Construction Plan Review for Hale Street Market
5. Discussion of PUD for Alington Subdivision PUD
6. Discussion of Preliminary Plat for Heritage Farms Subdivision
7. Discussion of CN zoning district to allow drive-up window.
8. Approval of minutes from the April 25, July 20, and August 17, 2023 work meetings
9. Report from City Council liaison Mayor Critchlow
10. Adjourn

AGENDA ITEM #1

Consideration to approve PUD for Desert Edge
Subdivision PUD



Planning and Zoning

336 W. Main Street • Grantsville, UT 84029

Phone: (435) 884-1674 • Fax: (435) 884-0426

Permit # 23044

Desert Edge Subdivision PUD Summary, Review and Recommendation

Parcel ID: 01-115-0-0003, 01-115-0-0019, 16-031-0-0002, 01-040-A-0019,
01-040-A-0020, part of 01-115-0017 & 01-040-A-0010

Property Address: SR 138 & Old Lincoln Hwy.

Meeting Date: Aug 17, 2023

Current Zone MU (Mixed Use), CD

Applicant Name: LGI Homes - Utah

Request: Subdivision PUD

Prepared by: Cavett Eaton / Shay Stark

Planning Staff Recommendation: A group from LGI, Snell & Wilmer, Focus Engineering. Jason Boal from Snell & Wilmer presented their 10 PUD requests. Through a work meeting and regular meeting discussion concerns were deliberated. A conclusion was reach on the 10 items. The following is a summary of the conclusions.

PROJECT DESCRIPTION

Located between Old Lincoln Highway and SR 138. Subdivision Proposal – 148 Total Acres. Residential Acreage – 118.9 Acres. Commercial Acreage – 28.9 Acres. Four Phases. Total Units - 700. Total Density – 5.9 Units/Acre. Open Space 15.9 Acres (13.4%). Retention Area – 5.3 Acres

SITE & VICINITY DESCRIPTION



GENERAL PROPERTY INFO

TOTAL ACREAGE	±148.7 ACRES
RESIDENTIAL ACREAGE	118.9 ACRES
COMMERCIAL ACREAGE	29.8 ACRES

LEGEND

30' LOTS	148
40' LOTS	358
TOWNHOME UNITS	194
OPEN SPACE	15.9 ACRES (13.4%)
RETENTION AREA	5.3 ACRES
COMMERCIAL AREA	29.8 ACRES

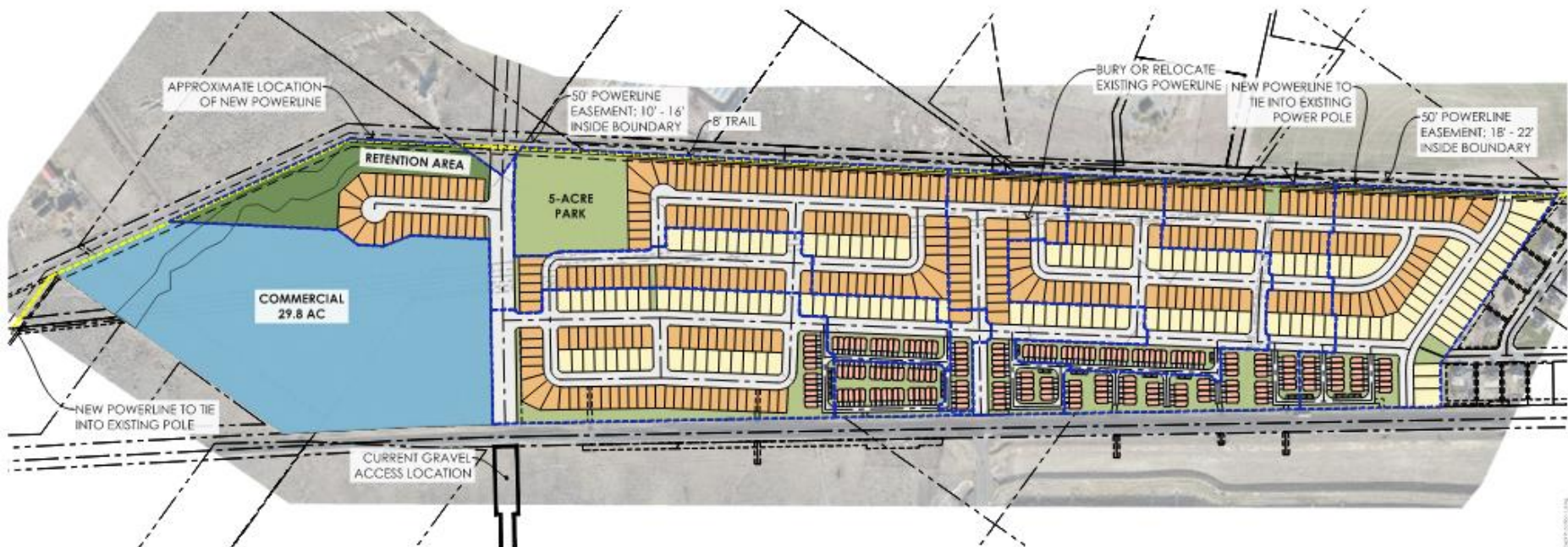
CITY STANDARDS

LOCAL STREET R.O.W. WIDTH	66'
ARTERIAL R.O.W. WIDTH	108'
CUL-DE-SAC & KNUCKLE RADIUS	60'
REQD. OPEN SPACE	10% OF TOTAL ACREAGE

Phases	40' Lots	30' Lots	Total
Phase 1	12	54	66
Phase 2	12	41	53
Phase 3	11	83	94
Phase 4	32	35	67
Phase 5	29	40	69
Phase 6	48	40	88
Phase 7	34	37	71
Total	194	358	552

PHASING PLAN

Note: The retention area located in phase 2 will be built during phase 1. Phases 1 & 2 will be built to allow time for relocation of power pole along Old Lincoln Highway, at which point phases 3 & 4 will be able to be built.

**DESERT EDGE** concept K option 1

GRANTSVILLE CITY, TOOELE COUNTY

10/27/2022

21-0443



PUD REQUEST

Request #	Grantsville City Code Section	Grantsville City Code Standard	Original Proposed Standard	Modified Proposed Standard
1	GLUDMC Section 19a.3	Minimum lot size of 4,000 sq. ft	Minimum lot size for <u>townhome</u> lots 1,000 sq. ft	Planning Commission is good with 1000 sq. ft. (land just under building footprint) as this is similar to what has been recently amended in the MU District code and section 4.39 in the GLUDMC.
2	GLUDMC Section 19a.4	Corner Lot setbacks - 25 feet on each side fronting a street, with 10-foot setbacks for the other two sides	Corner Lot setbacks - Corner side is 12' and rear is 20' for 40' wide and 50' wide lots. Then 12' front and side, 22' garage, and 15' between building setback on townhomes.	(In the summary discussion LGI mentioned it would be providing an exhibit to help the Planning Commission see what the proposed setbacks would look like.)
3	GLUDMC Section 19a.5	Lot Frontage - the minimum lot frontage/lot width shall be not less than 50 feet	Lot Frontage - 30 ft. lot frontage. Minimum lot width at the front setback will be 40 ft	The City discussed the concern that there is not adequate room at the curb for the drive way and utilities on lots located in cul-de-sacs and bends in the street at the 30-foot minimum frontage when the lot lines are projected out to the back of curb. The lack of on street parking was also discussed in these situations. LGI agreed to specifically look at the lots in the cul-de-sac and on the elbow bends and try to increase the frontage to mitigate this issue. (In the summary discussion LGI states that there is a little more discussion to identify which lots this applies to and how this will all work.)
4	GLUDMC Section 4.7 GLUDMC 2.247	Private streets shall conform to City right of way standards for a "standard residential street"	Private Streets in the townhome area have a 26' ROW.	LGI to create fire/emergency service access. (Is this still necessary in the north area where the additional cross street has been added? We should specify where this will be required.)
5	GLUDMC 6.14.5. A. 1. g	Driveways shall not be closer than: a. Twelve feet (12') to each other; and b. Sixty feet (60') along the right of ways to a point of a road or street right-of-way intersection as measured from back of sidewalk or property line to edge of driveway	Driveway spacing – Single Family Homes: 8' on corner lots and 18' on all other lots. Townhomes: 5' between rear loaded driveways	During the summary discussion between the LGI and Planning Commission the driveway spacing for single family homes on conner lots was settled at 10 feet spacing. This is on the side away from the intersection to maintain the clear view area within the site triangle.
6	GLUDMC Section 21.6.3.3	No subdivision street shall extend farther than 750 feet beyond its intersection with another street.	Public & Private Streets permitted to extend 1,000 feet beyond an intersection.	Fire has determined that the sections of Public Streets that are over 750 feet long are connected at both ends with streets that provide efficient access (are connected to streets that provide access outside of the subdivision)

				and the width of the Public Streets are wide enough that they can safely maneuver on these streets (room to account for parked vehicles and will allow traffic to pass). Fire has determined that the sections of the 26-foot-wide street in the townhouse area need to remain no longer than 750 feet in length. LGI agreed to adjust the layout to add an additional cross street to reduce the length of the streets to less than 750 feet in the townhouse area.
7	GLUDMC Section 21.6.3.7	No more than sixteen (16) single family dwelling units, or twenty-four (24) multi-family dwelling units accessing the cul-de-sac	Number of Single-family homes on a cul-de-sac be limited to 30.	LGI to add sprinklers to homes in long cul-de-sac
8	GLUDMC Section 21.6.8	(1) A ten-foot public utility easement shall be established along the front of each lot. (2) A 7.5-foot public utility easement shall be established along the sides and back of each lot.	PUE easement dimensions of: A 5-foot side yard PUE with a 5-foot side yard setback.	No window wells on sides of homes
9	GLUDMC Section 4.16.C	Sight triangles on private roads are 30'	Sight triangles on private roads are 20'	No exception to be granted. LGI will meet the City requirements on site triangles.
10	GLUDMC Section 21.4.3	The number of lots/units per phase is 200.	The number of lots/units per phase is 200.	LGI proposed to reduce the number of lots/units per final plat application to 150 lots/units and they would construct the development in subphases of 50 lots/units at a time. (Can two subphases of different types of housing product such as townhouse and single family be constructed concurrently?)

GENERAL PLAN CONSIDERATIONS

It is important to note that no development is going to meet all of the goals of the General Plan nor does the City want a development to meet all of the goals. The City land use map contains 10 distinct types of land uses and the Zoning Map contains 18 distinct zones. The expectation is that each of those zones serves a unique purpose that is different from the other zones. As conformance to the General Plan is considered for an application, the consideration should weigh its compatibility to surrounding uses, its fit within the zone and land use it would reside in and its compatibility in the community overall.

For example, we should not expect to meet moderate-income housing needs with one-acre single family lots. Nor should we expect that those residing in one acre or larger lots will have convenient access to employment, goods and services within walking distance.

In summary Desert Edge seems to support the following goals and policies:

LAND USE

Goals and Policies and Land Use

Goal 3. Support a Mix of Land Uses. Grantsville desires a well-balanced, financially sound, and functional mix of agricultural, residential, commercial, open-space, recreational, and institutional land uses.

- Policy 3. Ensure compatibility of future land uses with adjoining properties.
- Policy 4. Promote neighborhood commercial development in targeted areas, to preserve existing or planned residential development without detracting from the residential character of the community. Increase density along the Main Street corridor, offering more clustered housing alternatives for lower income families within convenient access to necessary amenities.
- Policy 7. Allow the sizes of lots/units within a subdivision to vary from the zoning requirement while maintaining the overall zoning density of the parcel to provide Improved Open Space through the Planned Unit Development (PUD) Process.

Goals + Policies + Community Design

Goal 2. Create a more pedestrian-friendly community. As new development is proposed, and/or as resources become available to the City, invest in things that promote an active lifestyle.

- Policy 2. Construct maintained pathways of adequate widths on streets in high density areas that currently do not have paths for other types of transportation other than driving.

Goals + Policies + Transportation

Goal 1. Provide for the existing and future transportation needs. Develop and maintain transportation systems of adequate size and capacity to serve the existing and projected permanent and peak population in all areas of the city.

- Policy 1. Street paving and pedestrian surfacing materials should be economical, serviceable, and easy to repair. The variety of surfacing materials should be kept to a minimum.
- Policy 2. The parking policy shall be to require on-site parking enough to meet the anticipated parking demand of proposed development.
- Policy 3. The City will require necessary transportation improvements, including adequate right-of-way dedications, and other transportation facility enhancements, concurrent with development approvals to adequately serve the development.

Goal 3. Develop a comprehensive transportation system. Incorporate many modes of travel, including private vehicle, mass transit, pedestrians and bicycles.

- Policy 1. Access for the disabled shall be addressed in all public improvements.
- Policy 2. Provide a pedestrian-oriented sidewalk, path and trail system that offers convenient access throughout the entire city.
- Policy 3. Walking and biking will be a practical and enjoyable means of travel within the City with the provision of safe sidewalks and multiple use trail system (including ATV and equestrian users).

Goals + Policies - Housing

Goal 1. Housing Stock. Grantsville seeks to develop a variety of housing opportunities.

- Policy 1. Support the development of single-family dwellings, multi-family dwellings, and retirement housing.
- Policy 2. Encourage a variety of housing and residential opportunities by establishing and providing a range of allowed residential densities and lot sizes [as per UCA 10-9a-403(2)(b)(iii)(A)].

Goals + Policies - Recreation and Open Space

Goal 2. Improve Recreation Opportunities. Grantsville encourages the development and maintenance of parks with quality recreational facilities that connect all parts of the community.

- Policy 4. Provide a connected and useable open space network.
- Policy 6. All new developments will be required to contribute to the provision of open spaces within the City, either through onsite reservation, where appropriate, offsite contributions, or payment in lieu.

Goal 3. Public/Private Cooperation. Grantsville supports public/private cooperation in developing recreation and open space improvements, services, and facilities.

- Policy 1. Encourage residential and commercial developers to improve and/or construct recreational facilities in lieu of paying fees for developments that will generate need beyond current recreation infrastructure capacity.

NEIGHBORHOOD RESPONSE

Public Hearing held at Planning Commission Meeting on Aug 3rd. Concerns about traffic and speed on Old Lincoln highway were expressed.

The city expressed similar concerns early on in the application process and access to Old Lincoln Highway was limited to two entrances and the development has been designed to favor access to SR-138. Improvements may be necessary to Old Lincoln Highway to mitigate the traffic issues.

PLANNING COMMISSION RESPONSE

Discussion held at Aug 3rd Planning Commission meeting and at a Work Meeting held Aug 17th. In the August 17th meeting the ten requested exceptions to the City ordinances and standards were discussed in detail. The minutes from those meetings and the presentation by LGI have been attached as supporting documentation. The requested exceptions and the modifications to these exceptions that were discussed in the previous meetings are detailed in the PUD Request Table found above.

PLANNING STAFF ANALYSIS

The staff and Planning Commission have spent a great deal of time working with LGI to reduce the number of exceptions being requests and to find acceptable ways to mitigate those exceptions that could have adverse impacts. This has been done in order to honor the terms of the Agreements previously entered into.

At the August 17 Planning Commission meeting each of the ten requested exceptions were discussed. LGI will provide updated exhibits for:

- Show what the proposed setbacks will look like.
- Reconfigure the layout of the streets in the townhouse area to keep block lengths under 750 feet
- Adjust the lots on the cul-de-sac and on bends in the streets that have 30-foot frontage to improve the frontage widths at the street.

There are a few other issues shown in the table that need a little additional clarification as to how Planning Commission would like them addressed. Those include:

- The exact locations that will require emergency accesses. (The need for these accesses may have changed with the subsequent discussion on reconfiguring the streets in the townhouse area to reduce the street length.)
- Will the applicant be allowed to construct two sub-phases consecutively that consist of different housing products? (The discussion contemplated this but it was not conclusive either way.)

PLANNING STAFF RECOMMENDATION

It is our understanding that LGI will provide the Planning Commission with the updated exhibits with their presentation at the next meeting. Upon agreement between LGI and Planning Commission on the issues being addressed in the updated exhibits and outstanding clarifications, staff recommends that the Planning Commission approve the PUD and the requested exceptions to the GLUDMC.

AGENDA ITEM #2

Consideration to approve PUD for Worthington
Ranch Subdivision PUD



Planning and Zoning

336 W. Main Street • Grantsville, UT 84029

Phone: (435) 884-1674 • Fax: (435) 884-0426

PUD-2023100

Worthington Ranch Subdivision PUD

Parcel ID: 01-040-A-0027

Property Address: 1062 Old Lincoln Hwy, Grantsville, UT 84029

Meeting Date: 8/17/23

Current Zone RR-2.5

Applicant Name: Worthington Ranch

Request: Subdivision PUD

Prepared by: Cavett Eaton & Lanise Thompson

LASTEST COMMENTS FROM WORTHINGTON RANCH

PUD Considerations

Worthington Ranch is requesting PUD approval and the opportunity to negotiate with the City of Grantsville regarding the optimal use of parcel 01-040-A-0027.

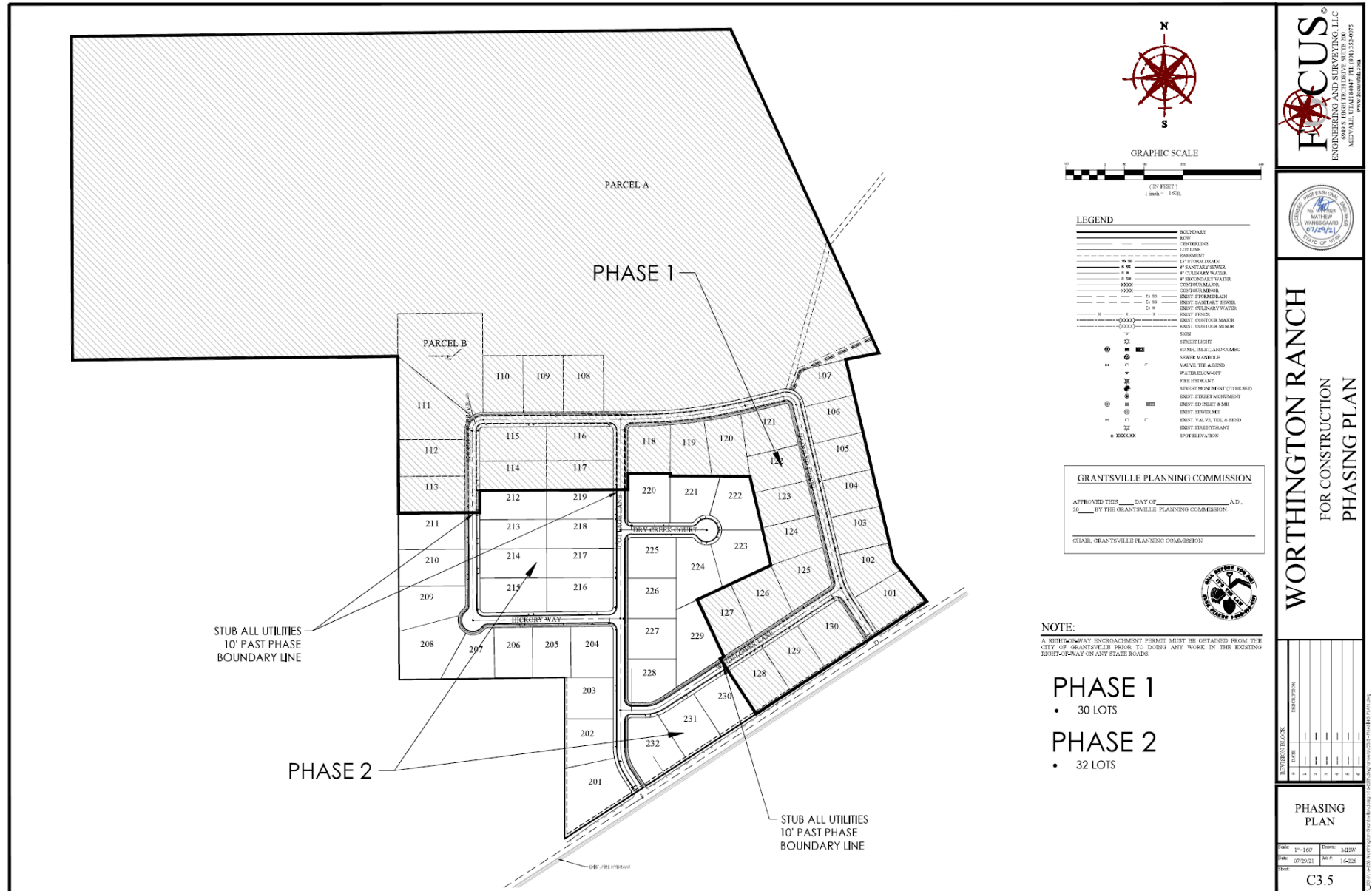
Worthington Ranch is proposing to work with the City to maximize the community value of the open space by donating land and potentially amenities to the City in exchange for some additional building lots.

Worthington Ranch is not requesting to choose a specific option today, but merely to be granted PUD approval to begin the negotiations.

Options: (In all cases, Phase 1 is developed and would remain unchanged for 30 lots. In all cases, except option A as required by the MDA, any land or amenities would be donated to Grantsville City at no cost to the City.)

- A. Worthington Ranch stays as is with current development agreement and plat in place.
- B. Worthington Ranch is permitted to increase phase 2 lot count from 32 to 48 (+16) in a straight trade for the 94-acre open space to be dedicated to the city.
- C. Worthington Ranch is permitted to increase lot count from 62 to 95 (+33) in exchange for TBD amenities to be constructed at developers cost and donated along with the remaining amenity and open space land to the city.
 - a. Potential amenities could include 2 of the following options: Walking Trails, Pickle Ball Courts, Community Garden, Pavilion, or playground.
- D. Worthington Ranch is permitted to increase lot count from 62 to 130 (+68) in exchange for TBD amenities to be constructed at developers cost and donated along with the remaining amenity and open space land to the city.
 - a. Potential amenities could include up to 5 of the following options: Walking Trails, Pickle Ball Courts, Community Garden, Pavilion, or playground.

OPTION A



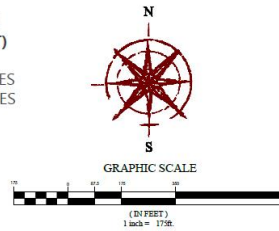
OPTION B

CONCEPT TABULATIONS

TOTAL PROPERTY ACREAGE 157.65 ACRES

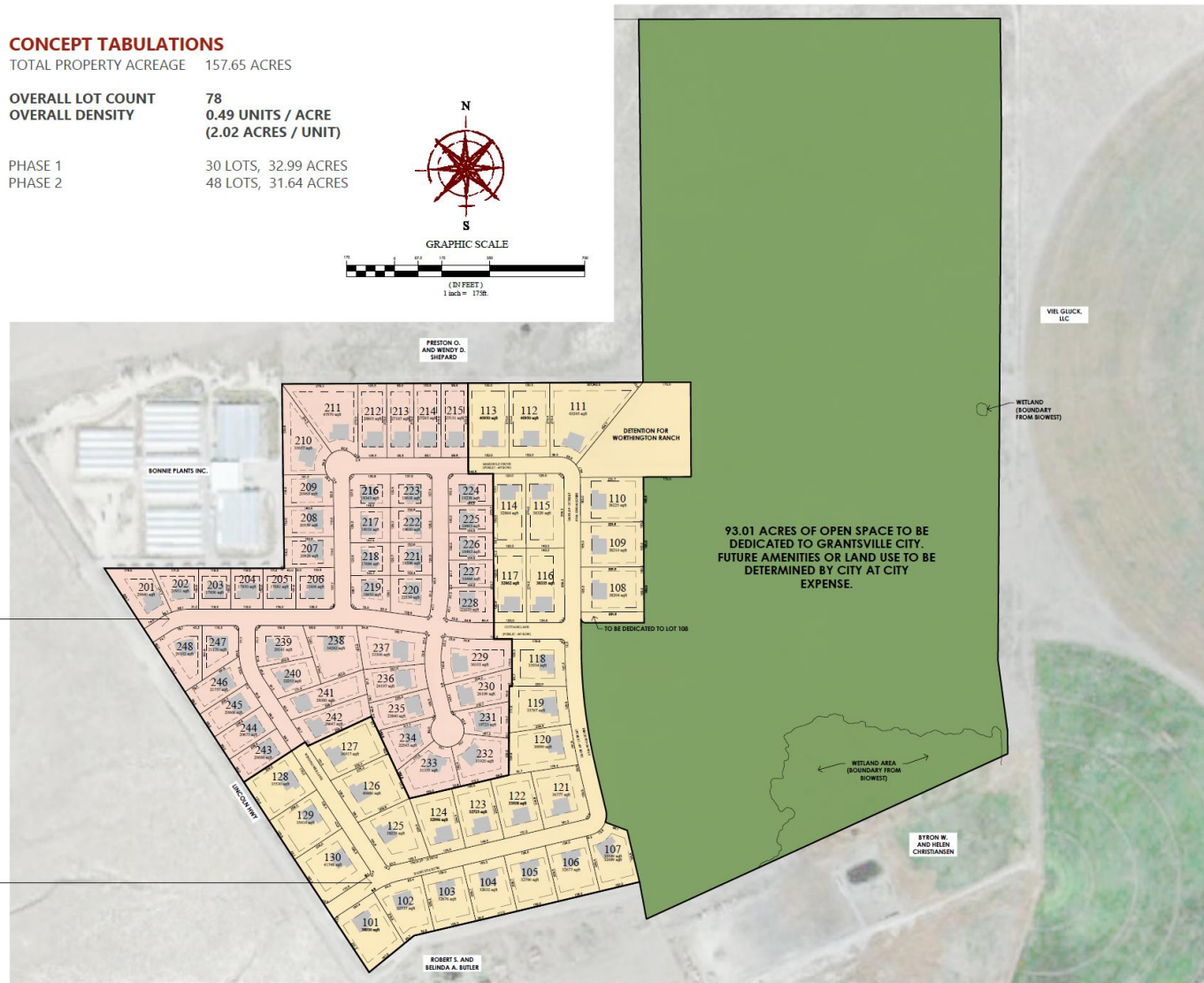
OVERALL LOT COUNT 78
 OVERALL DENSITY 0.49 UNITS / ACRE
 (2.02 ACRES / UNIT)

PHASE 1 30 LOTS, 32.99 ACRES
 PHASE 2 48 LOTS, 31.64 ACRES



PH. 2

PH. 1

**WORTHINGTON RANCH** concept C option 2

GRANTSVILLE CITY, TOOELE COUNTY
 5/16/2023



OPTION C

CONCEPT TABULATIONS

TOTAL PROPERTY ACREAGE 157.65 ACRES

OVERALL LOT COUNT 96

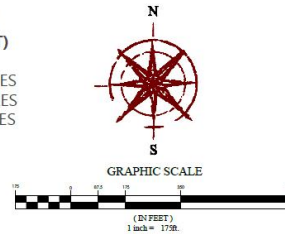
OVERALL DENSITY 0.58 UNITS / ACRE
(1.73 ACRES / UNIT)

PHASE 1 30 LOTS, 32.99 ACRES

PHASE 2 48 LOTS, 31.64 ACRES

PHASE 3 18 LOTS, 13.66 ACRES

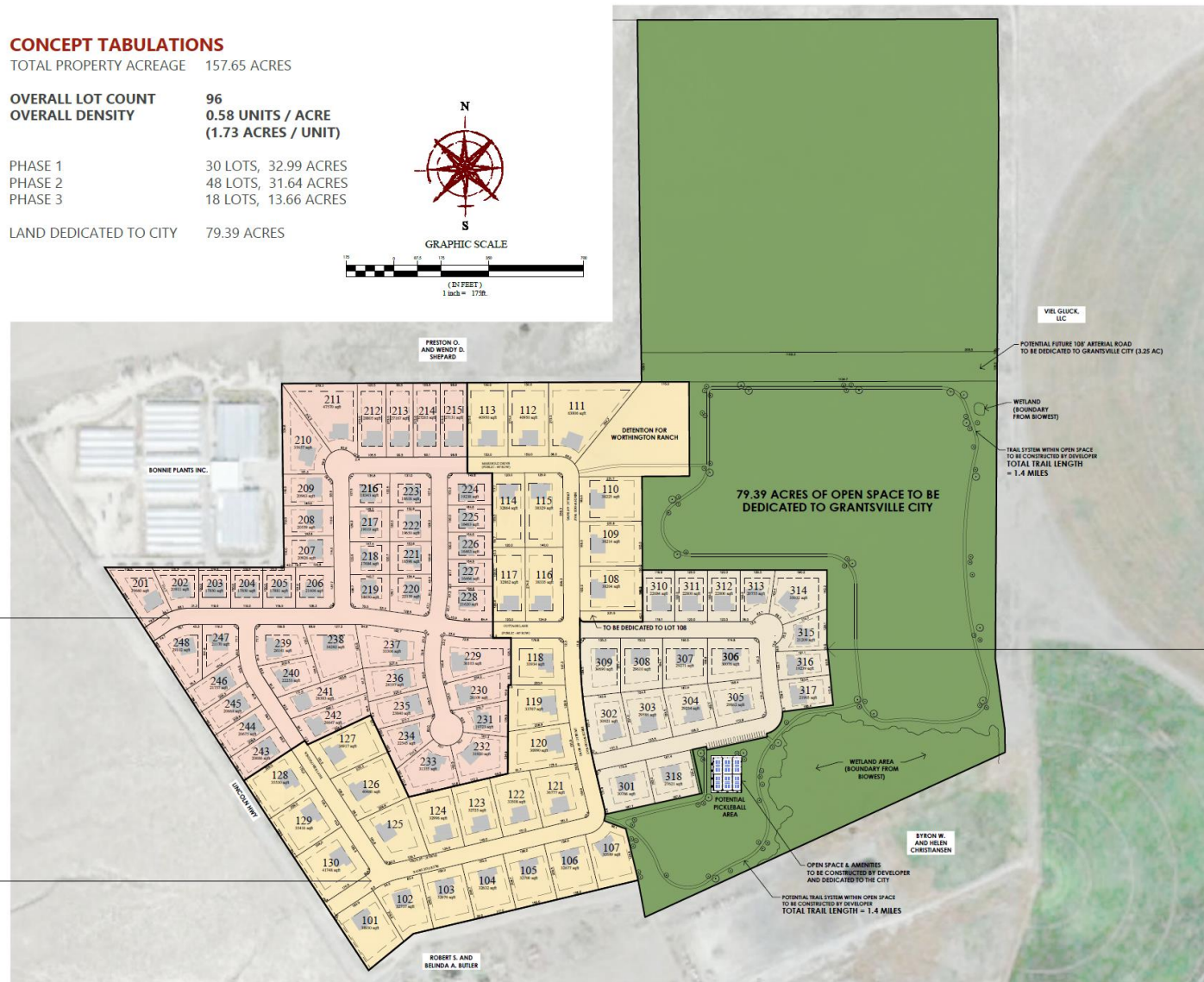
LAND DEDICATED TO CITY 79.39 ACRES



PH. 2

PH. 1

PH. 3

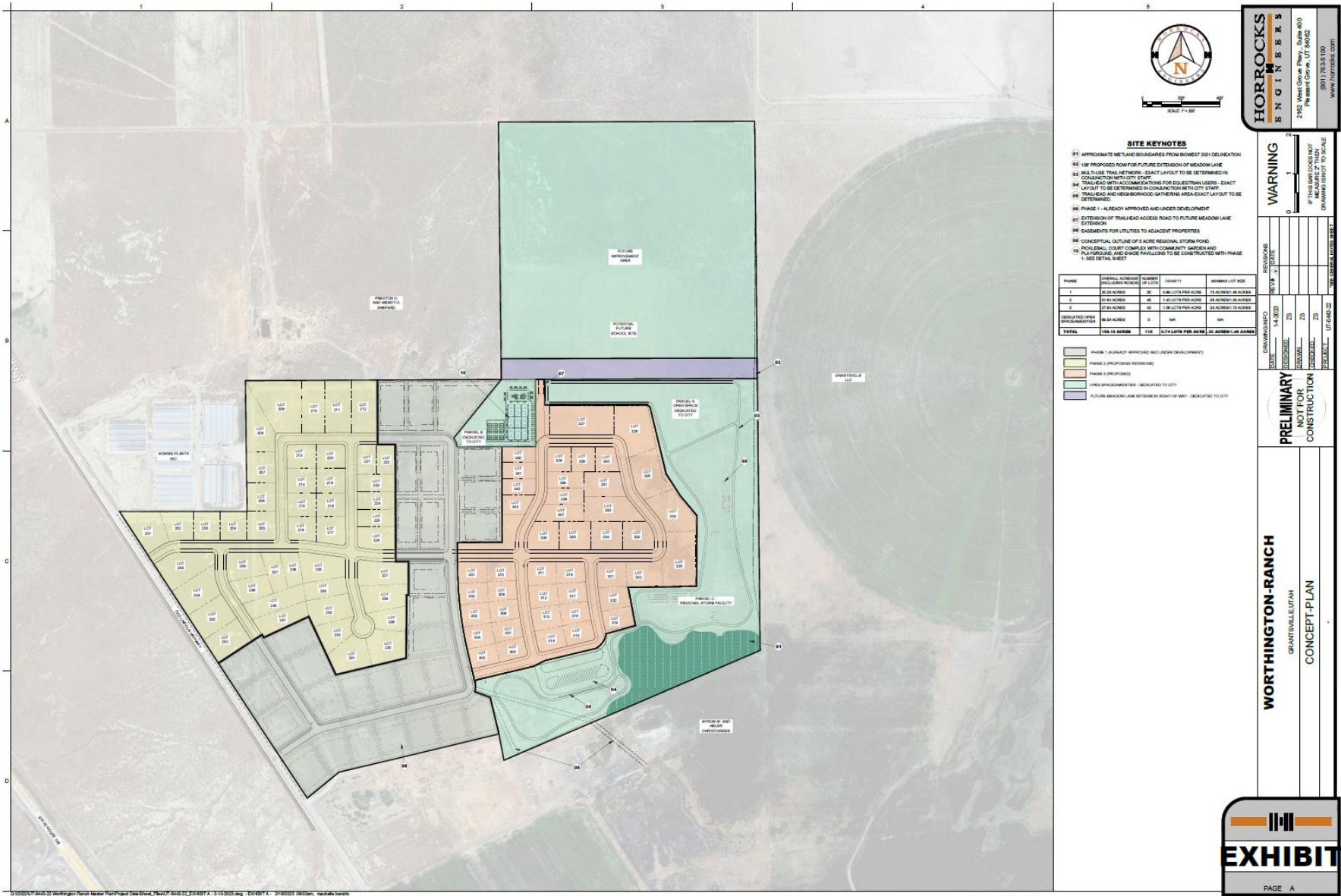
**WORTHINGTON RANCH** *concept C option 3*

GRANTSVILLE CITY, TOOELE COUNTY

5/16/2023



OPTION D



ISSUES OF CONCERN/PROPOSED MITIGATION

Worthington Ranch is asking for smaller lot sizes, additional building lots and the elimination of the 94-acre HOA restriction. If this PUD application is approved in any form increasing the number of lots and intensity of development in the 94 acres the impacts of the following items need to be considered:

- Increased non-permeable surface area leading to additional stormwater run-off
- Additional Traffic impacts to State HWY 138 and Old Lincoln Highway
- The internal streets may require more traditional improvements such as sidewalks on both sides of the streets, as well as other improvements
- Smaller lots necessitate the need for on street parking
- Ensure that the utilities will adequately serve the development

Worthington Ranch has forwarded a draft of a Development Agreement amendment that will be processed through Planning Commission in the future.

PLANNING COMMISSION RESPONSE

Worthington Ranch has presented concept plans to Planning Commission at the previous meetings:

Jan. 05, 2023, Jan. 19, 2023, Apr. 25, 2023 work meeting, May 18, 2023, and Aug. 17, 2023. As to whether the City wants this property, it was thought by some in attendance that the Mayor had said 'Yes.' Planning Staff has since asked the Mayor for clarification. His response was "No, the city does not want the property."

PLANNING STAFF ANALYSIS

See Issues of Concern / Proposed Mitigation

PLANNING STAFF RECOMMENDATION

The developer would like Planning Commission to approve or reject this proposal in order for them to move this project to City Council for consideration as soon as possible.

AGENDA ITEM #3

Consideration to recommend approval of an
Amended and Restated Development
Agreement for Worthington Ranch Subdivision
PUD

Draft to Planning Commission
07/27/23

WHEN RECORDED, RETURN TO:

Brett Coombs, Esq.
Grantsville City Attorney
429 East Main Street
Grantsville City, Utah 84029

GRANTSVILLE CITY
AMENDED AND RESTATED
MASTER DEVELOPMENT AGREEMENT
FOR
WORTHINGTON RANCH SUBDIVISION

THIS AMENDED AND RESTATED MASTER DEVELOPMENT Agreement ("ARMDA") is made and entered as of the ____ day of ____, 2023 by and between Grantsville City, a municipal corporation of the State of Utah ("City"), and Worthington Ranch, LLC, a Utah LLC ("Developer").

RECITALS

A. The capitalized terms used in this ARMDA and in these Recitals are defined in Section 1.2 below.

B. The Parties entered into the Prior Agreement on June 17, 2021.

C. The Parties now desire to amend the Prior Agreement.

D. Developer owns and is developing the Property as a single-family residential subdivision. Developer and the City desire that the Property be developed in a unified and consistent fashion pursuant to the Preliminary Plat and Final Plat for each phase. The Parties desire to enter into this ARMDA to specify the rights and responsibilities of the Developer to develop the Property as expressed in this ARMDA and the rights and responsibilities of the City to allow and regulate such development pursuant to the requirements of this ARMDA.

E. Development of the Project as a master planned community pursuant to this ARMDA is acknowledged by the parties to be consistent with LUDMA and to operate for the benefit of the City, Owners, Master Developer, and the general public.

F. The Planning Commission reviewed and made a recommendation on this ARMDA on _____, 2023.

G. The City Council has reviewed this ARMDA and determined that it is consistent with LUDMA.

H. The Parties acknowledge that development of the Property pursuant to this ARMDA will result in significant planning and economic benefits to the City and its residents by, among other things, requiring

orderly development of the Property as a master planned community and increasing property tax and other revenues to the City based on improvements to be constructed on the Property.

- I. Development of the Property pursuant to this ARMDA will also result in significant benefits to Owners and Master Developer by providing assurances to Master Developer that it will have the ability to develop the Property in accordance with this ARMDA.
- J. Owners, Master Developer, and the City have cooperated in the preparation of this ARMDA.
- K. The Parties desire to enter into this ARMDA to specify the rights and responsibilities of Owners and Master Developer to develop the Property as parts of the Project as expressed in this ARMDA and the rights and responsibilities of the City to allow and regulate such development pursuant to the requirements of this ARMDA.
- L. The parties understand and intend that this ARMDA is a "development agreement" within the meaning of, and entered into pursuant to the terms of, Utah Code Ann. §§ 10-9a-102 and 532 (2023).
- M. The Zoning of the Property as PUD was authorized by the adoption of Ordinance # _____, 2023.
- N. This ARMDA and all of its associated "legislative", "broad, competing policy-considerations" and "generally applicable" decisions regarding the development of the Project as those terms are discussed in *Baker v Carlson*, 2018 UT 59 were considered by the Planning Commission on _____, 2023 pursuant to Utah Code Ann. § Section 10-9a-532(2)(iii) (2023), in making a recommendation to the City Council.
- O. The City believes that this ARMDA and the Zoning of the Property constitute the completion of the "legislative", "broad, competing policy-considerations" and "generally applicable" decisions by the City Council regarding the development of the Project as those terms are discussed in *Baker v Carlson*, 2018 UT 59.
- P. The City intends that the implementation of those "legislative", "broad, competing policy-considerations" and "generally applicable" decisions through the provisions and processes of this ARMDA relating to "fixed criteria" are "administrative" in nature.
- Q. This City's entry into this ARMDA is authorized by the adoption of Ordinance # _____ on _____, 2023.

NOW, THEREFORE, in consideration of the mutual covenants contained herein, and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, the City and Developer hereby agree to the following, incorporating by reference the prior recitals as if fully set forth herein:

TERMS

1. Definitions. As used in this Agreement, the words and phrases specified below shall have the following meanings:

- 1.1. **Agreement** means this Master Development Agreement, including all of its Exhibits and Addenda, including Addenda added after this Agreement is executed.
- 1.2. **Applicant** means a person or entity submitting a Development Application.
- 1.3. **Buildout** means the completion of all of the development in each phase of the entire Project in accordance with this Agreement.
- 1.4. **City** means Grantsville City, a political subdivision of the State of Utah.
- 1.5. **City's Future Laws** means the ordinances, policies, standards, and procedures which may be in effect as of a particular time in the future when a Development Application is submitted for a part of the Project and which may or may not be applicable to the Development Application depending upon the provisions of this Agreement.
- 1.6. **City's Vested Laws** means the ordinances, policies, standards, and procedures of the City in effect as of the date of the execution of this ARMDA a digital copy of which is attached as Exhibit "D".
- 1.7. **Council** means the elected City Council of the City.
- 1.8. **Default** means a breach of this Agreement as specified herein.
- 1.9. **Developer** means Worthington Ranch LLC and its successors/assignees as permitted by this Agreement.
- 1.10. **Development** means the development of any portion of the Property pursuant to an approved Development Application.
- 1.11. **Development Application** means an application to the City for development of a portion of the Project or any other permit, certificate or other authorization from the City required for development of the Project.
- 1.12. **Final Plat** means the recordable map or other graphical representation of land prepared in accordance with Utah Code Ann. § 10-9a-603 (2023), and approved by the City, subdividing any portion of the Project.
- 1.13. **LUDMA** means the Land Use, Development, and Management Act, Utah Code Ann. § 10-9a-101 (2005), *et seq.*
- 1.14. **Master Plan** means the general layout of the types and areas of development of the Project as illustrated on Exhibit "B".
- 1.15. **Maximum Residential Units** means the development on the Property of Worthington Ranch Subdivision, one hundred thirty (130) Residential Dwelling Units
- 1.16. **Notice** means any notice to or from any Party to this Agreement that is either required or permitted to be given to another party.
- 1.17. **Party/Parties** means, in the singular, Developer or the City, in the plural Developer and the City.
- 1.18. **Final Plat** means the final plat for the development of Phase 1 of the Project, which has been approved by the City and which is attached as Exhibit "B."
- 1.19. **Open Space** means that approximately seventy (70) acre portion of the Property designated as Open Space on the Master Plan.
- 1.20. **Project** means the residential subdivision to be constructed on the Property, in phases, pursuant to this ARMDA with the associated Public Infrastructure and private facilities, and all of the other aspects approved as part of this ARMDA.
- 1.21. **Property** means the real property owned by and to be developed by Developer more fully described in Exhibit A.
- 1.22. **Public Infrastructure** means those elements of infrastructure that are planned to be

dedicated to the City or other public entities as a condition of the approval of a Development Application.

1.23. **Residential Dwelling Unit** means a structure or portion thereof designed and intended for use as attached residences as illustrated on the Final Plan.

1.24. **Zoning** means the PUD zoning of the Property to which the Property was rezoned by Ordinance # _____ which was adopted on _____, contemporaneously with the adoption of this ARMDA.

2. **Development of the Project.**

2.1. **Compliance with the Final Plat and this ARMDA.** Development of the Project shall be in accordance with LUDMA, the City's Vested Laws, the City's Future Laws (to the extent they are applicable as specified in this ARMDA), the Master Plan, the Preliminary Plat, the Final Plat and this ARMDA.

2.2. **Maximum Residential Units.** At Buildout, Developer shall be entitled to have developed the Maximum Residential Units of the type and in the general location as shown on the Final Plat.

2.3. **Minimum Lot Size.** All Residential Dwelling Units shall be on a lot no smaller than 1/3 acre (14,520 sf).

3. **Vested Rights.**

3.1. **Vested Rights Granted by Approval of this ARMDA.** To the maximum extent permissible under the laws of Utah and the United States and at equity, the Parties intend that this ARMDA grants to Developer all rights to develop the Project in fulfillment of this ARMDA, LUDMA, the City's Vested Laws, the Zoning of the Property, the Master Plan, and the Final Plat except as specifically provided herein. The Parties specifically intend that this ARMDA grant to Developer the "vested rights" identified herein as that term is construed in Utah's common law and pursuant to Utah Code Ann. § 10-9a-509 (2023).

3.2. **Exceptions.** The vested rights and the restrictions on the applicability of the City's Future Laws to the Project as specified in Section 3.1 are subject to the following exceptions:

3.2.1. **Developer ARMDA.** The City's Future Laws or other regulations to which the Developer agrees in writing.

3.2.2. **State and Federal Compliance.** The City's Future Laws or other regulations which are generally applicable to all properties in the City and which are required to comply with State and Federal laws and regulations affecting the Project;

3.2.3. **Codes.** Any City's Future Laws that are updates or amendments to existing building, fire, plumbing, mechanical, electrical, dangerous buildings, drainage, or similar construction or safety related codes, such as the International Building Code, the APWA Specifications, AAHSTO Standards, the Manual on Uniform Traffic Control Devices or similar standards that are generated by a nationally or statewide recognized construction/safety organization, or by the State or Federal governments and are required to meet legitimate concerns related to public health, safety or welfare;

3.2.4. **Taxes.** Taxes, or modifications thereto, so long as such taxes are lawfully imposed and charged uniformly by the City to all properties, applications, persons and entities similarly situated; or,

3.2.5. **Fees.** Changes to the amounts of fees for the processing of Development Applications that are generally applicable to all development within the City (or a portion of the City as specified in the lawfully adopted fee schedule) and which are adopted pursuant to State law.

3.2.6. **Impact Fees.** Impact Fees or modifications thereto which are lawfully adopted, and imposed by the City pursuant to Utah Code Ann. Section 11-36a-101 (2011) *et seq.*

3.2.7. Compelling, Countervailing Interest. Laws, rules or regulations that the City's land use authority finds, on the record are necessary to avoid jeopardizing compelling, countervailing public interest pursuant to Utah Code Ann. § 10-9a- 509(1)(a)(i) (2023).

4. **Term of ARMDA.** Unless earlier terminated as provided for herein, the term of this ARMDA shall be until January 31, 2030. If Developer has not been declared to be currently in Default as of January 31, 2030 (and if any such Default is not being cured) then this ARMDA shall be automatically extended until January 31, 2033. This ARMDA shall also terminate automatically at Buildout.

5. **Addenda** Addendum No. 1 contains the provisions of this ARMDA that are specific to the development of the Project. Any future phases of the Project may require an added addendum. If there is a conflict between this ARMDA and Addendum No. 1 or any future addenda, then Addendum No. 1 and the future addenda shall control.

6. **Public Infrastructure.**

6.1. **Construction by Developer.** Developer, at Developer's cost and expense, shall have the right and the obligation to construct or cause to be constructed and install all Public Infrastructure reasonably and lawfully required as a condition of approval of this Development Application pursuant to the City's Vested Laws. Such construction must meet all applicable standards and requirements and must be approved by the City's Engineer and Public Works Director.

6.2. **Responsibility Before Acceptance.** Developer shall be responsible for all Public Infrastructure covered by this ARMDA until final inspection of the same has been performed by the City, and a final acceptance and release has been issued by the City. The City shall not, nor shall any officer or employee thereof, be liable or responsible for any accident, loss or damage happening or occurring to the Public Infrastructure, nor shall any officer or employee thereof, be liable for any persons or property injured by reason of said Public Infrastructure; all of such liabilities shall be assumed by the Developer.

6.3. **Warranty.** Developer shall repair any defect in the design, workmanship or materials in all Public Infrastructure which becomes evident during a period of one year following the acceptance of the improvements by the City Council or its designee (Durability Testing Period). If during the Durability Testing Period, any Public Infrastructure shows unusual depreciation, or if it becomes evident that required work was not done, or that the material or workmanship used does not comply with accepted standards, said condition shall, within a reasonable time, be corrected.

6.4. **Timing of Completion of Public Infrastructure.** In accordance with the diligence requirements for the various types of approvals as described in the City's Vested Laws, construction of the required Public Infrastructure for each phase shall be completed within one year after the City Council grants final plat approval for that phase and prior to recordation of the mylar for that phase. Upon a showing of good and sufficient cause by Developer the City shall, in accordance with the provisions of the City's Vested Laws, extend the time of performance if requested prior to expiration of the completion date.

6.5. **Bonding.** In connection with any Development Application, Developer shall

provide bonds or other development security, including warranty bonds, to the extent required by the City's Vested Laws, unless otherwise provided by Utah Code § 10-9a-101, *et seq.* (2005), as amended. The Applicant shall provide such bonds or security in a form acceptable to the City or as specified in the City's Vested Laws. Partial releases of any such required security shall be made as work progresses based on the City's Vested Laws.

6.6. **City Completion.** The Developer agrees that in the event he does not: (a) complete all improvements within the time period specified under paragraph two above, or secure an extension of said completion date, (b) construct said improvements in accordance with City standards and as set forth in Paragraph one above, or (c) pay all claimants for material and labor used in the construction of said improvements, the City shall be entitled to declare the developer(s) in default, request and receive the funds held by the guarantor as surety and utilize the monies obtained to install or cause to be installed any completed improvements and/or to pay any outstanding claims, as applicable. Provided however, that the City shall not be responsible for any work beyond the amount of funds so provided. Any funds remaining after completion of the improvements shall be returned to the Guarantor. The Developer further agrees to be personally liable for any cost of improvements above the amount made available under the terms of this ARMDA.

7. **Dedication of Open Space.** The Open Space shall be dedicated to the City prior to the recordation of Phase 3 as shown on the Master Plan for use by the City as a park or other open space as the City deems appropriate subject only to a right of reversion if the Open Space is used for any other purpose other than a park or other form of open space without the written consent of Developer.

7.1. **Tax Benefits.** The City acknowledges that Master Developer may seek and qualify for certain tax benefits by reason of conveying, dedicating, gifting, granting, or transferring the Open Space to the City. Master Developer shall have the sole responsibility to claim and qualify for any tax benefits sought by Master Developer by reason of the foregoing. The City shall reasonably cooperate with Master Developer to the maximum extent allowable under law to allow Master Developer to take advantage of any such tax benefits.

8. **Culinary Water.** Developer shall be responsible for providing adequate culinary water rights as required by the City's Vested Laws to service the Project.

9. **Upsizing/Reimbursements to Developer.**

9.1. **Upsizing.** The City shall not require Developer to "upsized" any future Public Infrastructure (i.e., to construct the infrastructure to a size larger than required to service the Project) unless financial arrangements reasonably acceptable to Developer are made to compensate Developer for the incremental or additive costs of such upsizing to the extent required by law.

10. **Default.**

10.1. **Notice.** If Developer or the City fails to perform their respective obligations hereunder or to comply with the terms hereof, the Party believing that a Default has occurred shall provide Notice to the other Party.

10.2. **Contents of the Notice of Default.** The Notice of Default shall:

10.2.1. **Specific Claim.** Specify the claimed event of Default;

10.2.2. **Applicable Provisions.** Identify with particularity the provisions of any applicable law, rule, regulation or provision of this ARMDA that is claimed to be in Default; and

10.2.3. **Optional Cure.** If the City chooses, in its discretion, it may propose a method and time for curing the Default which shall be of no less than thirty (30) days duration, if weather conditions permit.

10.3. **Remedies.** Upon the occurrence of any Default, and after notice as required above, then the parties may have the following remedies:

10.3.1. **Law and Equity.** All rights and remedies available at law and in equity, including, but not limited to, injunctive relief and/or specific performance.

10.3.2. **Security.** The right to draw on any security posted or provided in connection with the Project and relating to remedying of the particular Default.

10.3.3. **Future Approvals.** The right to withhold all further reviews, approvals, licenses, building permits and/or other permits for development of the Project in the case of a default by Developer until the Default has been cured.

10.4. **Public Meeting.** Before any remedy in Section 8.3 may be imposed by the City, the party allegedly in Default shall be afforded the right to attend a public meeting before the City Council and address the City Council regarding the claimed Default.

10.5. **Default of Assignee.** A default of any obligations expressly assumed by an assignee shall not be deemed a default of Developer.

10.6. **Limitation on Recovery for Default - No Damages against the City.** Anything in this ARMDA notwithstanding, Developer shall not be entitled to any claim for any monetary damages as a result of any breach of this ARMDA and Developer waives any claims thereto. The sole remedy available to Developer and any assignee shall be that of specific performance.

11. **Notices.** All notices required or permitted under this ARMDA shall, in addition to any other means of transmission, be given in writing by certified mail and regular mail to the following address:

To the Developer:

Worthington Ranch LLC
Attn: Barry Gittleman
84 West 4800 South, Suite 200
Murray, Utah 84107 barry@hamlethomes.com

To the City:

Grantsville City Attn: Mayor
429 East Main Street Grantsville, Utah 84029

12. **Dispute Resolution.** Any disputes subject to mediation or arbitration shall be resolved pursuant to Addendum No. 2.

13. **Incorporation of Recitals and Exhibits.** All Recitals and Exhibits are hereby incorporated into this ARMDA.

14. **Headings.** The captions used in this ARMDA are for convenience only and are not intended to be substantive provisions or evidences of intent.

15. **No Third-Party Rights/No Joint Venture.** This ARMDA does not create a joint

venture relationship, partnership or agency relationship between the City, or Developer. Except as specifically set forth herein, the parties do not intend this ARMDA to create any third-party beneficiary rights.

16. **Assignability.** The rights and responsibilities of Master Developer under this ARMDA may be assigned in whole or in part, respectively, by Developer with the consent of the City as provided herein.

16.1. **Sale of Lots.** Developers selling or conveying lots in any approved subdivision shall not be deemed to be an assignment.

16.2. **Related Entity.** Developer's transfer of all or any part of the Property to any entity "related" to Developer (as defined by regulations of the Internal Revenue Service in Section 165), Developer's entry into a joint venture for the development of the Project or Developer's pledging of part or all of the Project as security for financing shall also not be deemed to be an assignment. Developer shall give the City Notice of any event specified in this sub-section within ten (10) days after the event has occurred. Such Notice shall include providing the City with all necessary contact information for the newly responsible party.

16.3. **Process for Assignment.** Developer shall give Notice to the City of any proposed assignment and provide such information regarding the proposed assignee that the City may reasonably request in making the evaluation permitted under this Section. Such Notice shall include providing the City with all necessary contact information for the proposed assignee. Unless the City objects in writing within twenty (20) business days of notice, the City shall be deemed to have approved of and consented to the assignment. The City shall not unreasonably withhold consent.

16.4. **Partial Assignment.** If any proposed assignment is for less than all of Master

Developer's rights and responsibilities then the assignee shall be responsible for the performance of each of the obligations contained in this MDA to which the assignee succeeds. Upon any such approved partial assignment Master Developer shall not be released from any future obligations as to those obligations which are assigned but shall remain jointly and severally liable with assignee(s) to perform all obligations under the terms of this ARMDA which are specified to be performed by Developer.

16.5. **Complete Assignment.** Developer may request the written consent of the City of an assignment of Developer's complete interest in this ARMDA, which consent shall not be unreasonably withheld. In such cases, the proposed assignee shall have the qualifications and financial responsibility necessary and adequate, as required by the City, to fulfill all obligations undertaken in this ARMDA by Developer. The City shall be entitled to review and consider the ability of the proposed assignee to perform, including financial ability, past performance and experience. After review, if the City gives its written consent to the assignment, Developer shall be released from its obligations under this ARMDA for that portion of the Property for which such assignment is approved.

17. **No Waiver.** Failure of any Party hereto to exercise any right hereunder shall not be deemed a waiver of any such right and shall not affect the right of such party to exercise at some future date any such right or any other right it may have.

18. **Severability.** If any provision of this ARMDA is held by a court of competent

jurisdiction to be invalid for any reason, the Parties consider and intend that this ARMDA shall be deemed amended to the extent necessary to make it consistent with such decision and the balance of this ARMDA shall remain in full force and affect.

19. **Force Majeure.** Any prevention, delay or stoppage of the performance of any obligation under this ARMDA which is due to strikes, labor disputes, inability to obtain labor, materials, equipment or reasonable substitutes therefor; acts of nature, governmental restrictions, regulations or controls, judicial orders, enemy or hostile government actions, wars, civil commotions, fires or other casualties or other causes beyond the reasonable control of the Party obligated to perform hereunder shall excuse performance of the obligation by that Party for a period equal to the duration of that prevention, delay or stoppage.

20. **Time is of the Essence.** Time is of the essence to this ARMDA and every right or responsibility shall be performed within the times specified.

21. **Appointment of Representatives.** To further the commitment of the Parties to cooperate in the implementation of this ARMDA, the City and Developer each shall designate and appoint a representative to act as a liaison between the City and its various departments and the Developer. The initial representative for the City shall be the Mayor. The initial representative for Developer shall be Barry Gittleman. The Parties may change their designated representatives by Notice. The representatives shall be available at all reasonable times to discuss and review the performance of the Parties to this ARMDA and the development of the Project.

22. **Applicable Law.** This ARMDA is entered into in Tooele County in the State of Utah and shall be construed in accordance with the laws of the State of Utah irrespective of Utah's choice of law rules.

23. **Venue.** Any action to enforce this ARMDA shall be brought only in the Third District Court, Tooele County in and for the State of Utah.

24. **Entire ARMDA.** This ARMDA, and all Exhibits thereto, documents referenced herein, is the entire agreement between the Parties and may not be amended or modified except either as provided herein or by a subsequent written amendment signed by all Parties.

25. **Mutual Drafting.** Each Party has participated in negotiating and drafting this Agreement and therefore no provision of this ARMDA shall be construed for or against any Party based on which Party drafted any particular portion of this ARMDA.

26. **No Relationship.** Nothing in this ARMDA shall be construed to create any partnership, joint venture or fiduciary relationship between the parties.

27. **Amendment.** This ARMDA may be amended only in writing signed by the parties hereto.

28. **Recordation and Running with the Land.** This ARMDA shall be recorded in the chain of title for the Project. This ARMDA shall be deemed to run with the land.

29. **Priority.** This ARMDA shall be recorded against the Property senior to any respective covenants and any debt security instruments encumbering the Property.

30. **Authority.** The Parties to this ARMDA each warrant that they have all of the necessary authority to execute this ARMDA. Specifically, on behalf of the City, the signature of the Mayor of the City is affixed to this Agreement lawfully binding the City pursuant to Resolution No. 2021- 31 adopted by the City on June 16, 2021. IN WITNESS WHEREOF, the parties hereto have executed this Agreement by and through their respective, duly authorized representatives as

of the day and year first herein above written.

Exhibit A	Legal Description
Exhibit B	Master Plan
Exhibit C	Addendum # 1
Exhibit D	Addendum # 2

Exhibit "A"

Legal Description of Property

Tax Parcel #01-040-A-0014

THAT PORTION WITHIN SEC 23, T2S, R6W OF THE FOLLOWING DESC PPTY: BEG AT N 1/4 COR OF SEC 23, T2S, R6W, SLB&M; TOOELE COUNTY, UTAH AND RUN TH S 0°35'22" E 2738.94 FT ALG THE N-S 1/4 SEC LI TO THE N RL Y LI OF THAT PPTY CONVEYED IN BK 459, PG 324 (CHRISTIANSEN PPTY); TH S 66°47'24" W 1443.67 FT ALG SD LI AND A FENCE LI TH N 10°36'54" W 138.58 FT; TH S 76°32'09" W 579.03 FT; TH S 76°45'09" W 271.78 FT; ALGA FENCE TH S 50°45'53" W 213.19 FT TO THE E LI OF THE OLD LINCOLN HWY AND RUN TH ALG SD LI THE FOLLOWING 3 COURSES AND DISTANCES; (1) N 33°27'52" W 540.51 FT (2) N 33°10'00" W 919.88 FT, (3) N 32°58'50" W 313.48 FT TO THE SOUTHERLY LI OF LOT 1, SAGE ACRES MINOR SUB; TH E 660.59 FT ALG SD LI TO THE W LI OF SEC 23, T2S, R6W, TH N 0°44'15" W 677.03 FT ALG SD LI TO THE 40 ACRE LI; TH N 89°44'38" E 1325.38 FT ALG SD LI TO ANOTHER 40 ACRE LI; TH N 0°39'49" W 1333.36 FT ALG SD LI TO THE N LI OF SD SEC 23; TH N 89°51'07" E 1327.12 FT ALG SD LI TO THE POB. ---LESS THAT PORTION WITHIN SEC 22, T2S, R6W (7.82 AC) (OUT OF 5-77-15 FOR 2008 YR) 151.25 AC. OUT OF 5-77-16 FOR 2008 YEAR. 151.25 AC

WORTHINGTON-RANCH
CONCEPT-PLAN
GRANDVIEW/LEIGH

PRELIMINARY
NOT FOR CONSTRUCTION

WARNING
DRAWINGS IS NOT TO SCALE
REVISIONS IS NOT TO SCALE

LEGEND

- 1. PROPOSED RESIDENTIAL UNITS
- 2. PROPOSED PARKING SPACES
- 3. PROPOSED CIRCULATION
- 4. PROPOSED OPEN SPACE
- 5. PROPOSED MEDIUM-DENSITY RESIDENTIAL
- 6. PROPOSED LOW-DENSITY RESIDENTIAL
- 7. PROPOSED PARKING AND CIRCULATION
- 8. PROPOSED OPEN SPACE
- 9. PROPOSED MEDIUM-DENSITY RESIDENTIAL
- 10. PROPOSED LOW-DENSITY RESIDENTIAL

TABLE OF CONTENTS

NO.	DESCRIPTION	PAGE
1	GENERAL NOTES	1
2	PROPOSED RESIDENTIAL UNITS	2
3	PROPOSED PARKING SPACES	3
4	PROPOSED CIRCULATION	4
5	PROPOSED OPEN SPACE	5
6	PROPOSED MEDIUM-DENSITY RESIDENTIAL	6
7	PROPOSED LOW-DENSITY RESIDENTIAL	7
8	PROPOSED PARKING AND CIRCULATION	8
9	PROPOSED OPEN SPACE	9
10	PROPOSED MEDIUM-DENSITY RESIDENTIAL	10
11	PROPOSED LOW-DENSITY RESIDENTIAL	11

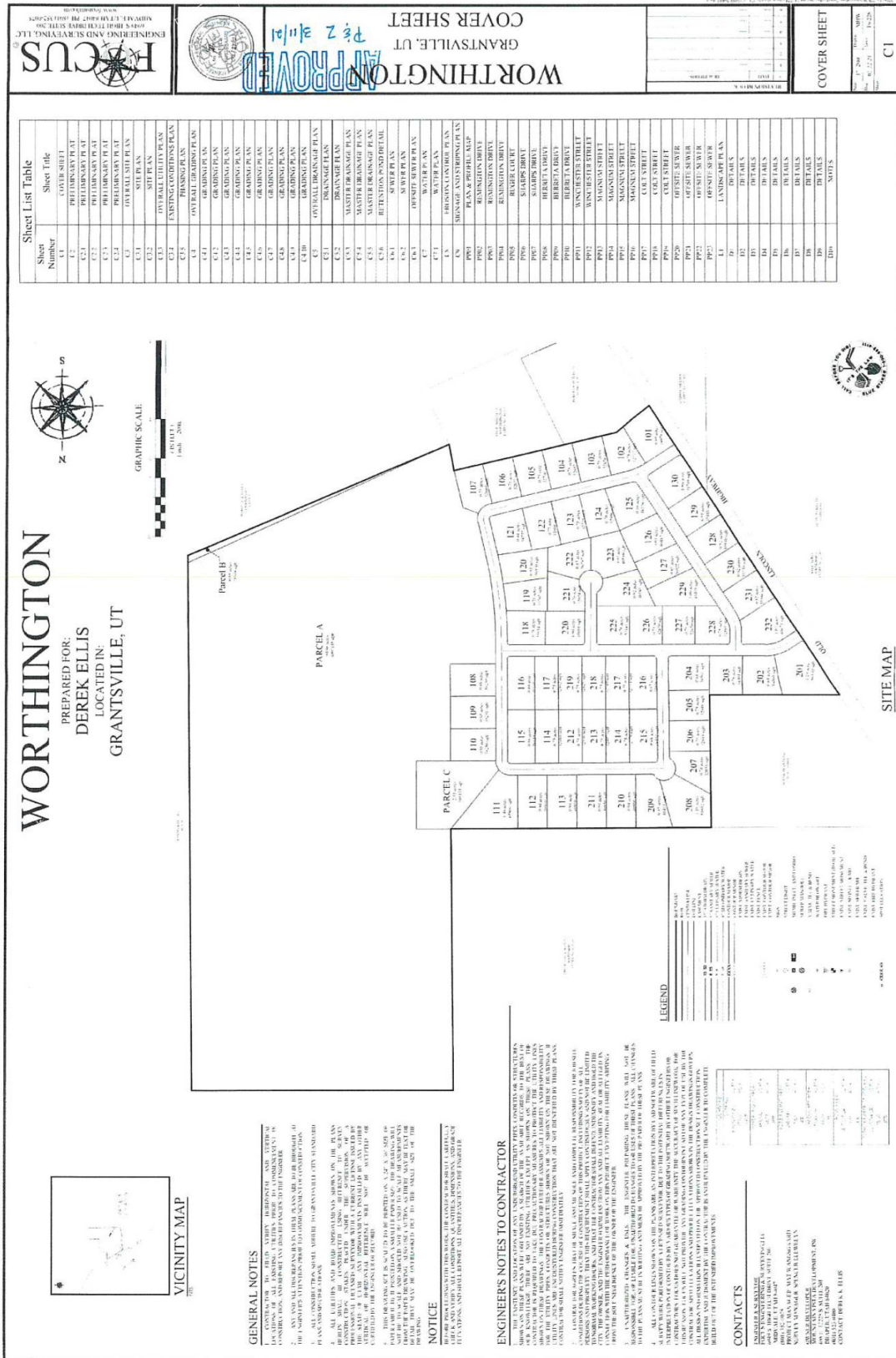
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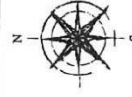
1. ALL PROPOSED RESIDENTIAL UNITS SHALL BE CONSTRUCTED IN ACCORDANCE WITH THE LATEST EDITION OF THE INTERNATIONAL RESIDENTIAL CODE (IRC).
2. ALL PROPOSED PARKING SPACES SHALL BE CONSTRUCTED IN ACCORDANCE WITH THE LATEST EDITION OF THE INTERNATIONAL PARKING CODE (IPC).
3. ALL PROPOSED CIRCULATION SHALL BE CONSTRUCTED IN ACCORDANCE WITH THE LATEST EDITION OF THE INTERNATIONAL CIRCULATION CODE (ICC).
4. ALL PROPOSED OPEN SPACE SHALL BE CONSTRUCTED IN ACCORDANCE WITH THE LATEST EDITION OF THE INTERNATIONAL OPEN SPACE CODE (IOSC).
5. ALL PROPOSED MEDIUM-DENSITY RESIDENTIAL SHALL BE CONSTRUCTED IN ACCORDANCE WITH THE LATEST EDITION OF THE INTERNATIONAL MEDIUM-DENSITY RESIDENTIAL CODE (IMDRC).
6. ALL PROPOSED LOW-DENSITY RESIDENTIAL SHALL BE CONSTRUCTED IN ACCORDANCE WITH THE LATEST EDITION OF THE INTERNATIONAL LOW-DENSITY RESIDENTIAL CODE (ILDRC).
7. ALL PROPOSED PARKING AND CIRCULATION SHALL BE CONSTRUCTED IN ACCORDANCE WITH THE LATEST EDITION OF THE INTERNATIONAL PARKING AND CIRCULATION CODE (IPCC).
8. ALL PROPOSED OPEN SPACE SHALL BE CONSTRUCTED IN ACCORDANCE WITH THE LATEST EDITION OF THE INTERNATIONAL OPEN SPACE CODE (IOSC).
9. ALL PROPOSED MEDIUM-DENSITY RESIDENTIAL SHALL BE CONSTRUCTED IN ACCORDANCE WITH THE LATEST EDITION OF THE INTERNATIONAL MEDIUM-DENSITY RESIDENTIAL CODE (IMDRC).
10. ALL PROPOSED LOW-DENSITY RESIDENTIAL SHALL BE CONSTRUCTED IN ACCORDANCE WITH THE LATEST EDITION OF THE INTERNATIONAL LOW-DENSITY RESIDENTIAL CODE (ILDRC).

ADDENDUM # 1

1. **Modifications to City's Vested Laws and Other City Standards.** The City has agreed to the following exceptions to the City's Vested Laws and Grantsville City Construction Standards and Specifications:
 - a. The City has agreed to a variance from Grantsville City Standard Street Sections. The concept for this project was approved (08-02-2017) prior to the repeal of the 60-foot residential street section (9-20-2017). The variance to the residential street section involves a single 8-foot asphalt trail on one side of the street in place of the traditional 5-foot sidewalks on two sides of the street.
 - b. The Development shall comply with all other City's Vested Laws and other City Standards.
2. **Offsite Improvements.**
 - a. **Sewer Improvements:** The Developer shall construct approximately 1,100 linear feet of 15" offsite gravity sewer line to connect the subdivision sewer system into the City sewer system. The offsite line shall be constructed in a 20-foot-wide utility easement (two easements from separate property owners) that has been procured by the Developer and placed in the City's name.
3. **Construction Coordination:**
 - a. The Developer shall provide the City with 48 hours' notice to coordinate with the City prior to working on or around existing City water and sewer infrastructure.
 - b. All connections to City water and sewer infrastructure shall be inspected by the City prior to back-filling.
 - c. The Developer shall request inspections at least 48 hours prior to the day the Contractor desires the inspection to occur.
 - d. The Developer shall request disinfection testing at least 48 hours prior to the day the Contractor desires the testing to occur.

ATTACHMENT I TO ADDENDUM NO. 1 PRELIMINARY PLAT





GRAPHIC SCALE
1" = 100' ±

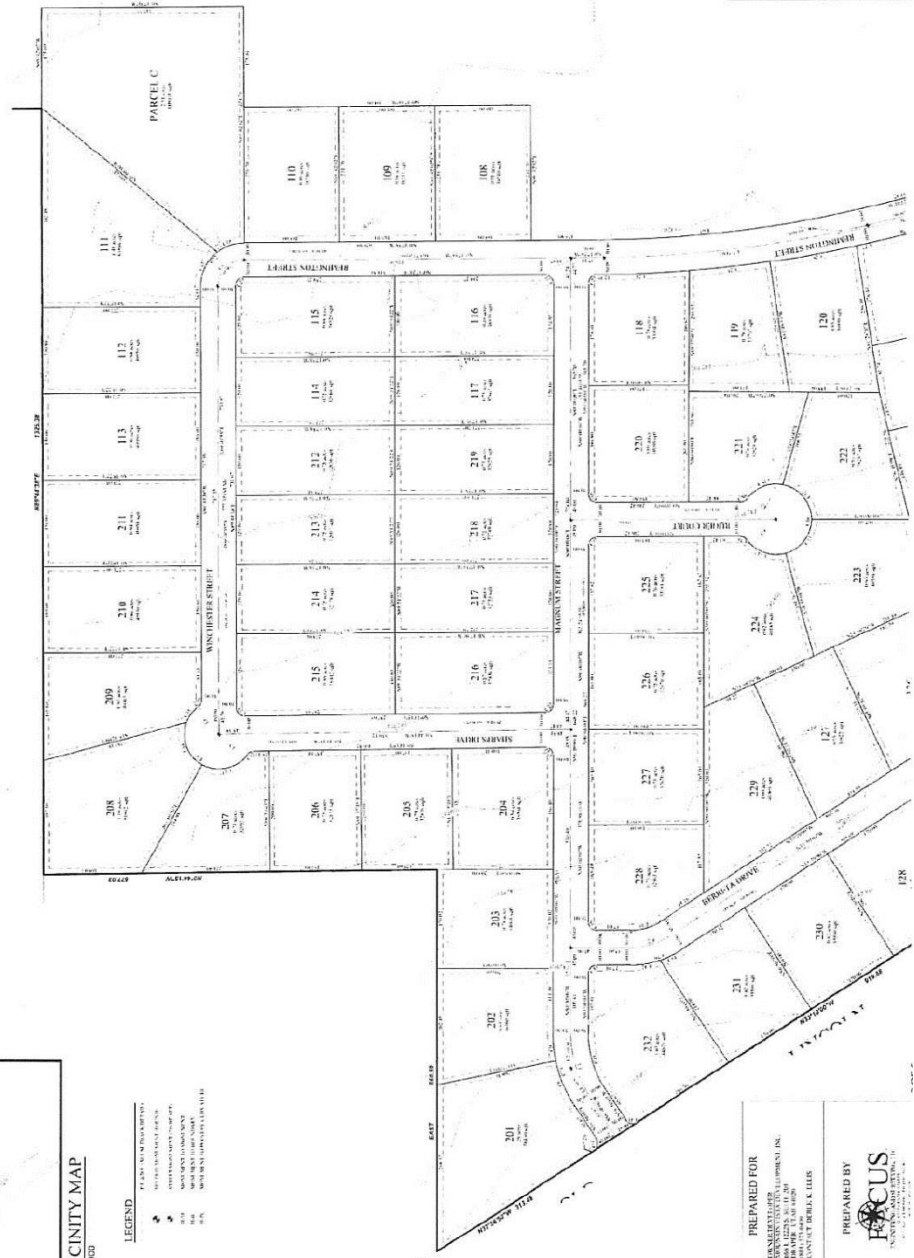
WORTHINGTON

SUBDIVISION
PRELIMINARY PLAT
LOCATED IN THE SW 1/4 & NW 1/4 OF SECTION 33
AND THIRTEEN TOWNSHIP 36 NORTH, RANGE 128, 60W,
SALT LAKE BASIN & MOUNTAIN,
GRANTSVILLE CITY, TOOELE COUNTY, UTAH



VICINITY MAP

- LEGEND
- PLANT MATERIAL
 - EXISTING ROAD RIGHT-OF-WAY
 - PROPOSED ROAD RIGHT-OF-WAY
 - PROPOSED LOT LINES
 - PROPOSED LOT AREA
 - PROPOSED LOT AREA
 - PROPOSED LOT AREA
 - PROPOSED LOT AREA



NOTES
1. ALL LOTS ARE TO BE DEVELOPED FOR RESIDENTIAL USE.
2. ALL LOTS ARE TO BE DEVELOPED FOR RESIDENTIAL USE.

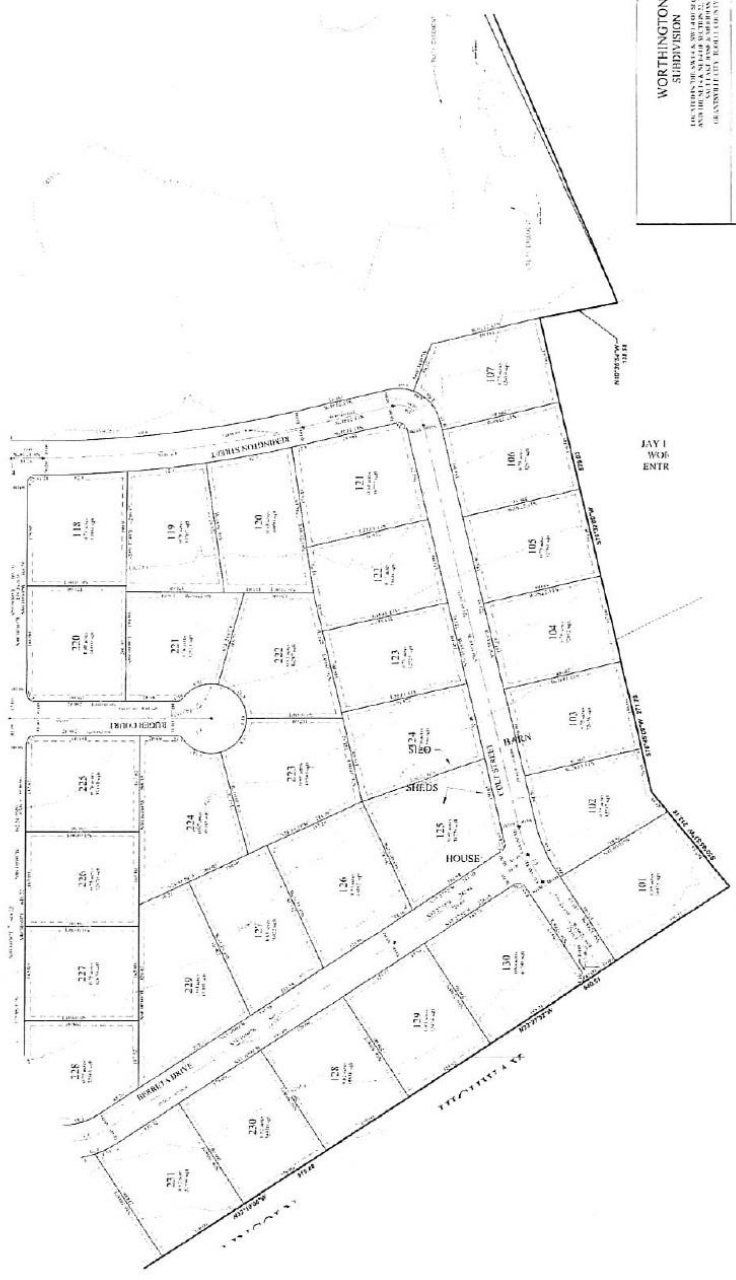
WORTHINGTON SUBDIVISION

FOR REVIEW ONLY

PREPARED FOR
UNIVERSITY OF UTAH
SALT LAKE CITY, UT 84142-2100

PREPARED BY
FOCUS
SALT LAKE CITY, UT 84142-2100

WORTHINGTON SUBDIVISION PRELIMINARY PLAT LOCATED IN THE SW 1/4 & NW 1/4 OF SECTION 33 AND THE SE 1/4 & NE 1/4 OF SECTION 22, T2S, R6W, SOUTHERN PLAINS AND MOUNTAIN LANDS GRANTVILLE CITY, TOOLE COUNTY, UTAH



VICINITY MAP
1/2020

- LEGEND**
- 1/2" = 1' (NOT TO SCALE)
 - 1/4" = 1' (NOT TO SCALE)
 - 1/8" = 1' (NOT TO SCALE)
 - 1/16" = 1' (NOT TO SCALE)
 - 1/32" = 1' (NOT TO SCALE)
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Addendum No. 2
(Dispute
Resolution)[BB1]

1. Meet and Confer. The City and Developer/Applicant shall meet within fifteen (15) business days of any dispute under this Agreement to resolve the dispute.

2. Mediation.

2.1. Disputes Subject to Mediation. Disputes that are not subject to arbitration provided in Section 3 shall be mediated.

2.2. Mediation Process. If the City and Developer/Applicant are unable to resolve a disagreement subject to mediation, the Parties shall attempt within ten (10) business days to appoint a mutually acceptable mediator with knowledge of the legal issue in dispute. If the Parties are unable to agree on a single acceptable mediator, they shall each, within ten (10) business days, appoint their own representative. These two representatives shall, between them, choose the single mediator.

Developer/Applicant shall pay the fees of the chosen mediator. The chosen mediator shall within fifteen (15) business days from selection, or such other time as is reasonable under the circumstances, review the positions of the Parties regarding the mediation issue and promptly attempt to mediate the issue between the Parties. If the parties are unable to reach an agreement, the Parties shall request that the mediator notify the Parties in writing of the resolution that the mediator deems appropriate. The mediator's opinion shall not be binding on the Parties.

AGENDA ITEM #4

Discussion of Final Plat and Construction Plan
Review for Hale Street Market



Planning and Zoning

336 W. Main Street • Grantsville, UT 84029

Phone: (435) 884-1674 • Fax: (435) 884-0426

File# 2023085

Hale Street Market Final Plat Summary and Recommendation

Parcel ID: 01-109-0-0053 Meeting Date: Aug. 17, 2023
Property Address: 6 East Main St. Current Zone/Proposed zone CG

Applicant Name: Mohd Alqaaydeh
Request: New building with new location for Ross Automotive
Prepared by: Cavett Eaton
Planning Staff Recommendation: City staff have been working closely with the developer on this project and they feel that it this stage it is ready to approve.

PROJECT DESCRIPTION

Hale Oil want to remove the carwash and build a new building with a fast food drive, create a larger and improved parking area by relocate Ross Automotive

SITE & VICINITY DESCRIPTION



ZONE CONSIDERATIONS

Compatibility with existing buildings in terms of size, scale and height.	Complies
Compliance with the General Plan.	Complies

NEIGHBORHOOD RESPONSE

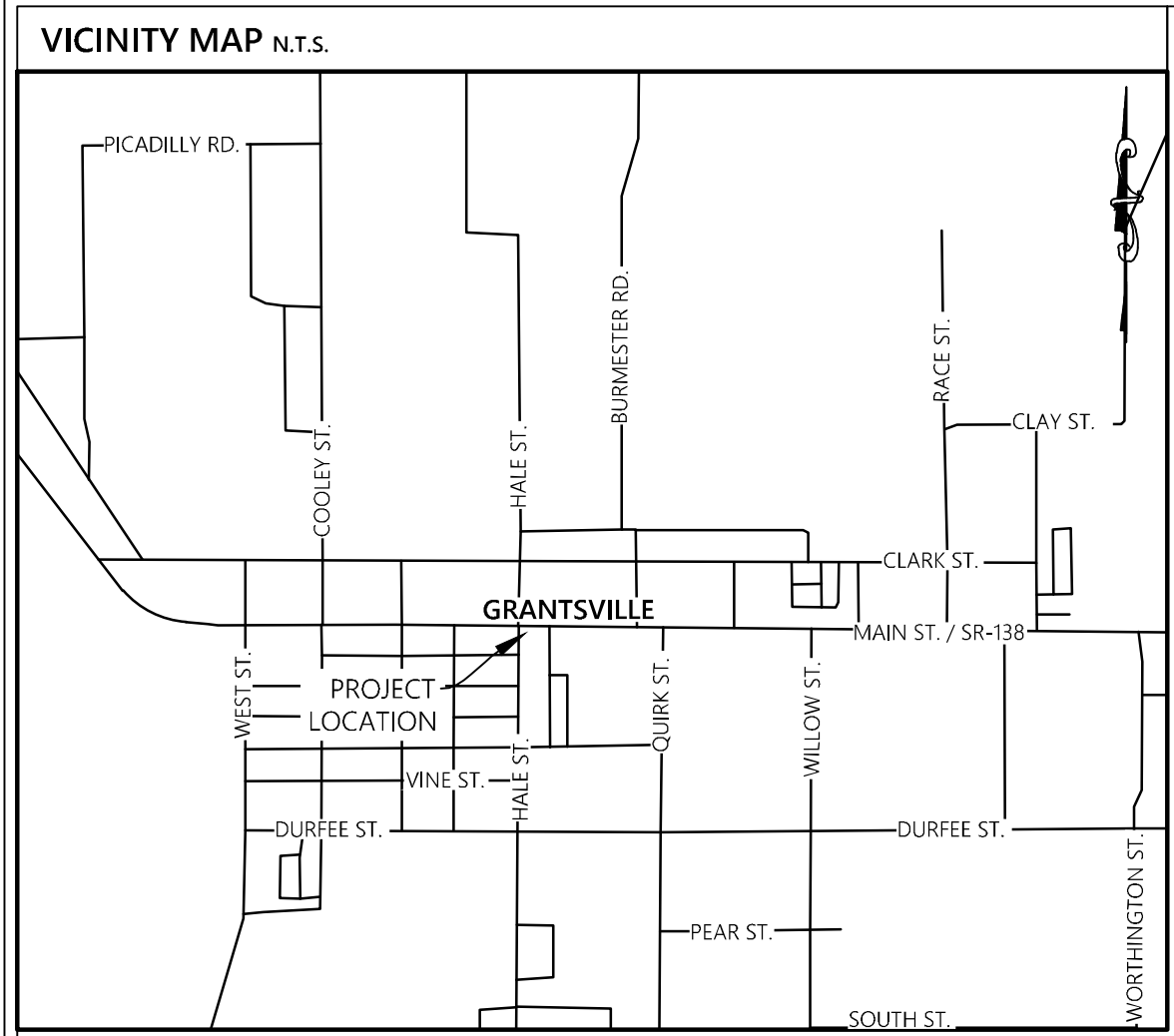
None at this time

PLANNING STAFF ANALYSIS

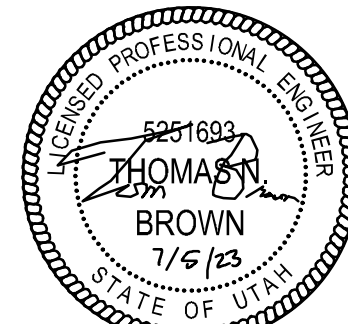
City engineer Dan England, Aqua Consultant Shay Stark and City Zoning Administrator Cavett Eaton have worked with the developer and the owner and are comfortable with this addition to the already approved Hale Street Marker plans. Additional details will be worked out with the construction site plan process that will be done in-house.

PLANNING STAFF RECOMMENDATION

City staff have been working closely with the developer on this project and they feel that at this stage it is ready to approve.



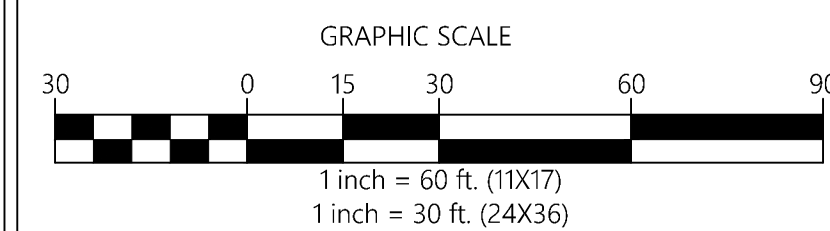
- GENERAL NOTES:**
- CURRENT ZONING: CS (COMMERCIAL SHOPPING DISTRICT, 60,000 SQ.FT.) AND R-1-8 (8,000 SQ.FT.) PER GRANTSVILLE CITY ZONING MAP CITY CENTER REVISED AUGUST 2015 BY AQUA ENGINEERING.
 - ALL CONSTRUCTION SHALL COMPLY WITH THE STANDARD TECHNICAL SPECIFICATIONS AND DRAWINGS FOR GRANTSVILLE CITY, AND ZONING REQUIREMENTS.
 - EXISTING UTILITIES HAVE BEEN NOTED TO THE BEST OF ENGINEERS / SURVEYOR'S KNOWLEDGE. HOWEVER, IT IS OWNER'S AND CONTRACTOR'S RESPONSIBILITY TO LOCATE UTILITIES IN FIELD AND NOTIFY THE ENGINEER AND CITY IF DISCREPANCIES EXIST PRIOR TO CONTINUING ANY CONSTRUCTION.
 - ALL WORK TO COMPLY WITH THE GOVERNING AGENCY'S STANDARDS AND SPECIFICATIONS.
 - ALL IMPROVEMENTS MUST COMPLY WITH ADA STANDARDS AND RECOMMENDATIONS.
 - SEE ARCHITECTURAL/LANDSCAPE PLANS FOR CONCRETE MATERIAL, COLOR, FINISH, AND SCOPE PATTERNS THROUGHOUT SITE.
 - ALL PAVEMENT MARKINGS SHALL CONFORM TO THE LATEST EDITION OF THE M.U.T.C.D. (MANUAL ON UNIFORM TRAFFIC CONTROL DEVICES).
 - ALL SURFACE IMPROVEMENTS DISTURBED BY CONSTRUCTION SHALL BE RESTORED OR REPLACED, INCLUDING TREES AND DECORATIVE SHRUBS, SOD, FENCES, WALLS AND STRUCTURES, WHETHER OR NOT THEY ARE SPECIFICALLY SHOWN ON THE CONTRACT DOCUMENTS.
 - NOTIFY ENGINEER OF ANY DISCREPANCIES IN DESIGN OR STAKING BEFORE PLACING CONCRETE OR ASPHALT.
 - THE CONTRACTOR IS TO PROTECT AND PRESERVE ALL EXISTING IMPROVEMENTS, UTILITIES, AND SIGNS, ECT. UNLESS OTHERWISE NOTED ON THE PLANS.
 - PEDESTRIAN RAMPS MUST BE INSTALLED BY A UDOT CERTIFIED CONTRACTOR.
 - NOTHING TALLER THAN 3.5' CAN BE PLACED IN THE SIGHT TRIANGLES.
 - THE AUTOSHOP IS SCHEDULED BE RELOCATED TO A NEW POSITION AFTER THIS PROJECT IS COMPLETED. WHEN IT IS RELOCATED THE AREAS AROUND THE SHOP WILL BE PAVED AND GRADED AND DRAINAGE DRAWINGS AND CALCULATIONS WILL BE COMPLETED FOR THOSE AREAS.



PRELIMINARY
NOT FOR CONSTRUCTION

HALE'S OIL COMPANY INC.
TAX ID: 01-109-0-0048 & TAX ID: 01-109-0-0053
E-486454
SURVEYED CONTAINS:
62,891 SQ.FT. OR 1.444 AC. +/-

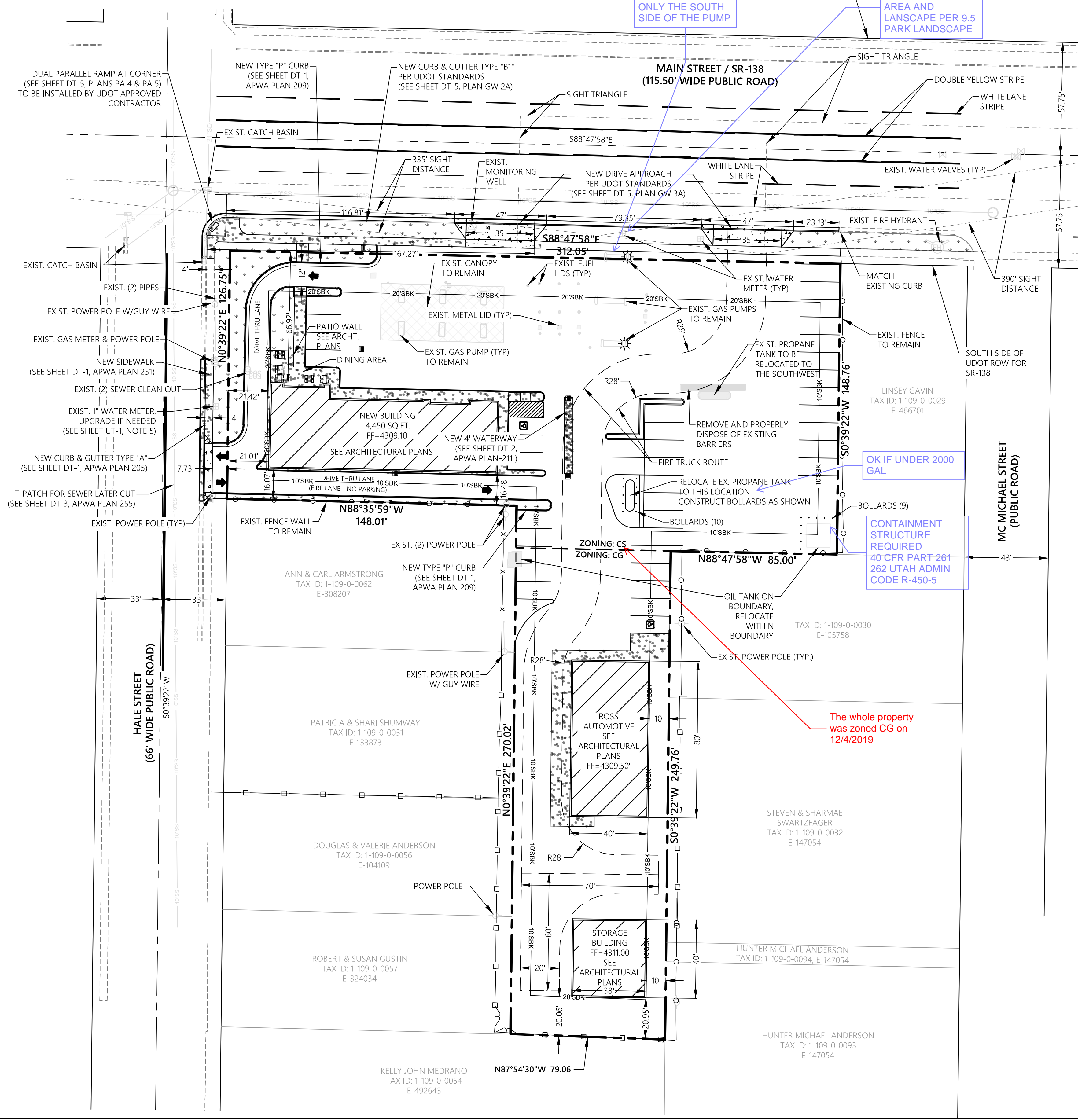
PROJECT BENCHMARK
ELEVATION = 4,312.13'
WEST 1/4 COR. SEC 31, T2S, R5W, SLB&M



LEGEND:

ASPHALT-NEW 3" HMA/8" UTBC OR MATCH EXISTING ON-SITE. 4" MINIMUM PAVEMENT SAWCUT ON PUBLIC STREETS. SEE STREET DETAILS FOR THICKNESSES.

SITE PLAN GRANTSVILLE RETAIL STRIP (NOT FOR CONSTRUCTION)



AVOID CUTTING UNDERGROUND UTILITIES. IT'S COSTLY.

Call BEFORE YOU Dig

1-800-662-4111
UNDERGROUND SERVICE (USA)

NOTICE!

THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE LOCATION, PROTECTION, AND RESTORATION OF ALL BURIED OR ABOVE GROUND UTILITIES, SHOWN OR NOT SHOWN ON THE PLANS.

NOTE: ALL WORK AND MATERIALS SHALL BE IN ACCORDANCE WITH CURRENT GRANTSVILLE CITY STANDARDS

PARKING CALCULATIONS:

RETAIL USE: 2880 SF X 4.1/1000 = 11.8
RESTAURANT: 1310 SF X 14.14/1000 = 18.5
MACHINE SALES/REPAIR: 3241 X 2/1000 = 6.5
GAS STATION: 2 EMPLOYEE = 2.0

TOTAL REQUIRED STALLS: 38.8 - USE 39 STALLS
ADA STALLS REQ. = 2 - ONE AT THE HALES STORE AND ONE AT THE MACHINE SALES STORE.

PARKING STALLS WILL NEED TO BE PHYSICALLY DELINEATED ON SITE. PER GLUDMC CHAPTER 6 SECTION 6.16 (A) "EACH OFF-STREET PARKING LOT SHALL BE SURFACED WITH AN ASPHALTIC OR PORTLAND CEMENT OR OTHER BINDER PAVEMENT SO AS TO PROVIDE A DUSTLESS SURFACE. THE PARKING AREA SHALL BE SO GRADED AS TO CONTAIN ALL SURFACE WATER, BY AN ON SITE CONTAINMENT SYSTEM. IF SUCH WATER IS TO BE CARRIED TO ADJACENT STREETS, IT SHALL BE PIPED UNDER SIDEWALKS."

SEE GENERAL NOTE 13, THIS SHEET.

UDOT NOTES:

- UDOT RESERVES THE RIGHT, AT ITS OPTION, TO INSTALL A RAISED MEDIAN ISLAND OR RESTRICT THE ACCESS TO A RIGHT-OF-WAY OR RIGHT-OF-WAY AT ANY TIME.
- WORK ON THE UDOT RIGHT-OF-WAY IS SEASONALLY RESTRICTED FROM OCTOBER 15 TO APRIL 15.
- ROW WORK: WORK IS NOT ALLOWED ON THE RIGHT-OF-WAY DURING THE AM/PM PEAK TRAFFIC HOURS (6:00 - 9:00 AM AND 3:30 - 6:00 PM). ADDITIONAL WORK RESTRICTIONS OR MODIFICATIONS MAY BE IMPOSED AT THE TIME OF THE ENCROACHMENT PERMIT.
- REPLACE ALL PAVEMENT MARKINGS IN KIND (TAPE WITH TAPE AND PAINT WITH PAINT). INSTALL ALL PAINT LINES WITH PERMANENT PAINT APPLICATION PER UDOT SPECIFICATION 02765. PAINT MUST HAVE AT LEAST 6 MONTHS LIFE AS DETERMINED BY UDOT'S PERMITS OFFICER.
- ALL NEW PAVEMENT WORDS, ARROWS AND SYMBOLS MARKING WITHIN THE RIGHT-OF-WAY SHALL BE PRE-FORMED THERMO PLASTIC. ALL LETTERS, ARROWS, AND SYMBOLS SHALL CONFORM WITH THE "STANDARD ALPHABET FOR HIGHWAY SIGNS AND PAVEMENT MARKINGS" ADOPTED BY THE FEDERAL HIGHWAY ADMINISTRATION.
- ALL SIGNS INSTALLED ON THE UDOT RIGHT-OF-WAY MUST BE HIGH INTENSITY GRADE (TYPE XI SHEETING) WITH A B3 SLIP BASE. INSTALL ALL SIGNS PER UDOT SN SERIES STANDARD DRAWINGS.
- BEFORE COMMENCING WORK ON THE STATE HIGHWAY, THE GENERAL CONTRACTOR IS REQUIRED TO OBTAIN AN ENCROACHMENT PERMIT FROM THE APPLICABLE REGION'S PERMITS OFFICE BEFORE WORKING WITHIN THE STATE RIGHT-OF-WAY.
- NO ROAD CUTS ALLOWED ON THIS JOB.
- FOR ALL UTILITY TAPS (ROAD CUTS), USE FLOWABLE FILL PER UDOT'S CURRENT MIX DESIGN (50-150 PSI) UDOT SPEC. 03575.
- ALL UTILITIES WITHIN THE PAVED SURFACE MUST BE BORED.
- FOR EXCAVATIONS OUTSIDE OF THE ROADWAY, BACK FILL WITH UDOT APPROVED GRANULAR BORROW AND ROAD BASE. COMPACTION PER UDOT SPEC. 2056 AND 2721.
- OWNER, DEVELOPER, AND/OR THE CONTRACTOR IS REQUIRED TO HIRE AN INDEPENDENT COMPANY FOR ALL TESTING WITHIN THE UDOT RIGHT-OF-WAY.
- OWNER, DEVELOPER, AND THE CONTRACTOR ARE RESPONSIBLE FOR ANY DAMAGE TO THE UDOT RIGHT-OF-WAY THAT MAY BE DIRECTLY OR INDIRECTLY CAUSED BY THE DEVELOPMENT ACTIVITY.
- TRAFFIC SIGNAL INSTALLATION OR MODIFICATION REQUIRES A SEPARATE WARRANTY BOND ONCE THE WORK HAS BEEN COMPLETED AND ACCEPTED. THE PERMITTEE IS RESPONSIBLE FOR HIRING AN INDEPENDENT INSPECTION COMPANY TO PERFORM INSPECTION SERVICES FOR ALL SIGNAL WORK COMPLETED. FOR A LIST OF THE UDOT APPROVED CONTRACTORS AND CONSULTANTS CONTACT THE APPROPRIATE REGION'S TRAFFIC SIGNALS ENGINEER.
- PARTIAL CONCRETE PANEL REPLACEMENT IS NOT ALLOWED. WHEN PANELS ARE REMOVED, THE ENTIRE PANEL IS REQUIRED TO BE REPLACED PER UDOT STANDARDS, SPECIFICATIONS, AND STANDARD DRAWINGS.
- DOUBLE SAW CUT THE CONCRETE TO PREVENT THE SPALLING OF OTHER CONCRETE PANELS AND TO AVOID OVER CUTS. OVER CUTS AND SPALLS WILL REQUIRE FULL PANEL REPLACEMENT. REFERENCES 1. UTAH ADMINISTRATIVE CODE R930-6 (ACCESS MANAGEMENT) FOR A COMPLETE VERSION OF THE DEPARTMENT'S STANDARDS AND GUIDELINES REGARDING ACCESS PERMITS PLEASE REFER TO UTAH ADMINISTRATIVE CODE R930-6. WWW.UDOT.UTAH.GOV/GO/ACCESSMANAGEMENT. 2. AASHTO, A POLICY ON GEOMETRIC DESIGN OF HIGHWAYS AND STREETS ("GREEN BOOK"), BOOKSTORE.TRANSPORTATION.ORG. 3. AASHTO, ROADSIDE DESIGN GUIDE, BOOKSTORE.TRANSPORTATION.ORG. 4. UTAH, MANUAL ON UNIFORM TRAFFIC CONTROL DEVICES (MUTCD), WWW.UDOT.UTAH.GOV
- ALL ABOVE GROUND FEATURES INCLUDING UTILITIES (POLES, FIRE HYDRANTS, BOXES, ETC.) MUST BE RELOCATED OUT OF THE AASHTO CLEAR ZONE OR A MINIMUM OF 18' BEHIND CURB.

REVISIONS

NO.	DATE	BY	DESCRIPTION
1	8/2/23	JBW	ADDRESS AQUA ENG. COMMENTS

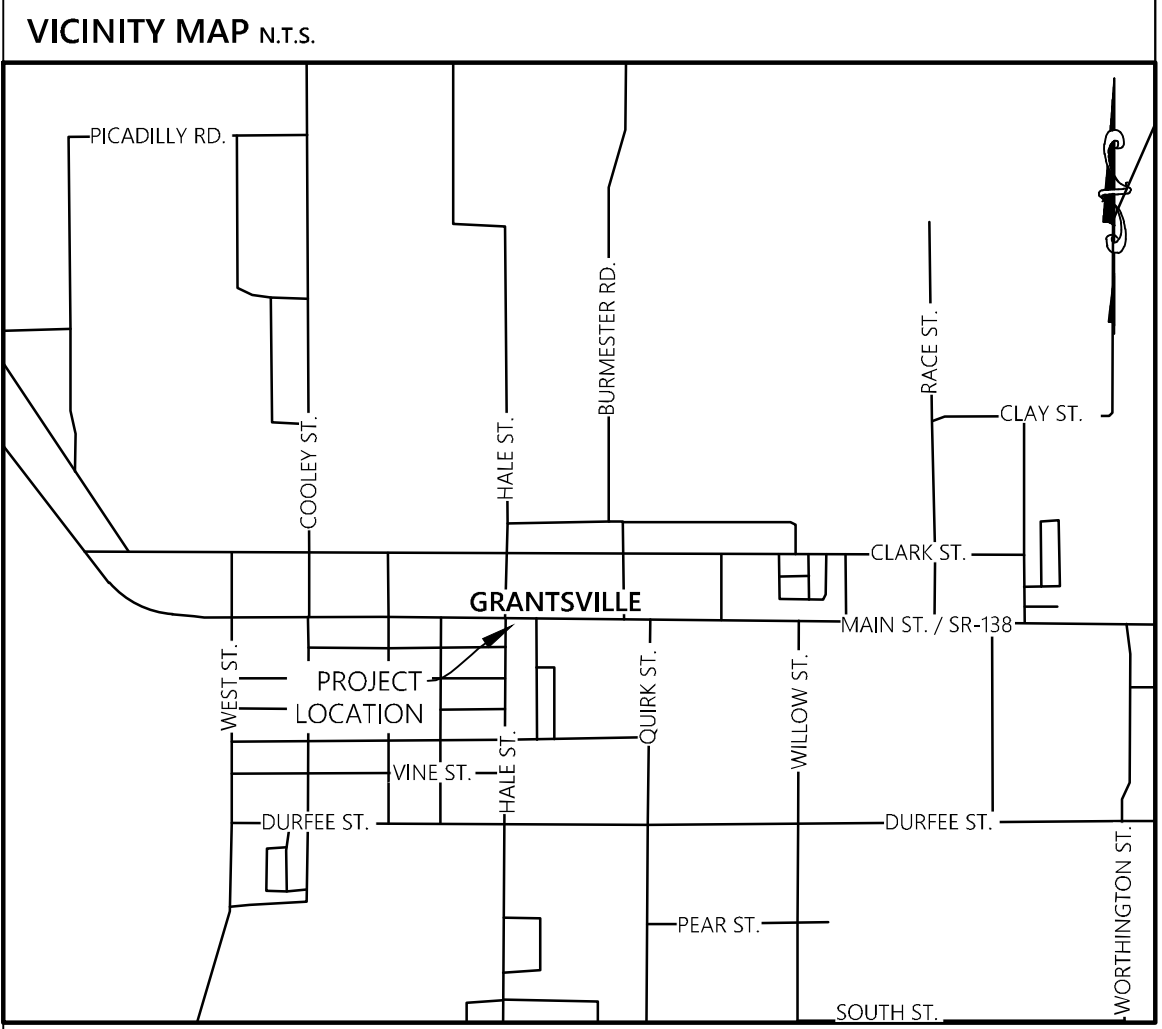
LOCATED IN THE SOUTHWEST 1/4 OF SECTION 31, TOWNSHIP 2 SOUTH, RANGE 5 WEST, SALT LAKE BASE AND MERIDIAN

6 EAST MAIN STREET
GRANTSVILLE, TOOELE COUNTY
SITE PLAN

RIDGELINE
ENGINEERING & SURVEYING
INC. 1000 N. 1000 E. SUITE 100
GRANTSVILLE, UT 84031
(801) 478-1111

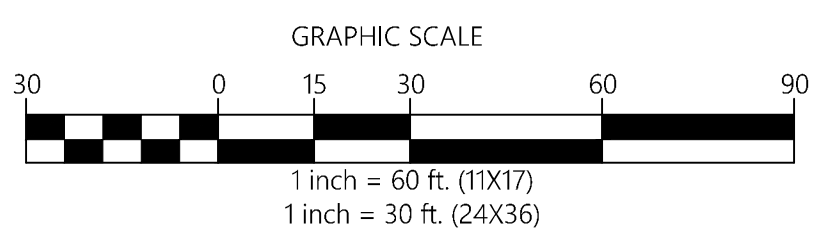
CLIENT/VINCENT DESIGN GROUP
DWG: VDG120 - GRANTSVILLE RETAIL STRIP
JOB NO.: 120
DESIGNED BY: JLB/TNR
CHECKED BY: JLB/TNR
DATE: JUL-2023

SHEET:
C-1



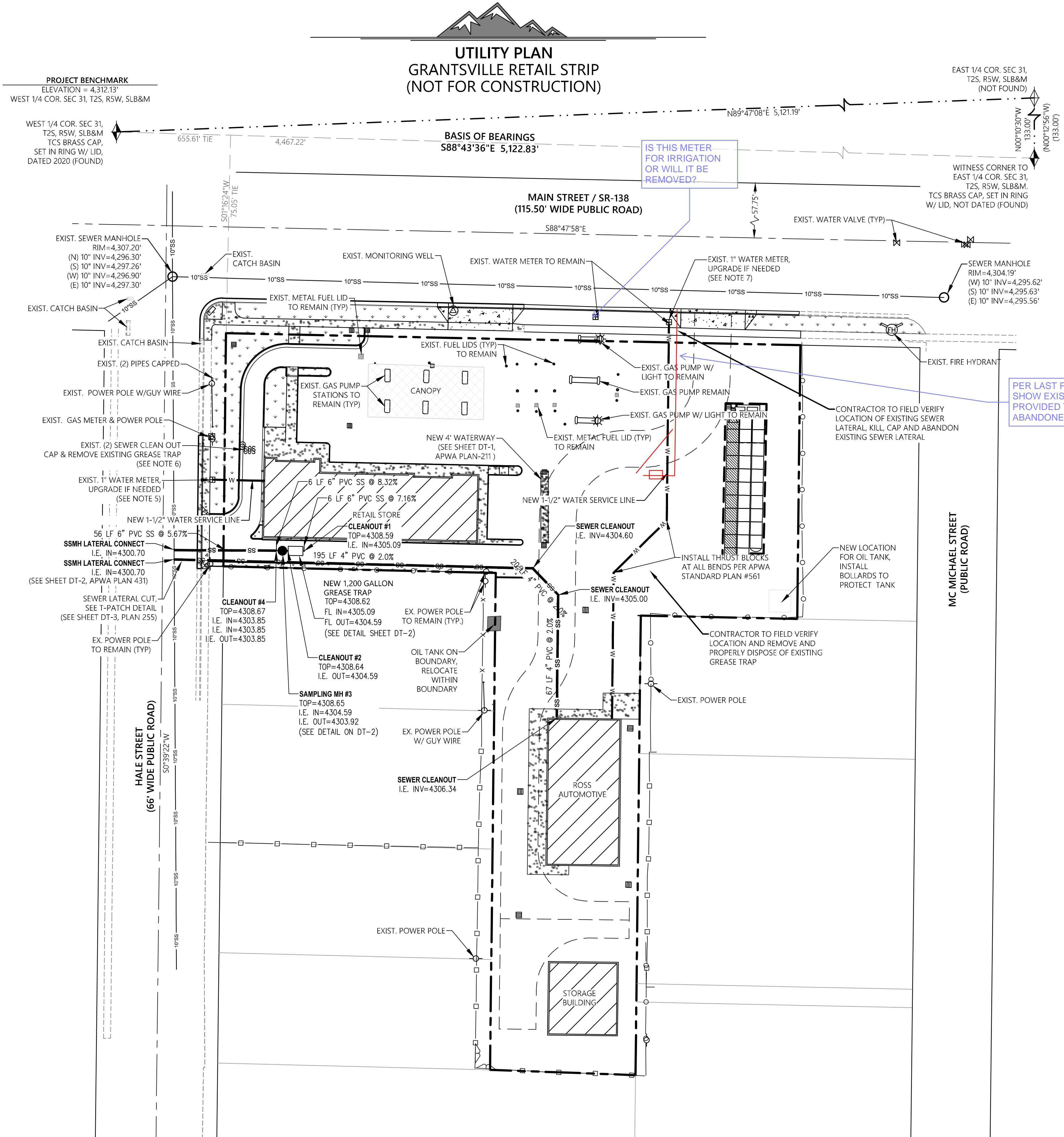
- UTILITY NOTES:**
- ALL UTILITY TRENCHES SHALL BE PER GRANTSVILLE CITY STANDARDS.
 - POWER COMPANY, GAS COMPANY, AND COMMUNICATION COMPANIES ARE RESPONSIBLE FOR SUBMITTING DESIGN PLANS FOR ALL PROPOSED WORK FOR THEIR RESPECTIVE UTILITY LINES FOR THIS PROJECT IN OR ADJACENT TO THE CITY ROW OR A PUBLIC UTILITIES ROW. PLAN REVIEWS ARE REQUIRED BY THE PUBLIC UTILITIES DEPT UTILITY COORDINATOR AND THE CITY ENGINEERING PUBLICS WAY PERMIT PLAN REVIEWER.
 - WATER AND SEWER LINES REQUIRE 10" MINIMUM HORIZONTAL SEPARATION AND 18" MINIMUM VERTICAL SEPARATION. SEWER MUST MAINTAIN 5" MINIMUM HORIZONTAL SEPARATION AND 12" VERTICAL MINIMUM SEPARATION FROM ANY NON-WATER UTILITIES. WATER MUST MAINTAIN 3" MINIMUM SEPARATION AND 12" VERTICAL MINIMUM SEPARATION FROM ANY NON-SEWER UTILITIES. LOOP WATER LINES IF NECESSARY TO ACHIEVE MINIMUM SEPARATION.
 - VERIFY ALL EXISTING UTILITIES BEFORE COMMENCING UNDERGROUND WORK. THE EXISTING SEWER LATERAL TO THE SINCLAIR BUILDING SHOULD BE ABANDONED AND CAPPED WHERE IT PRESENTLY ENTERS THE BUILDING.
 - THE WEST WATER METER ON HALE STREET IS TO BE LOWERED DUE TO CURRENT SHALLOW DEPTH. LID TO MATCH NEW FINISHED GRADE SURFACE WITHIN LANDSCAPE STRIP. PROVIDE NEW 1-1/2" COLD WATER LINE TO BUILDING. COORDINATE WITH WATER SUPPLY COMPANY TO PROVIDE 1" METER IF EXISTING METER ON-SITE IS NOT ADEQUATE.
 - CAP ALL ABANDONED SEWER LINES. REMOVE EXISTING GREASE TRAPS.
 - CONTRACTOR TO FIELD LOCATE EXISTING WATER METER AND LATERAL CONNECTION TO EXISTING ROSS AUTOMOTIVE. REMOVE AND REPLACE EXISTING LATERAL AND PROVIDE NEW 1" COLD WATER LINE TO NEW ROSS AUTOMOTIVE BUILDING LOCATION. COORDINATE WITH WATER SUPPLY COMPANY TO PROVIDE 1" METER IF EXISTING METER ON-SITE IS NOT ADEQUATE.

... LINES AT THE PROPERTY LINE



LEGEND:

ASPHALT-NEW 3" HMA/8" UTBC OR MATCH EXISTING ON-SITE. 4" MINIMUM PAVEMENT SAWCUT ON PUBLIC STREETS. SEE STREET DETAILS FOR THICKNESSES.



Call BEFORE YOU Dig
1-800-662-4111
UNDERGROUND SERVICE (USA)

NOTICE!
THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE LOCATION, PROTECTION, AND RESTORATION OF ALL BURIED OR ABOVE GROUND UTILITIES, SHOWN OR NOT SHOWN ON THE PLANS.

NOTE: ALL WORK AND MATERIALS SHALL BE IN ACCORDANCE WITH CURRENT GRANTSVILLE CITY STANDARDS

LOCATED IN THE SOUTHWEST 1/4 OF SECTION 31, TOWNSHIP 2 SOUTH, RANGE 5 WEST, SALT LAKE BASE AND MERIDIAN

6 EAST MAIN STREET
GRANTSVILLE, TOOELE COUNTY
UTILITY PLAN

RIDGELINE
ENGINEERING & ARCHITECTURE
1000 N. 1000 E. • Tropic, UT 84679

CLIENT: VINCENT DESIGN GROUP
DWG: VDG120 - GRANTSVILLE RETAIL STRIP
JOB NO.: 120120
DESIGNED BY: JVB/TNB
CHECKED BY: JVB/TNB
DATE: JUL 2023

SHEET: UT-1

AGENDA ITEM #5

Discussion of PUD for Alington Subdivision
PUD

811

Know what's below.
Call before you dig.

CALL BLUESTAKES
@ 811 AT LEAST 48 HOURS
PRIOR TO THE
COMMENCEMENT OF ANY
CONSTRUCTION.

BENCHMARK

SOUTH QUARTER CORNER OF SECTION 33,
TOWNSHIP 2 SOUTH, RANGE 5 WEST
SALT LAKE BASE AND MERIDIAN (FOUND
BRASS MONUMENT)

ELEV = 4601.53

ALINGTON SUBDIVISION PUD

PHASE 1

MAIN STREET

GRANTSVILLE, UTAH

INDEX OF DRAWINGS

1-3	FINAL PLAT PHASE 1	C-203	GRADING AND DRAINAGE PLAN	PP-1	PLAN AND PROFILE MAIN STREET
2-3	FINAL PLAT PHASE 1	C-300	OVERALL UTILITY PLAN	PP-2	PLAN AND PROFILE MAIN STREET
3-3	FINAL PLAT PHASE 1	C-301	UTILITY PLAN	PP-3	PLAN AND PROFILE ALINGTON WAY
C-001	GENERAL NOTES	C-302	UTILITY PLAN	PP-4	PLAN AND PROFILE MACEE LANE
C-002	PRE-CONSTRUCTION GENERAL NOTES	C-303	UTILITY PLAN	PP-5	PLAN AND PROFILE ALYEXA DRIVE
C-100	OVERALL SITE PLAN	C-304	UTILITY PLAN	PP-6	PLAN AND PROFILE ALYEXA DRIVE
C-101	SITE PLAN	C-400	EROSION CONTROL PLAN	PP-7	PLAN AND PROFILE ALYEXA DRIVE
C-102	GRADING AND DRAINAGE PLAN	C-500	DETAILS	PP-8	PLAN AND PROFILE ALYEXA DRIVE
C-103	UTILITY PLAN	C-501	DETAILS	PP-9	PLAN AND PROFILE GORDON STREET
C-200	OVERALL GRADING AND DRAINAGE PLAN	C-502	DETAILS	PP-10	PLAN AND PROFILE COOK DRIVE
C-201	GRADING AND DRAINAGE PLAN	C-503	DETAILS	PP-11	PLAN AND PROFILE BROWN STREET
C-202	GRADING AND DRAINAGE PLAN	PP-0	PLAN AND PROFILE KEY MAP	PP-12	PLAN AND PROFILE KYLE WAY

NOTICE TO CONTRACTOR

ALL CONTRACTORS AND SUBCONTRACTORS PERFORMING WORK SHOWN ON OR RELATED TO THESE PLANS SHALL CONDUCT THEIR OPERATIONS SO THAT ALL EMPLOYEES ARE PROVIDED A SAFE PLACE TO WORK AND THE PUBLIC IS PROTECTED. ALL CONTRACTORS AND SUBCONTRACTORS SHALL COMPLY WITH THE "OCCUPATIONAL SAFETY AND HEALTH REGULATIONS OF THE U.S. DEPARTMENT OF LABOR AND THE STATE OF UTAH DEPARTMENT OF INDUSTRIAL RELATIONS CONSTRUCTION SAFETY ORDERS." THE CIVIL ENGINEER SHALL NOT BE RESPONSIBLE IN ANY WAY FOR THE CONTRACTORS AND SUBCONTRACTORS COMPLIANCE WITH SAID REGULATIONS AND ORDERS.

CONTRACTOR FURTHER AGREES TO ASSUME SOLE AND COMPLETE RESPONSIBILITY FOR JOB-SITE CONDITIONS DURING THE COURSE OF CONSTRUCTION OF THIS PROJECT, INCLUDING SAFETY OF ALL PERSONS AND PROPERTY. THAT THIS REQUIREMENT SHALL APPLY CONTINUOUSLY AND NOT BE LIMITED TO NORMAL WORKING HOURS, AND THAT THE CONTRACTOR SHALL DEFEND, INDEMNIFY AND HOLD THE OWNER AND THE CIVIL ENGINEER HARMLESS FROM ANY AND ALL LIABILITY, REAL OR ALLEGED IN CONNECTION WITH THE PERFORMANCE OF WORK ON THIS PROJECT, EXCEPTING FOR LIABILITY ARISING FROM THE SOLE NEGLIGENCE OF THE OWNER OR ENGINEER.

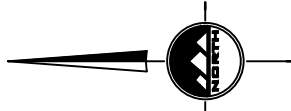
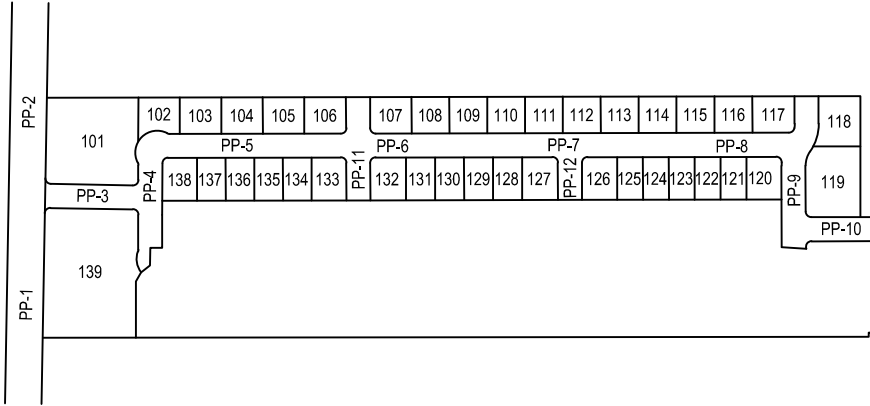
NOTICE TO DEVELOPER/ CONTRACTOR

UNAPPROVED DRAWINGS REPRESENT WORK IN PROGRESS, ARE SUBJECT TO CHANGE, AND DO NOT CONSTITUTE A FINISHED ENGINEERING PRODUCT. ANY WORK UNDERTAKEN BY DEVELOPER OR CONTRACTOR BEFORE PLANS ARE APPROVED IS UNDERTAKEN AT THE SOLE RISK OF THE DEVELOPER, INCLUDING BUT NOT LIMITED TO BIDS, ESTIMATION, FINANCING, BONDING, SITE CLEARING, GRADING, INFRASTRUCTURE CONSTRUCTION, ETC.

UTILITY DISCLAIMER

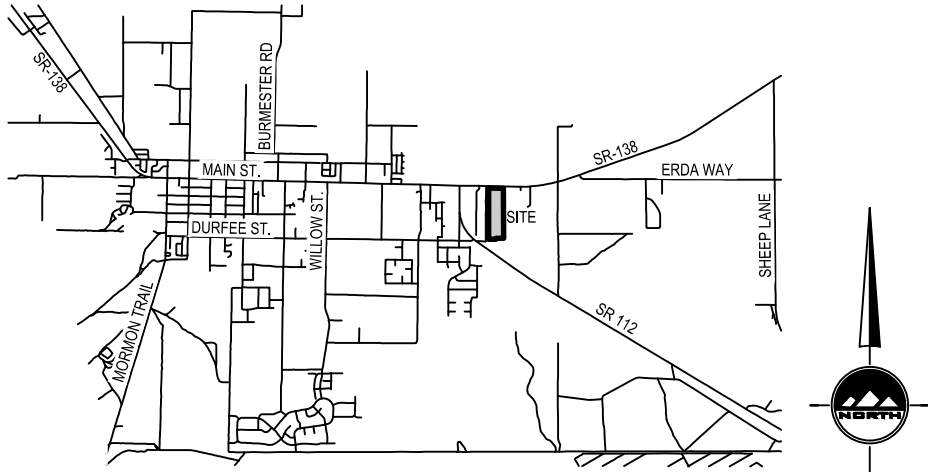
THE CONTRACTOR IS SPECIFICALLY CAUTIONED THAT THE LOCATION AND / OR ELEVATIONS OF EXISTING UTILITIES AS SHOWN ON THESE PLANS IS BASED ON RECORDS OF THE VARIOUS UTILITY COMPANIES AND WHERE POSSIBLE, MEASUREMENTS TAKEN IN THE FIELD. THE INFORMATION IS NOT TO BE RELIED ON AS BEING EXACT OR COMPLETE. THE CONTRACTOR MUST CALL THE LOCAL UTILITY LOCATION CENTER AT LEAST 48 HOURS BEFORE ANY EXCAVATION TO REQUEST EXACT FIELD LOCATIONS OF UTILITIES. IT SHALL BE THE RESPONSIBILITY OF THE CONTRACTOR TO RELOCATE ALL EXISTING UTILITIES WHICH CONFLICT WITH THE PROPOSED IMPROVEMENTS SHOWN ON THE PLANS.

KEY MAP



NO SCALE

VICINITY MAP



NO SCALE

GENERAL NOTES

- ALL WORK SHALL CONFORM TO GRANTSVILLE CITY STANDARDS & SPECIFICATIONS.
- CALL BLUE STAKES AT LEAST 48 HOURS PRIOR TO THE COMMENCEMENT OF ANY CONSTRUCTION ACTIVITIES.

NOTES:

- APPROVED BY CITY COUNCIL ON: _____
- PRE-CONSTRUCTION MEETING DATE: _____

APPROVED FOR CONSTRUCTION ON THIS _____ DAY OF _____, 20____

GRANTSVILLE CITY PUBLIC WORKS DIRECTOR

APPROVED BY CITY ENGINEER, GRANTSVILLE CITY, UTAH
FOR PUBLIC IMPROVEMENTS ONLY (SHEETS _____)

CITY ENGINEER _____ DATE _____

APPROVAL OF THESE PLANS DOES NOT RELEASE THE DEVELOPER FROM RESPONSIBILITY FOR CORRECTION OF MISTAKES, ERRORS OR OMISSIONS CONTAINED THEREIN. IF DURING THE COURSE OF CONSTRUCTION THE PUBLIC INTEREST REQUIRES A MODIFICATION OR A DEPARTURE FROM THE CITY SPECIFICATIONS, OR THE APPROVED PLANS, THE CITY SHALL HAVE THE AUTHORITY TO REQUIRE SUCH MODIFICATION OR A DEPARTURE, AND TO SPECIFY THE MANNER WHICH THE SAME IS MADE.



TOOELE
169 N. Main Street, Unit 1
Tooele, UT. 84074
Phone: 435.843.3590

SALT LAKE CITY
Phone: 801.255.0529

LAYTON
Phone: 801.547.1100

CEDAR CITY
Phone: 435.866.1453

RICHFIELD
Phone: 435.896.2983

WWW.ENSIGNENG.COM

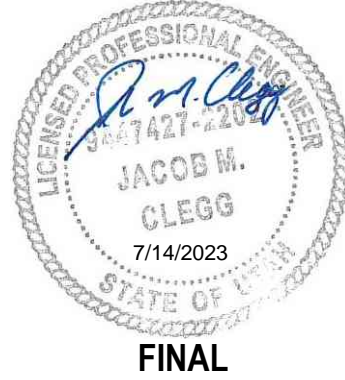
FOR:
IRONWOOD REAL ESTATE LLC,
1392 PASSS CANYON ROAD
ERDA, UTAH 84074

CONTACT:
JOE WHITE
PHONE: 435-830-3642

ALINGTON SUBDIVISION PUD

PHASE 1 FINAL

MAIN STREET
GRANTSVILLE, UTAH



FINAL

COVER

PROJECT NUMBER
T1265K
PRINT DATE
2023-07-14
DRAWN BY
J.CID
CHECKED BY
J. CLEGG
PROJECT MANAGER
J. CLEGG

C-000

811

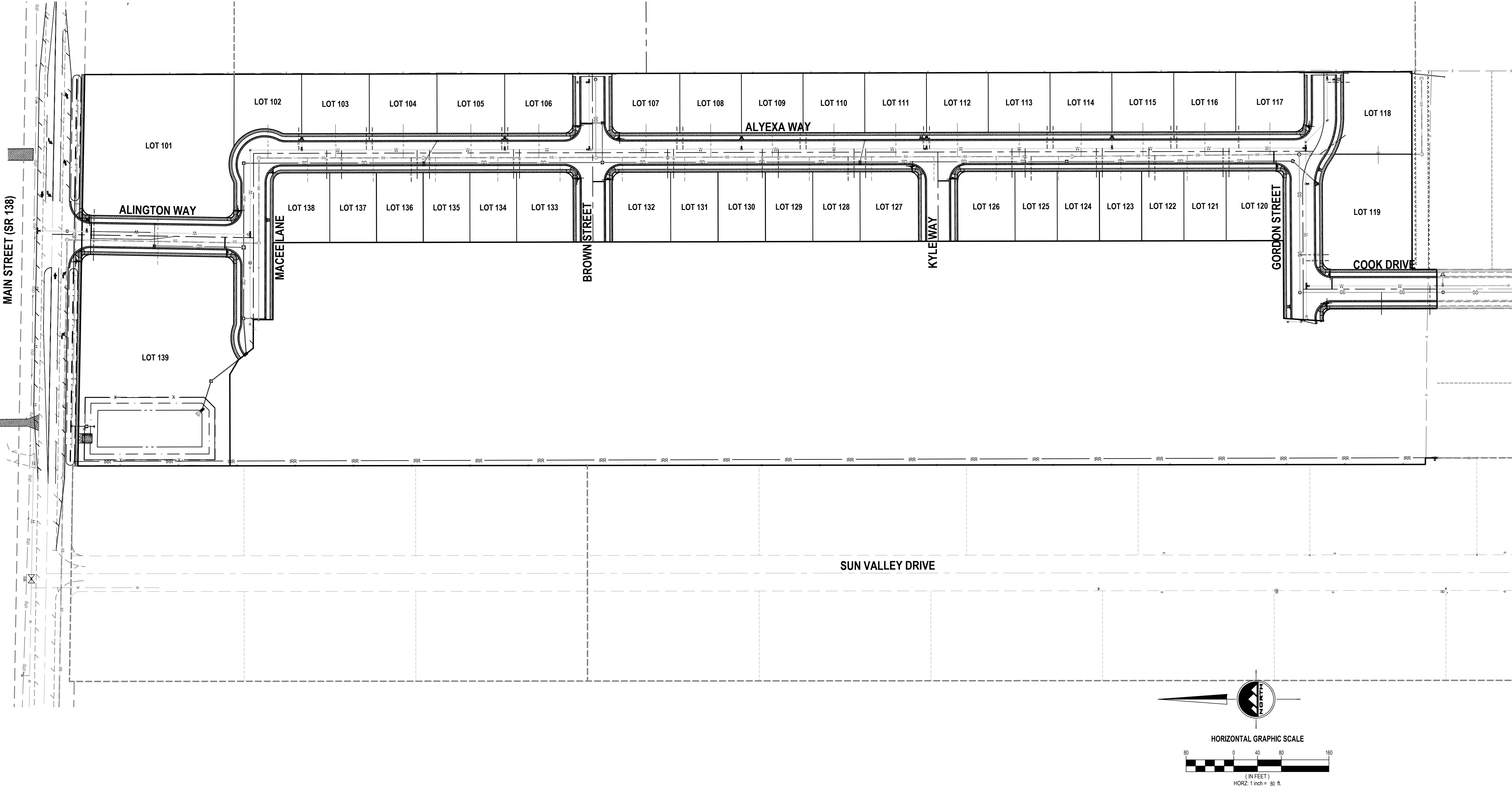
Know what's below.
Call before you dig.

CALL BLUESTAKES
@ 811 AT LEAST 48 HOURS
PRIOR TO THE
COMMENCEMENT OF ANY
CONSTRUCTION.

BENCHMARK

SOUTH QUARTER CORNER OF SECTION 33,
TOWNSHIP 2 SOUTH, RANGE 5 WEST
SALT LAKE BASE AND MERIDIAN (FOUND
BRASS MONUMENT)

ELEV = 4601.53



- GENERAL NOTES
1.

ALL WORK TO COMPLY WITH GRANTSVILLE CITY'S STANDARDS AND SPECIFICATIONS.
2.

EXISTING UNDERGROUND UTILITIES AND IMPROVEMENTS ARE SHOWN IN THEIR APPROXIMATE LOCATIONS BASED UPON RECORD INFORMATION AVAILABLE AT THE TIME OF PREPARATION OF THESE PLANS. LOCATIONS MAY NOT HAVE BEEN VERIFIED IN THE FIELD AND NO GUARANTEE IS MADE AS TO THE ACCURACY OR COMPLETENESS OF THE INFORMATION SHOWN. IT SHALL BE THE RESPONSIBILITY OF THE CONTRACTOR TO DETERMINE THE EXISTENCE AND LOCATION OF THE UTILITIES SHOWN ON THESE PLANS OR INDICATED IN THE FIELD BY LOCATING SERVICES. ANY ADDITIONAL COSTS INCURRED AS A RESULT OF THE CONTRACTOR'S FAILURE TO VERIFY THE LOCATIONS OF EXISTING UTILITIES PRIOR TO THE BEGINNING OF CONSTRUCTION IN THEIR VICINITY SHALL BE BORNE BY THE CONTRACTOR AND ASSUMED INCLUDED IN THE CONTRACT. THE CONTRACTOR IS TO VERIFY ALL CONNECTION POINTS WITH THE EXISTING UTILITIES. THE CONTRACTOR IS RESPONSIBLE FOR ANY DAMAGE CAUSED TO THE EXISTING UTILITIES AND UTILITY STRUCTURES THAT ARE TO REMAIN. IF CONFLICTS WITH EXISTING UTILITIES OCCUR, THE CONTRACTOR SHALL NOTIFY THE ENGINEER PRIOR TO CONSTRUCTION TO DETERMINE IF ANY FIELD ADJUSTMENTS SHOULD BE MADE.
3.

ALL SANITARY SEWER INFRASTRUCTURE TO BE INSTALLED PER GRANTSVILLE CITY STANDARD PLANS AND SPECIFICATIONS.
4.

ALL WATER INFRASTRUCTURE TO BE INSTALLED PER GRANTSVILLE CITY OR APWA STANDARD PLANS AND SPECIFICATIONS.
6.

DEFLECT OR LOOP ALL WATERLINES TO AVOID CONFLICTS WITH OTHER UTILITIES PER GRANTSVILLE CITY'S STANDARDS AND SPECIFICATIONS.
7.

PROJECT SHALL COMPLY WITH ALL UTAH DIVISION OF DRINKING WATER RULES AND REGULATIONS INCLUDING, BUT NOT LIMITED TO, THOSE PERTAINING TO BACKFLOW PROTECTION AND CROSS CONNECTION PREVENTION.
8.

THE CONTRACTOR IS TO COORDINATE ALL UTILITIES WITH MECHANICAL/PLUMBING PLANS.
9.

NOTIFY ENGINEER OF ANY DISCREPANCIES IN DESIGN OR STAKING BEFORE PLACING UTILITY STRUCTURES OR PIPES.
10.

THE CONTRACTOR SHALL ADJUST TO GRADE ALL EXISTING UTILITIES AS NEEDED PER GRANTSVILLE CITY'S STANDARDS AND SPECIFICATIONS.
11.

THE CONTRACTOR IS TO PROTECT AND PRESERVE ALL EXISTING IMPROVEMENTS, UTILITIES, AND SIGNS, ETC. UNLESS OTHERWISE NOTED ON THESE PLANS.

EN SIGN

THE STANDARD IN ENGINEERING

TOOELE

169 N. Main Street, Unit 1
Tooele, UT. 84074
Phone: 435.843.3590

SALT LAKE CITY

Phone: 801.255.0529

LAYTON

Phone: 801.547.1100

CEDAR CITY

Phone: 435.866.1453

RICHFIELD

Phone: 435.896.2983

WWW.ENSIGNENG.COM

FOR:
IRONWOOD REAL ESTATE LLC,
1392 PASSS CANYON ROAD
ERDA, UTAH 84074
CONTACT:
JOE WHITE
PHONE: 435-830-3642

ALINGTON SUBDIVISION PUD
PHASE 1 FINAL
MAIN STREET
GRANTSVILLE, UTAH

LICENSED PROFESSIONAL ENGINEER
JACOB M. CLEGG
7/14/2023
STATE OF UTAH

FINAL

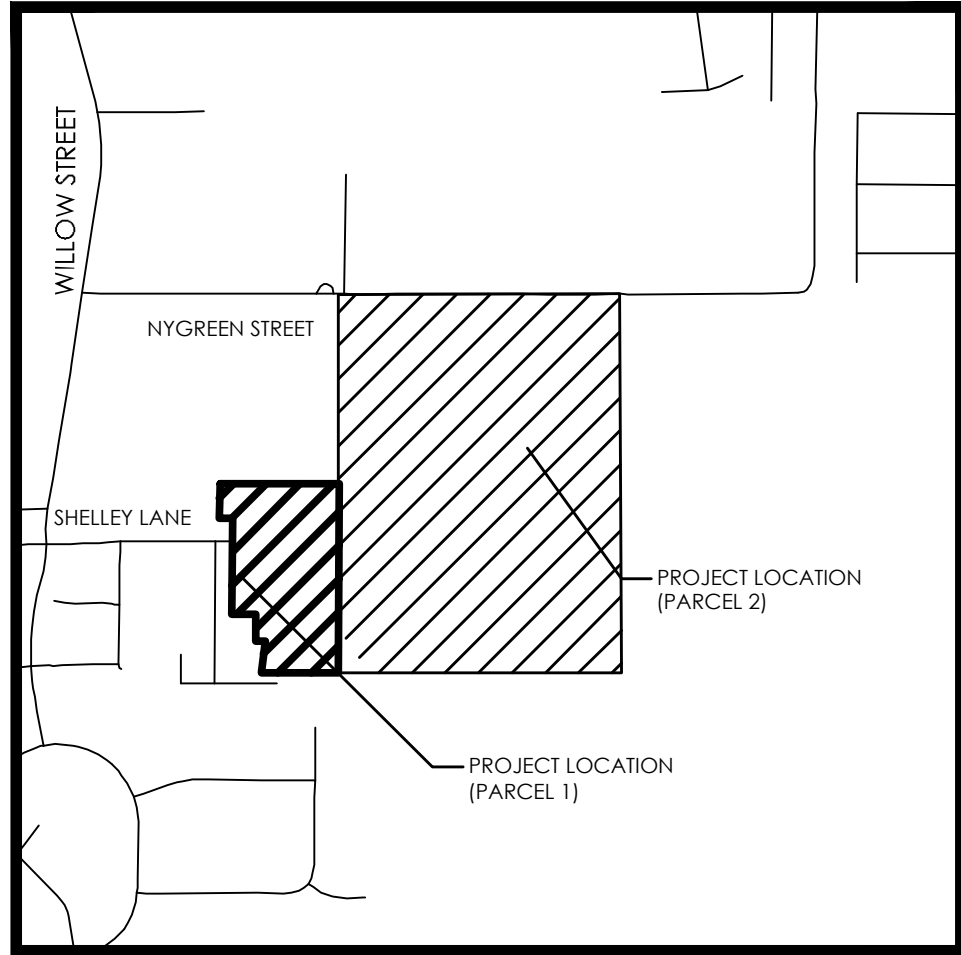
OVERALL UTILITY PLAN

PROJECT NUMBER T1265K	PRINT DATE 2023-07-14
DRAWN BY J.CID	CHECKED BY J. CLEGG
PROJECT MANAGER J. CLEGG	

C-300

AGENDA ITEM #6

Discussion of Preliminary Plat for Heritage
Farms Subdivision



VICINITY MAP

NTS

CONTACTS

ENGINEER & SURVEYOR
FOCUS ENGINEERING & SURVEYING, LLC
6949 S. HIGH TECH DRIVE SUITE 200
MIDVALE, UTAH 84047
(801) 352-0075
PROJECT MANAGER: MATT CHRISTENSEN
SURVEY MANAGER: TIM ATWOOD

OWNER/DEVELOPER
GTM BUILDERS
1676 PROGRESS WAY
TOOELE, UTAH 84074
(801) 301-8591
CONTACT: SHAWN HOLSTE

GENERAL NOTES

- CONTRACTOR TO FIELD VERIFY HORIZONTAL AND VERTICAL LOCATIONS OF ALL EXISTING UTILITIES PRIOR TO COMMENCEMENT OF CONSTRUCTION, AND REPORT ANY DISCREPANCIES TO THE ENGINEER.
- ANY AND ALL DISCREPANCIES IN THESE PLANS ARE TO BE BROUGHT TO THE ENGINEER'S ATTENTION PRIOR TO COMMENCEMENT OF CONSTRUCTION.
- ALL CONSTRUCTION SHALL ADHERE TO GRANTSVILLE CITY STANDARD PLANS AND SPECIFICATIONS.
- ALL UTILITIES AND ROAD IMPROVEMENTS SHOWN ON THE PLANS HEREIN SHALL BE CONSTRUCTED USING REFERENCE TO SURVEY CONSTRUCTION STAKES PLACED UNDER THE SUPERVISION OF A PROFESSIONAL LICENSED SURVEYOR WITH A CURRENT LICENSE ISSUED BY THE STATE OF UTAH. ANY IMPROVEMENTS, INSTALLED BY ANY OTHER VERTICAL OR HORIZONTAL REFERENCE WILL NOT BE ACCEPTED OR CERTIFIED BY THE ENGINEER OF RECORD.

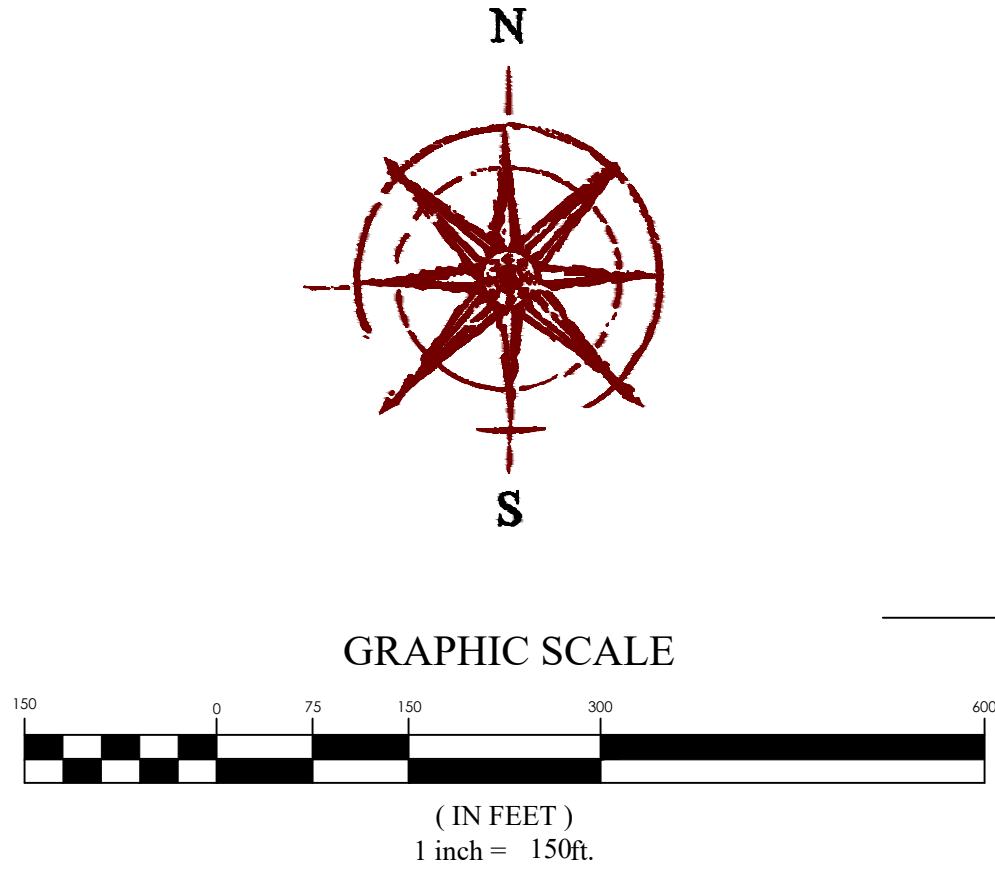
- THIS DRAWING SET IS SCALED TO BE PRINTED ON A 24" X 36" SIZE OF PAPER (ARCH. D). IF PRINTED ON A SMALLER PAPER SIZE, THE DRAWING WILL NOT BE TO SCALE AND SHOULD NOT BE USED TO SCALE MEASUREMENTS FROM THE PAPER DRAWING. ALSO USE CAUTION, AS THERE MAY BE TEXT OR DETAIL THAT MAY BE OVERLOOKED DUE TO THE SMALL SIZE OF THE DRAWING.

NOTICE

BEFORE PROCEEDING WITH THIS WORK, THE CONTRACTOR SHALL CAREFULLY CHECK AND VERIFY ALL CONDITIONS, QUANTITIES, DIMENSIONS, AND GRADE ELEVATIONS, AND SHALL REPORT ALL DISCREPANCIES TO THE ENGINEER.

ENGINEER'S NOTES TO CONTRACTOR

- THE EXISTENCE AND LOCATION OF ANY UNDERGROUND UTILITY PIPES, CONDUITS OR STRUCTURES SHOWN ON THESE PLANS WERE OBTAINED BY A SEARCH OF THE AVAILABLE RECORDS, TO THE BEST OF OUR KNOWLEDGE, THERE ARE NO EXISTING UTILITIES EXCEPT AS SHOWN ON THESE PLANS. THE CONTRACTOR IS REQUIRED TO TAKE DUE PRECAUTIONARY MEASURES TO PROTECT THE UTILITY LINES SHOWN ON THESE DRAWINGS. THE CONTRACTOR FURTHER ASSUMES ALL LIABILITY AND RESPONSIBILITY FOR THE UTILITY PIPES, CONDUITS OR STRUCTURES SHOWN OR NOT SHOWN ON THESE DRAWINGS. IF UTILITY LINES ARE ENCOUNTERED DURING CONSTRUCTION THAT ARE NOT IDENTIFIED BY THESE PLANS, CONTRACTOR SHALL NOTIFY ENGINEER IMMEDIATELY.
- CONTRACTOR AGREES THAT HE SHALL ASSUME SOLE AND COMPLETE RESPONSIBILITY FOR JOB SITE CONDITIONS DURING THE COURSE OF CONSTRUCTION OF THIS PROJECT, INCLUDING SAFETY OF ALL PERSONS AND PROPERTY; THAT THIS REQUIREMENT SHALL APPLY CONTINUOUSLY AND NOT BE LIMITED TO NORMAL WORKING HOURS; AND THAT THE CONTRACTOR SHALL DEFEND, INDEMNIFY AND HOLD THE CITY, THE OWNER, AND THE ENGINEER HARMLESS FROM ANY AND ALL LIABILITY, REAL OR ALLEGED, IN CONNECTION WITH THE PERFORMANCE OF WORK ON THIS PROJECT, EXCEPTING FOR LIABILITY ARISING FROM THE SOLE NEGLIGENCE OF THE OWNER OR THE ENGINEER.
- UNAUTHORIZED CHANGES & USES: THE ENGINEER PREPARING THESE PLANS WILL NOT BE RESPONSIBLE FOR, OR LIABLE FOR, UNAUTHORIZED CHANGES TO OR USES OF THESE PLANS. ALL CHANGES TO THE PLANS MUST BE IN WRITING AND MUST BE APPROVED BY THE PREPARER OF THESE PLANS.
- ALL CONTOUR LINES SHOWN ON THE PLANS ARE AN INTERPRETATION BY CAD SOFTWARE OF FIELD SURVEY WORK PERFORMED BY A LICENSED SURVEYOR. DUE TO THE POTENTIAL DIFFERENCES IN INTERPRETATION OF CONTOURS BY VARIOUS TYPES OF GRADING SOFTWARE BY OTHER ENGINEERS OR CONTRACTORS, FOCUS DOES NOT GUARANTEE OR WARRANTY THE ACCURACY OF SUCH LINEWORK. FOR THIS REASON, FOCUS WILL NOT PROVIDE ANY GRADING CONTOURS IN CAD FOR ANY TYPE OF USE BY THE CONTRACTOR. SPOT ELEVATIONS AND PROFILE ELEVATIONS SHOWN IN THE DESIGN DRAWINGS GOVERN ALL DESIGN INFORMATION ILLUSTRATED ON THE APPROVED CONSTRUCTION SET. CONSTRUCTION EXPERTISE AND JUDGMENT BY THE CONTRACTOR IS ANTICIPATED BY THE ENGINEER TO COMPLETE BUILD-OUT OF THE INTENDED IMPROVEMENTS.



HERITAGE FARMS

PREPARED FOR:
GTM BUILDERS
LOCATED IN:
GRANTSVILLE



SITE MAP

Sheet List Table

Sheet Number	Sheet Title
C1	COVER SHEET
C2	PRELIMINARY PLAT
C2.1	PRELIMINARY PLAT
C2.2	PRELIMINARY PLAT
C3	SITE ANALYSIS
C3.1	ROADWAY CROSS SECITONS
C4	OVERALL SITE PLAN
C4.1	SITE PLAN
C4.2	SITE PLAN
C4.3	SITE PLAN
C4.4	SITE PLAN
C4.5	SITE PLAN
C4.6	SITE PLAN
C4.7	SITE PLAN
C4.8	SITE PLAN
C4.9	FIRE HYDRANT PLAN
C5	GRADING & DRAINAGE PLAN
C5.1	GRADING & DRAINAGE PLAN
C5.2	GRADING & DRAINAGE PLAN
C5.3	GRADING & DRAINAGE PLAN
C5.4	GRADING & DRAINAGE PLAN
C5.5	GRADING & DRAINAGE PLAN
C5.6	GRADING & DRAINAGE PLAN
C5.7	GRADING & DRAINAGE PLAN
C5.8	GRADING & DRAINAGE PLAN
C5.9	GRADING & DRAINAGE PLAN
C5.10	GRADING & DRAINAGE PLAN
C5.11	GRADING & DRAINAGE PLAN
C5.12	GRADING & DRAINAGE PLAN
C5.13	GRADING & DRAINAGE PLAN
C5.14	GRADING & DRAINAGE PLAN
C5.15	GRADING & DRAINAGE PLAN
C5.16	GRADING & DRAINAGE PLAN
C5.17	GRADING & DRAINAGE PLAN
C5.18	GRADING & DRAINAGE PLAN
C5.19	GRADING & DRAINAGE PLAN
C5.20	GRADING & DRAINAGE PLAN
C5.21	GRADING & DRAINAGE PLAN
C5.22	GRADING & DRAINAGE PLAN
C5.23	GRADING & DRAINAGE PLAN
C5.24	GRADING & DRAINAGE PLAN
C5.25	GRADING & DRAINAGE PLAN
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C5.28	GRADING & DRAINAGE PLAN
C5.29	GRADING & DRAINAGE PLAN
C5.30	POND CALCULATIONS
C6	SEWER PLAN
C6.1	SEWER PLAN
C6.2	SEWER PLAN
C6.3	SEWER PLAN
C6.4	SEWER PLAN
C6.5	SEWER PLAN
C6.6	SEWER PLAN
C6.7	SEWER PLAN
C7	WATER PLAN
C7.1	WATER PLAN
C7.2	WATER PLAN
C7.3	WATER PLAN
C7.4	WATER PLAN
C7.5	WATER PLAN
C7.6	WATER PLAN
C7.7	WATER PLAN
C8	EROSION CONTROL PLAN
C8.1	EROSION CONTROL PLAN
C8.2	EROSION CONTROL PLAN
C9	TRAFFIC CONTROL PLAN
C9.1	TRAFFIC CONTROL PLAN
C9.2	TRAFFIC CONTROL PLAN
D1	Notes
D2	DETAILS
D3	DETAILS
D4	DETAILS
D5	DETAILS
D6	DETAILS
D7	DETAILS
D8	DETAILS
D9	DETAILS
D10	DETAILS
D11	Details
D12	PRE-CON NOTES



HERITAGE FARMS GRANTSVILLE COVER SHEET

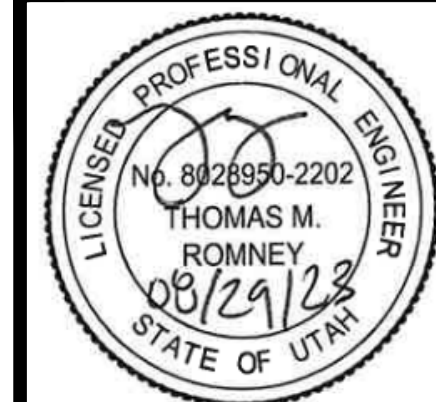
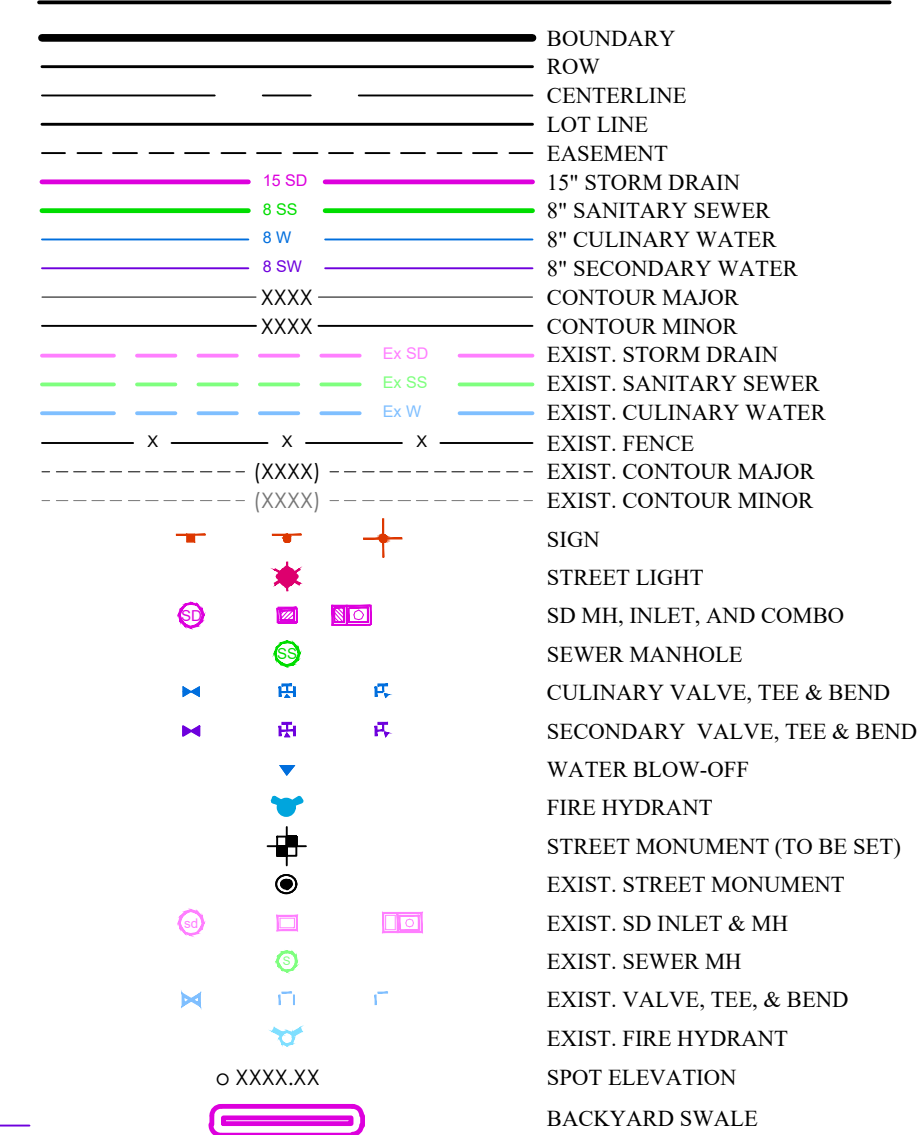
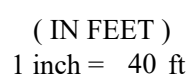
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COVER SHEET

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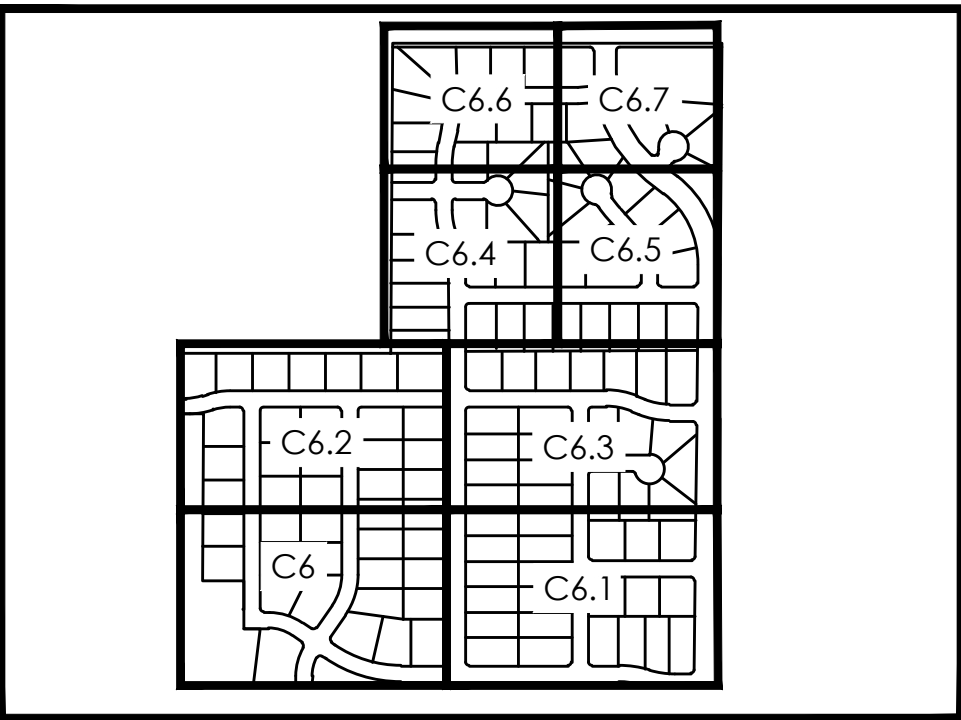
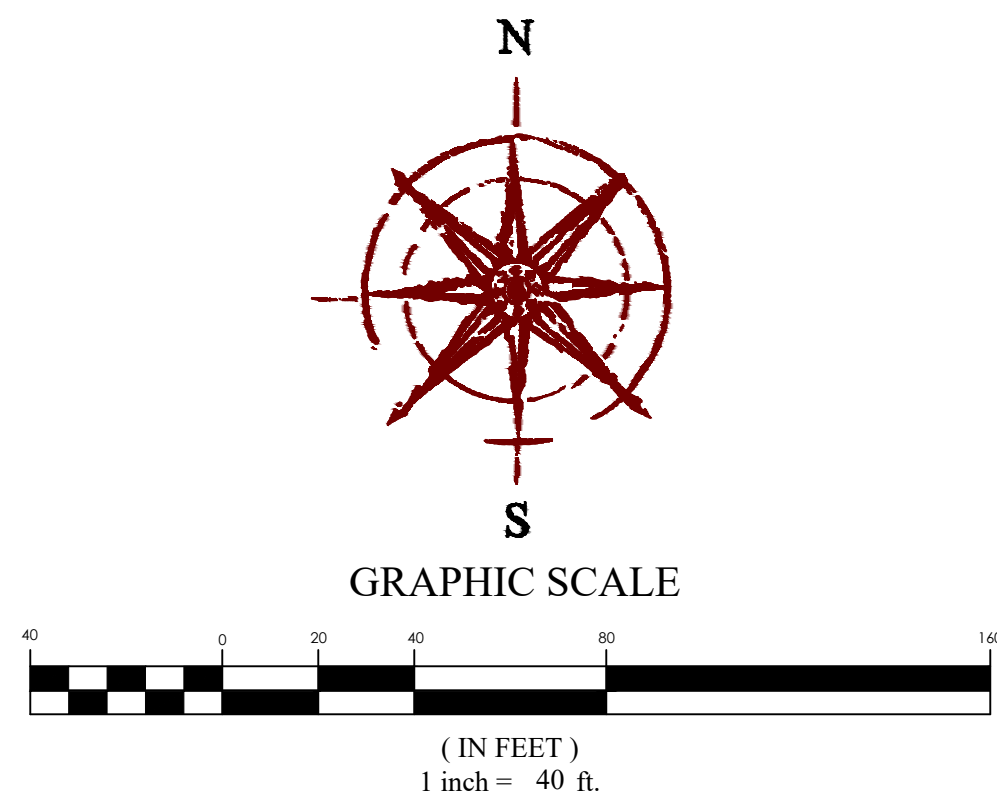
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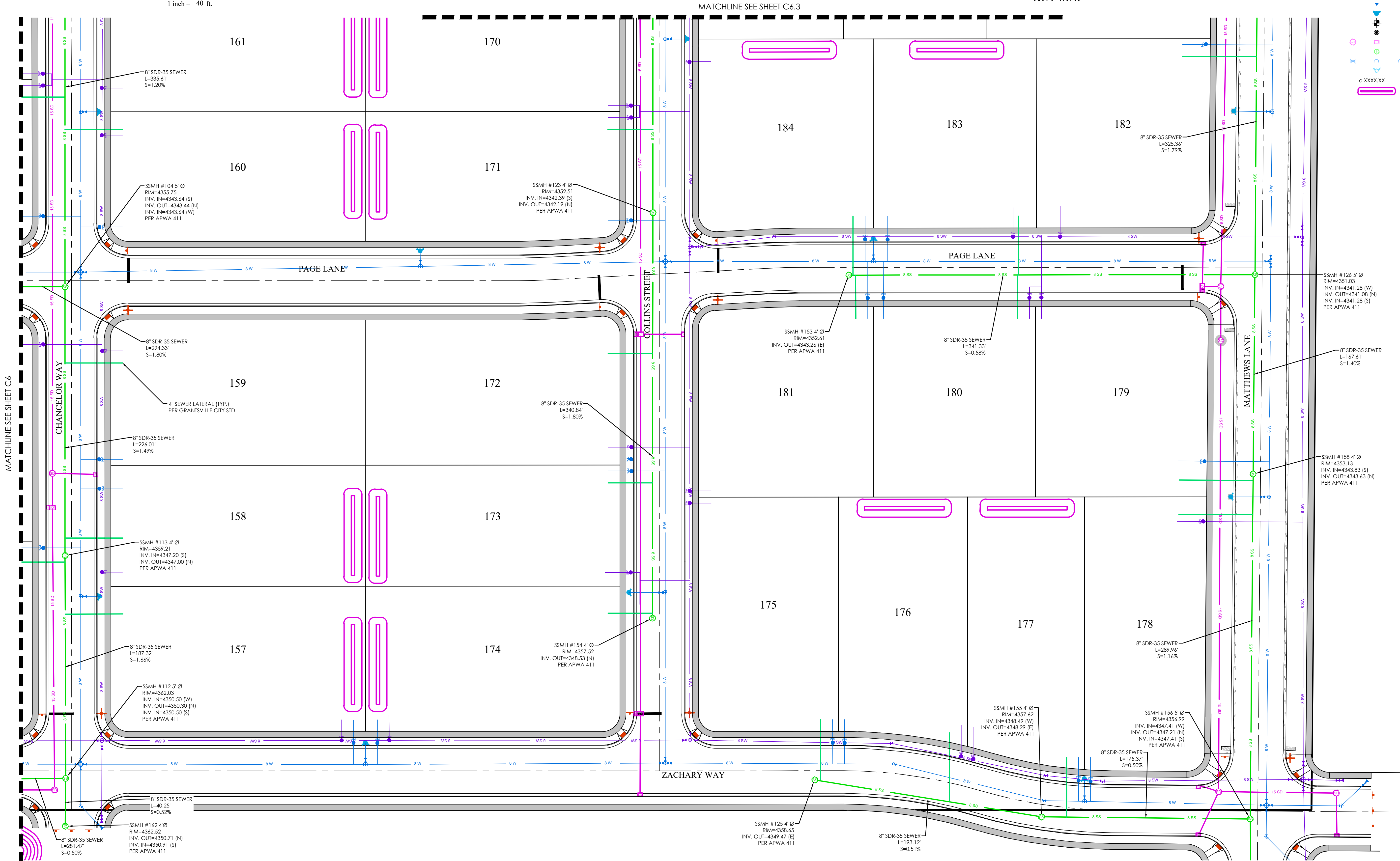
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C6





LEGEND	
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HERITAGE FARMS

GRANTSVILLE

SEWER PLAN

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SEWER PLAN

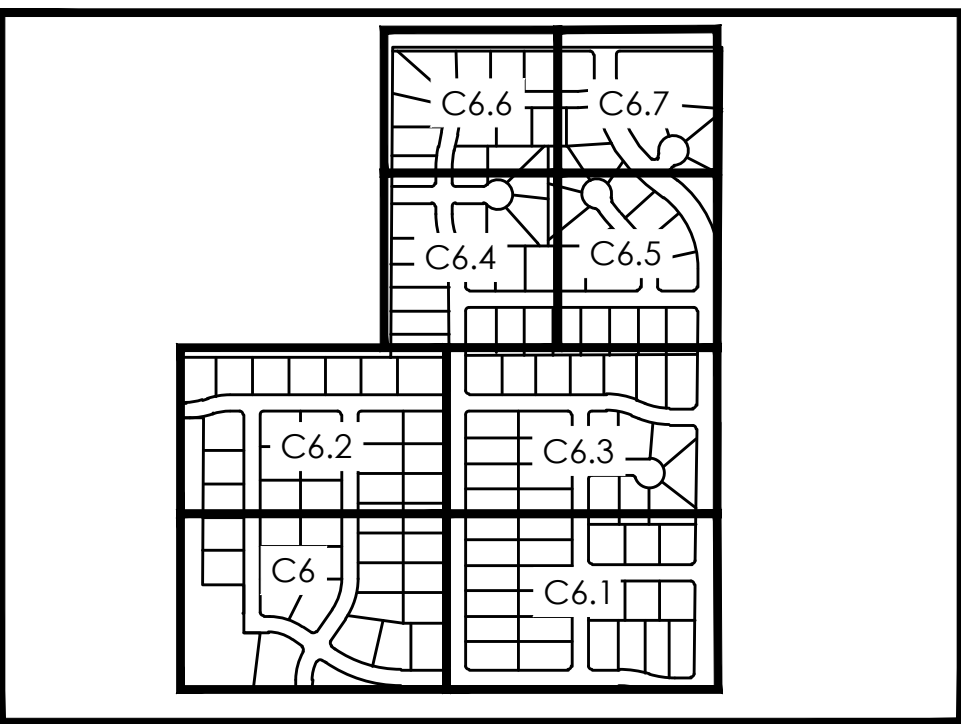
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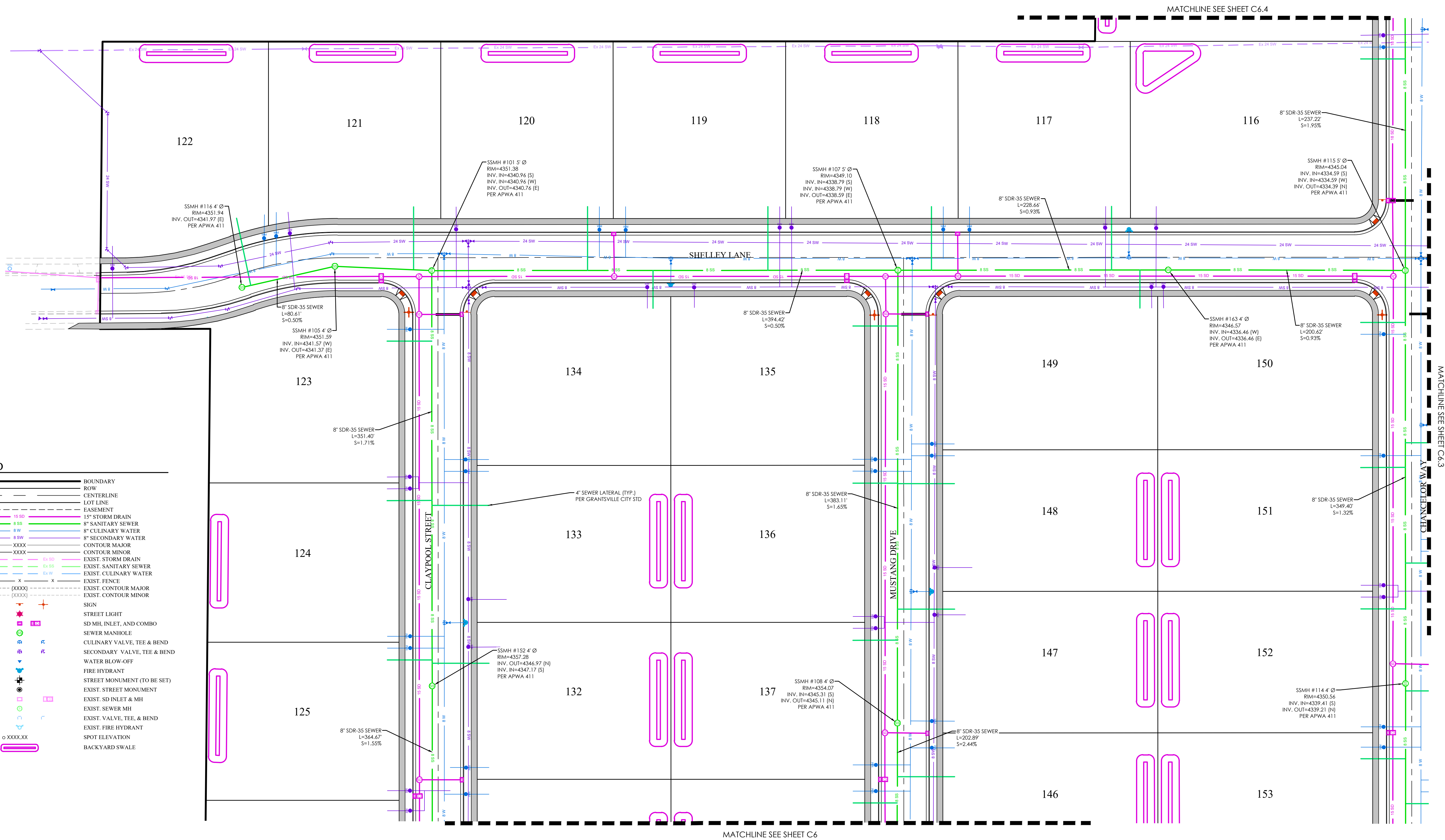
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KEY MAP



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SEWER PLAN

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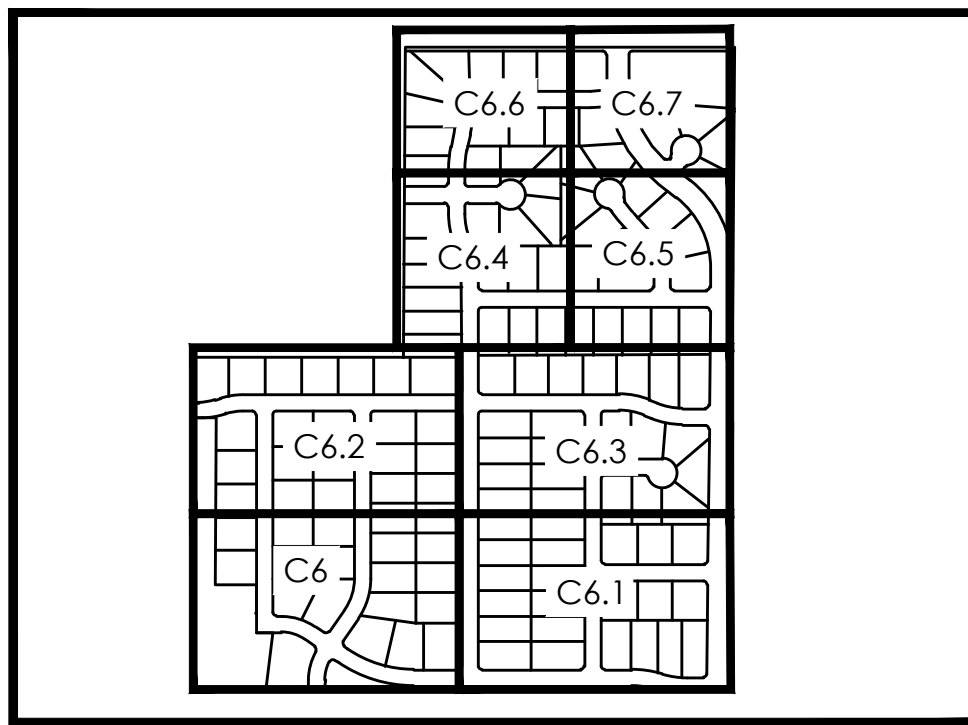
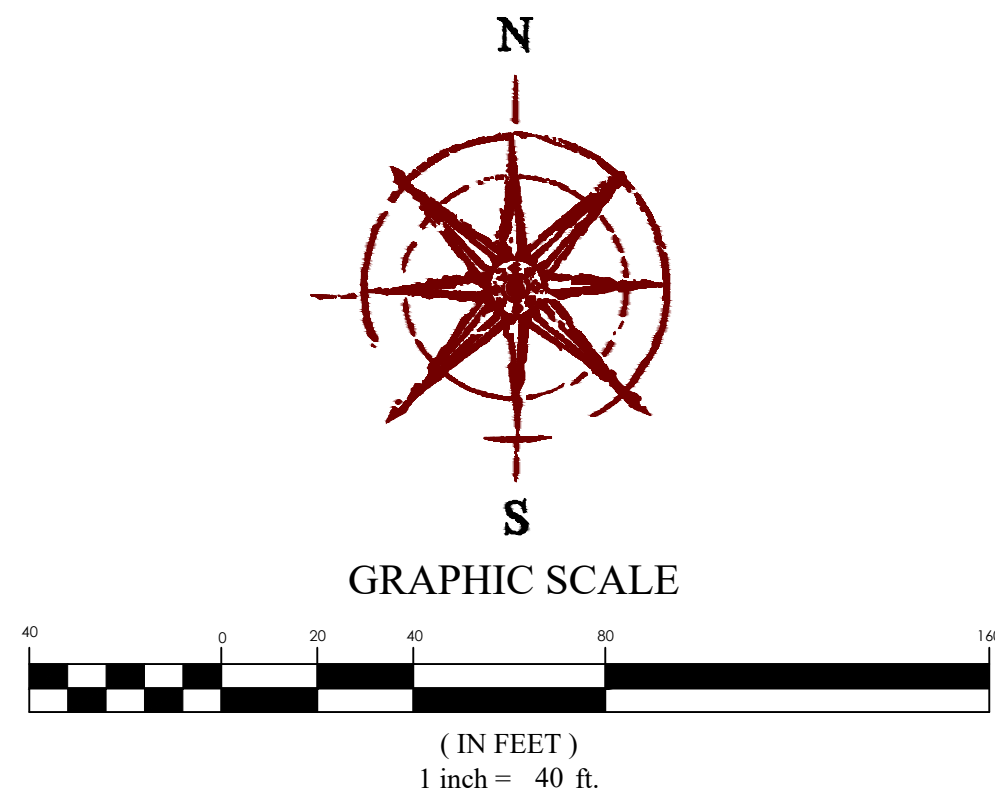
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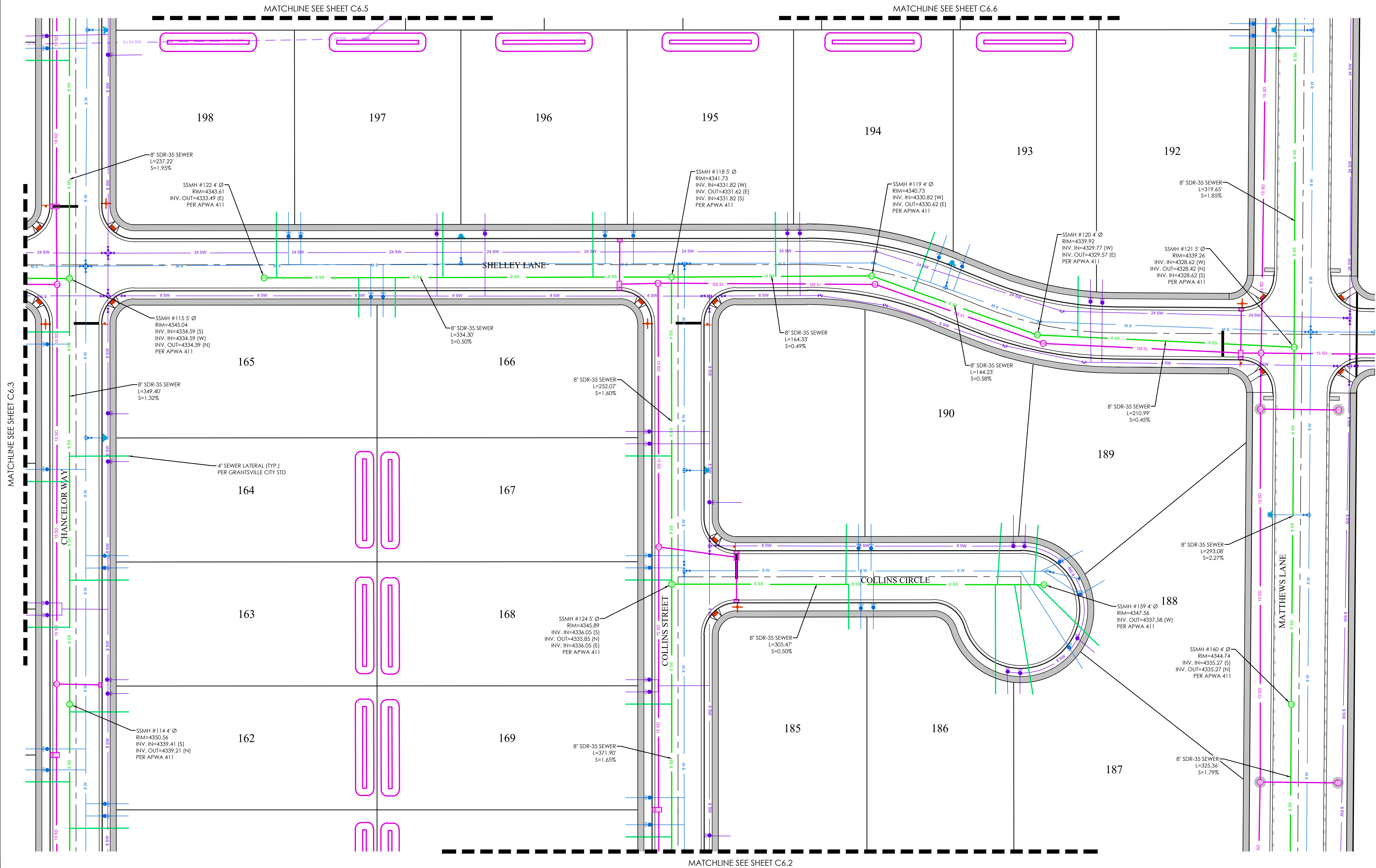
HERITAGE FARMS

GRANTSVILLE

SEWER PLAN

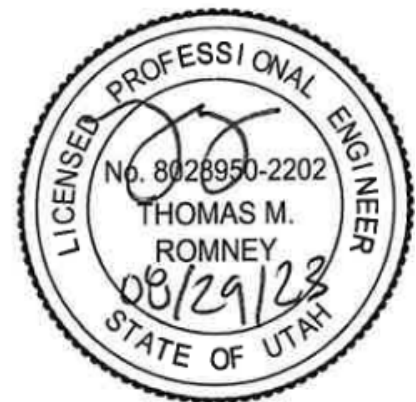


LEGEND	
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	LOT LINE
	EASEMENT
	15" SDR STORM DRAIN
	8" SDR SANITARY SEWER
	8" SDR CULINARY WATER
	8" SDR SECONDARY WATER
	CONTOUR MAJOR
	CONTOUR MINOR
	EXIST. STORM DRAIN
	EXIST. SANITARY SEWER
	EXIST. CULINARY WATER
	EXIST. FENCE
	EXIST. CONTOUR MAJOR
	EXIST. CONTOUR MINOR
	SIGN
	STREET LIGHT
	SD MH, INLET, AND COMBO
	SEWER MANHOLE
	CULINARY VALVE, TEE, & BEND
	SECONDARY VALVE, TEE, & BEND
	WATER BLOW-OFF
	FIRE HYDRANT
	STREET MONUMENT (TO BE SET)
	EXIST. STREET MONUMENT
	EXIST. SD INLET & MH
	EXIST. SEWER MH
	EXIST. VALVE, TEE, & BEND
	EXIST. FIRE HYDRANT
	SPOT ELEVATION
	BACKYARD SWALE





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HERITAGE FARMS

GRANTSVILLE

SEWER PLAN

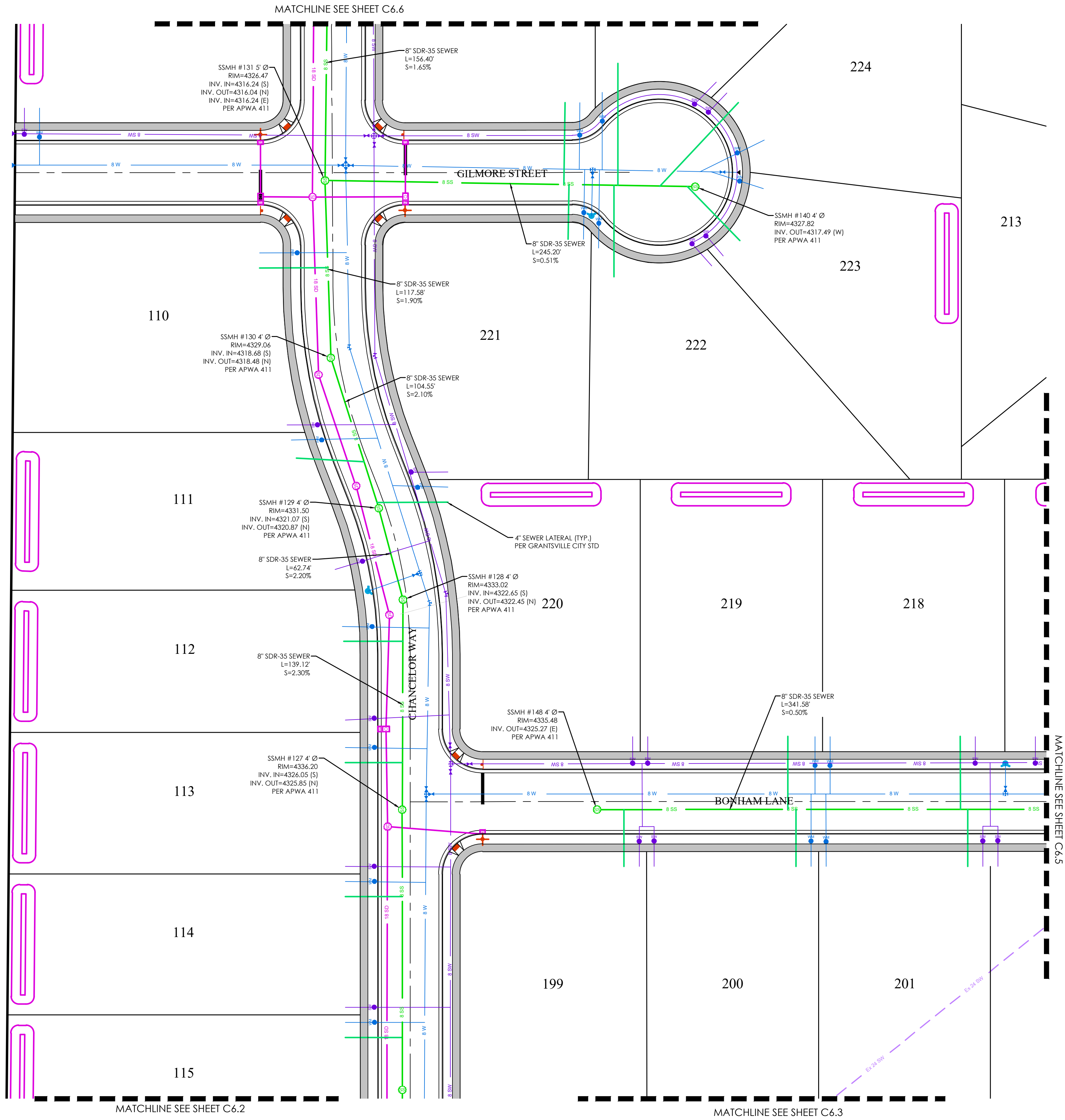
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SEWER PLAN

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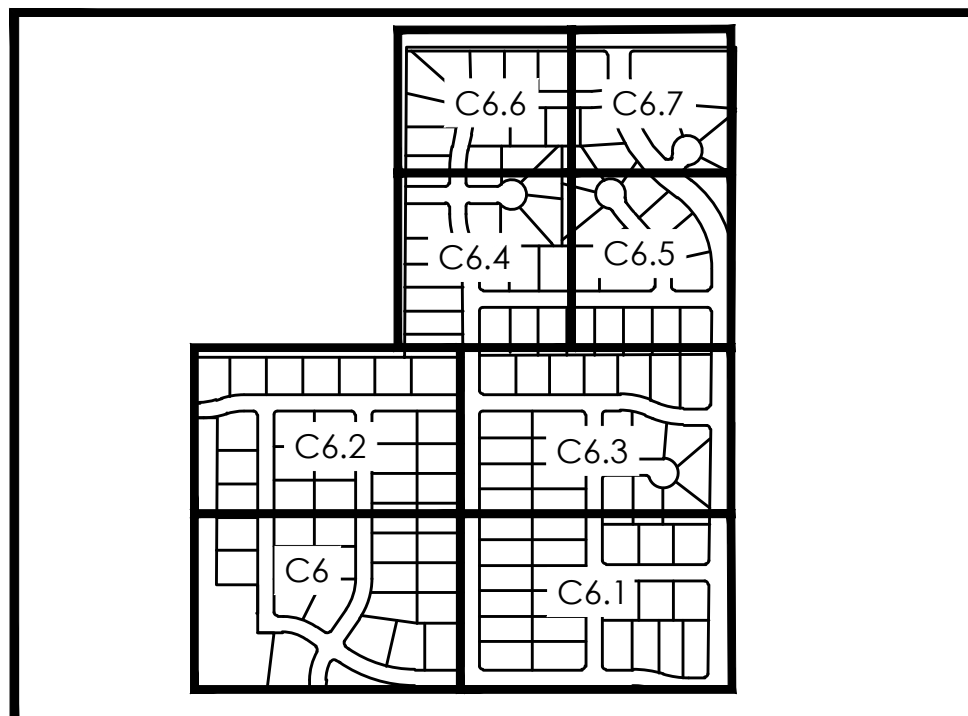


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LEGEND

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ROW	8 SS	8" SANITARY SEWER
CENTERLINE	8 W	8" CULINARY WATER
LOT LINE	8 SW	8" SECONDARY WATER
EASEMENT	XXXX	CONTOUR MAJOR
	XXXX	CONTOUR MINOR
	Ex SD	EXIST. STORM DRAIN
	Ex SS	EXIST. SANITARY SEWER
	Ex W	EXIST. CULINARY WATER
	Ex SW	EXIST. SECONDARY WATER
	X	EXIST. FENCE
	(XXXX)	EXIST. CONTOUR MAJOR
	(XXXX)	EXIST. CONTOUR MINOR
	+	SIGN
	+	STREET LIGHT
	+	SD MH, INLET, AND COMBO
	+	SEWER MANHOLE
	+	CULINARY VALVE, TEE & BEND
	+	SECONDARY VALVE, TEE & BEND
	+	WATER BLOW-OFF
	+	FIRE HYDRANT
	+	STREET MONUMENT (TO BE SET)
	+	EXIST. STREET MONUMENT
	+	EXIST. SD INLET & MH
	+	EXIST. SEWER MH
	+	EXIST. VALVE, TEE, & BEND
	+	EXIST. FIRE HYDRANT
	+	SPOT ELEVATION
	+	BACKYARD SWALE



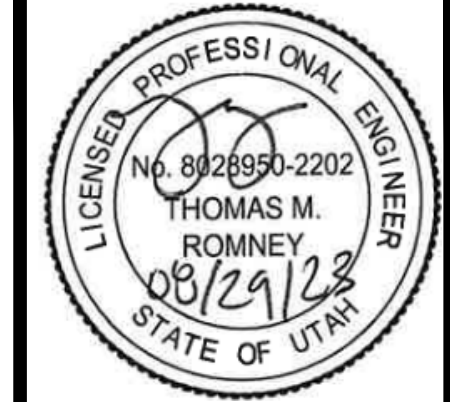
KEY MAP

GRAPHIC SCALE

(IN FEET)
1 inch = 40 ft.

North Arrow

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**HERITAGE FARMS
GRANTSVILLE
SEWER PLAN**

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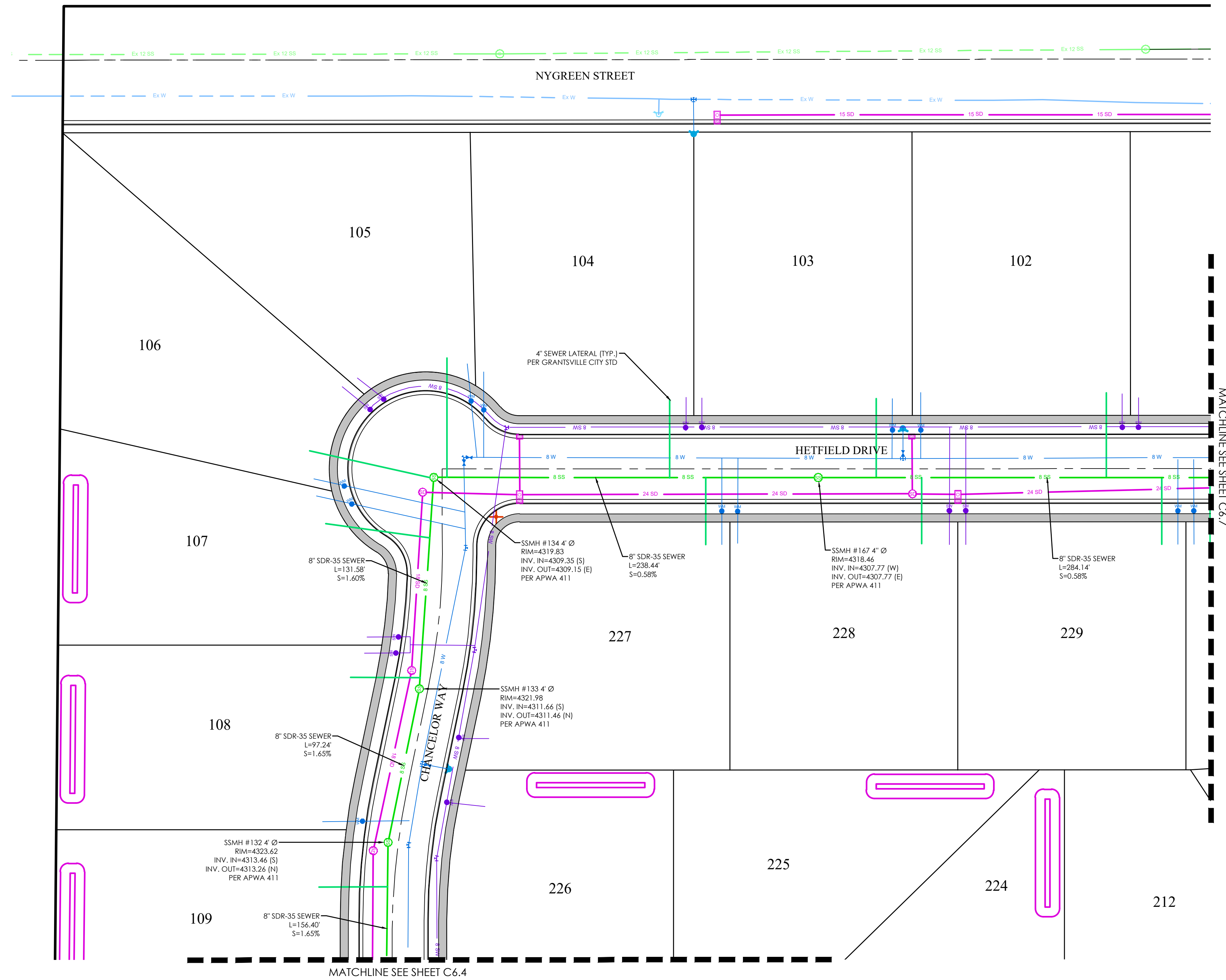
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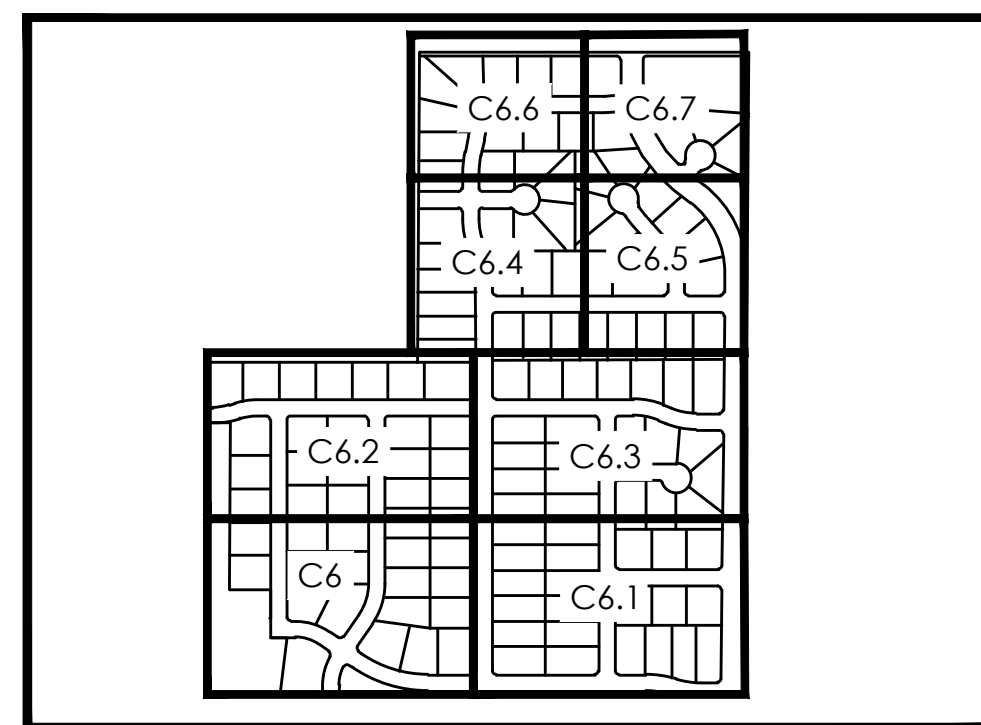
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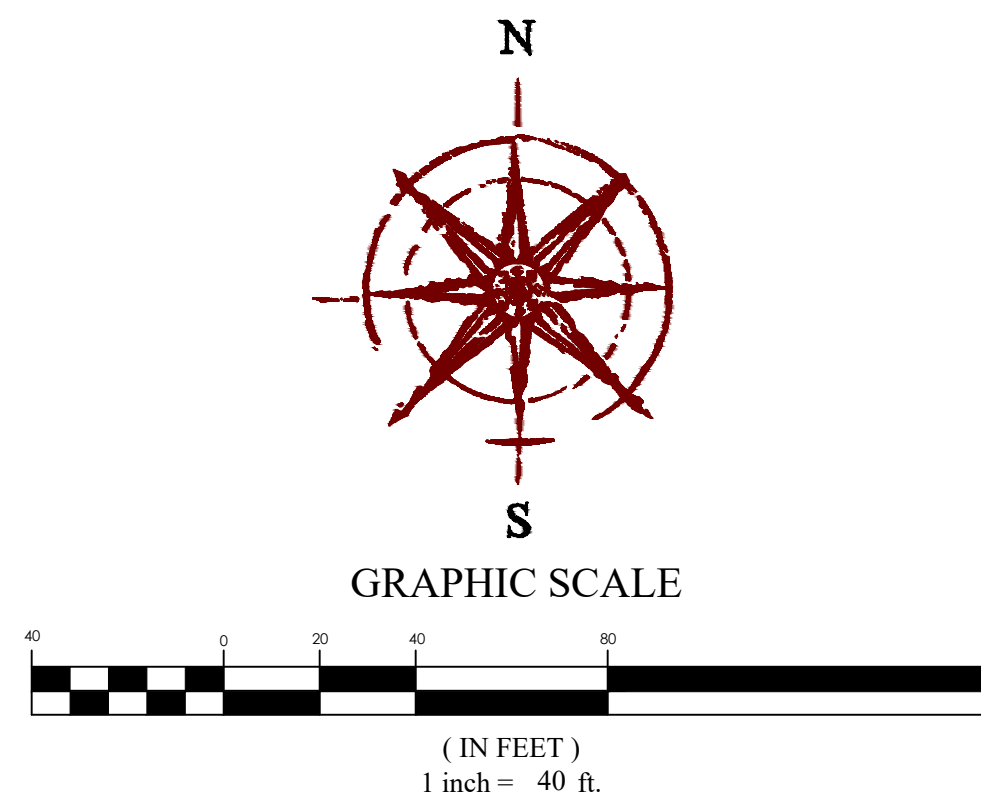
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LEGEND	
	BOUNDARY
	ROW
	CENTERLINE
	LOT LINE
	EASEMENT
	15" STORM DRAIN
	8" SANITARY SEWER
	8" CULINARY WATER
	8" SECONDARY WATER
	CONTOUR MAJOR
	CONTOUR MINOR
	EXIST. STORM DRAIN
	EXIST. SANITARY SEWER
	EXIST. CULINARY WATER
	EXIST. FENCE
	EXIST. CONTOUR MAJOR
	EXIST. CONTOUR MINOR
	SIGN
	STREET LIGHT
	SD MH, INLET, AND COMBO
	SEWER MANHOLE
	CULINARY VALVE, TEE & BEND
	SECONDARY VALVE, TEE & BEND
	WATER BLOW-OFF
	FIRE HYDRANT
	STREET MONUMENT (TO BE SET)
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	EXIST. FIRE HYDRANT
	SPOT ELEVATION
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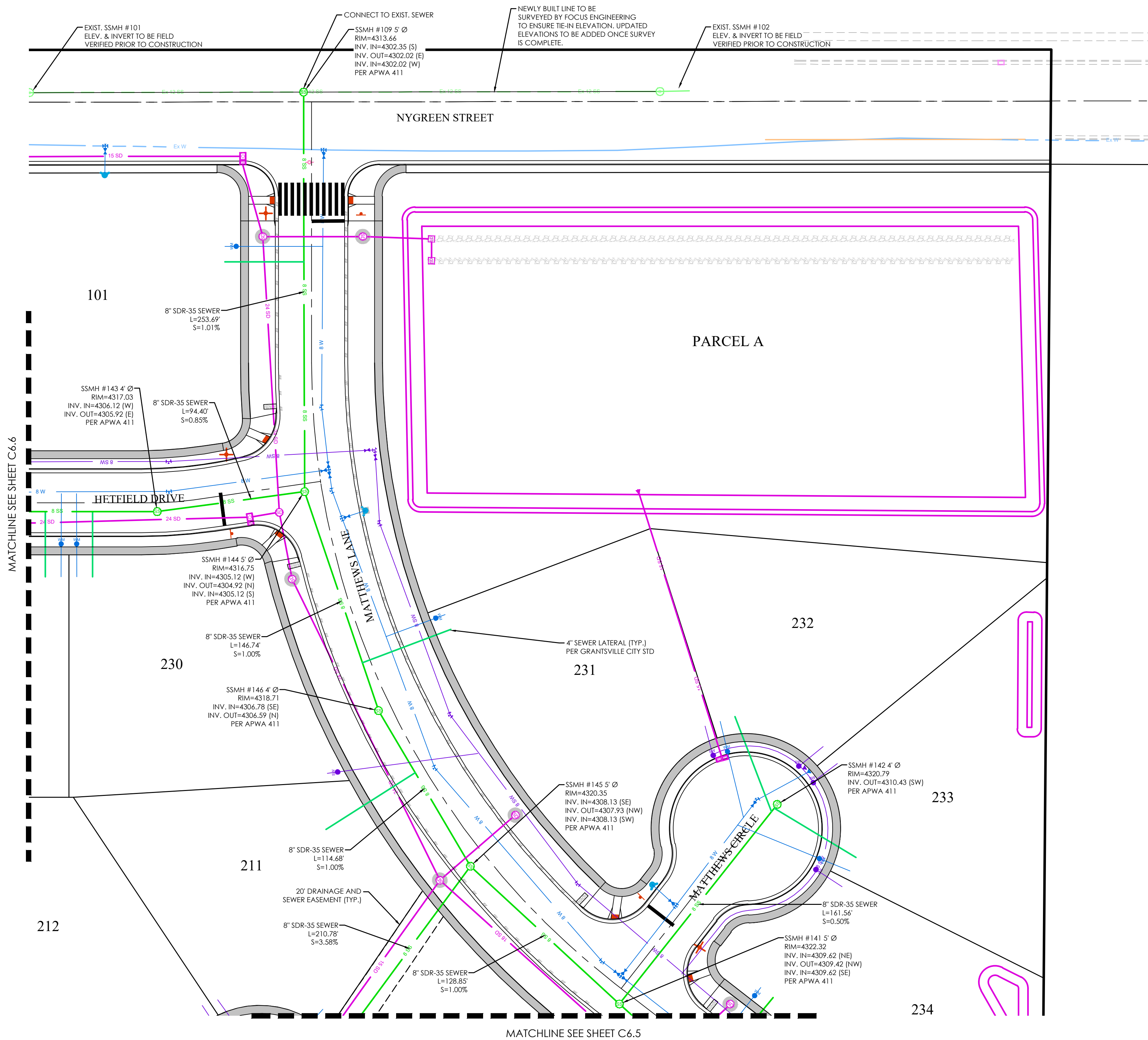
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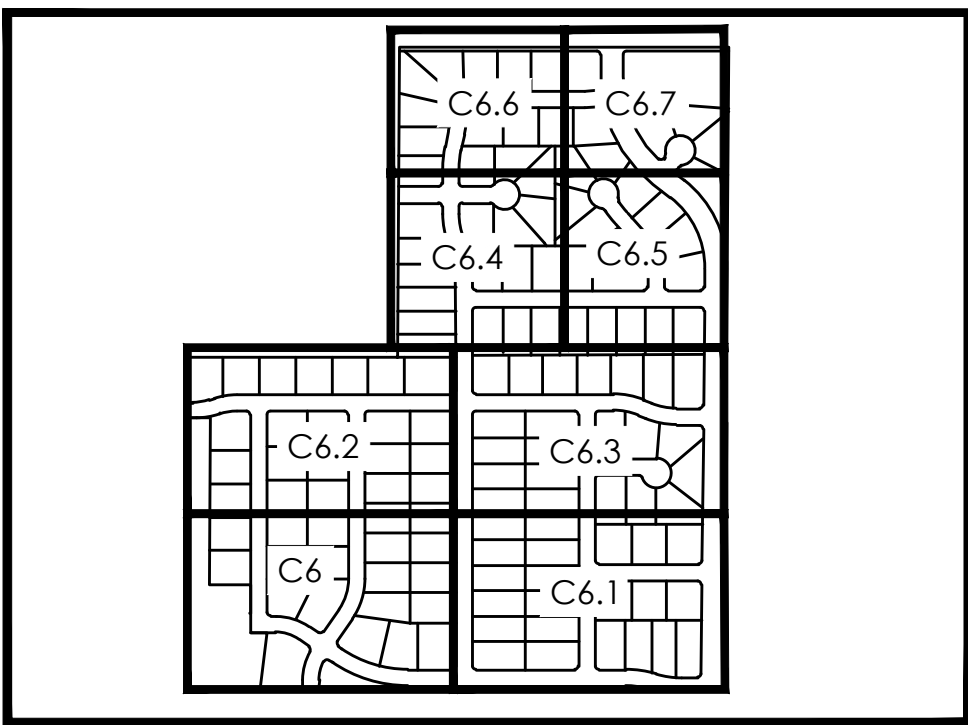
HERITAGE FARMS
GRANTSVILLE
SEWER PLAN

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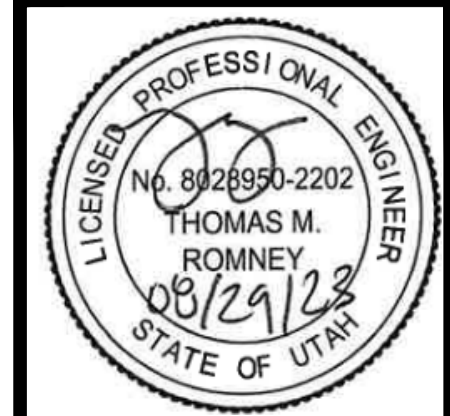
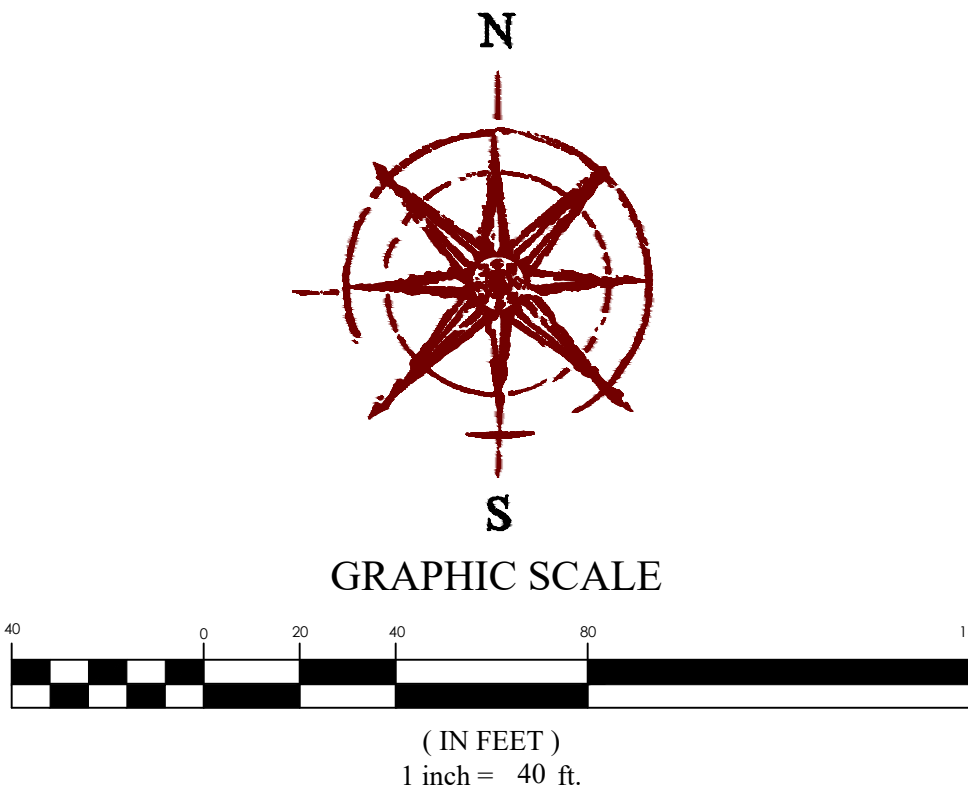
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[Symbol]	8" CULINARY WATER
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KEY MAP



HERITAGE FARMS
GRANTSVILLE
SEWER PLAN

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SEWER PLAN

Scale: 1"=40'
Date: 08/29/23
Sheet: C6.7

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AGENDA ITEM #7

Discussion of CN zoning district to allow drive-up window (Mayor).

AGENDA ITEM #8

Approval of minutes from the April 25, July 20, 2023, and August 17, 2023 Work meetings

Action Summary

Worthington Ranch	Discussion
West Bank Study	Discussion
MU Mixed-Use	Discussion
External ADU	Discussion

MINUTES OF THE GRANTSVILLE CITY PLANNING COMMISSION WORK MEETING HELD 04/25/23. THE MEETING WAS HELD IN THE GRANTSVILLE CITY HALL AT 429 EAST MAIN STREET AND ON ZOOM

ROLL CALL:

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

Appointed Officers and Employees Present: Mayor Critchlow, City Manager Jesse Wilson, City Engineer Dan England, City Planning and Zoning Administrator Cavett Eaton, Planning and Zoning Administrative Assistant Lanise Thompson. DRC specialist Gary Pinkham, Aqua Consultant Shay Stark

Citizens and Guests Present: Barry Gittleman, Stetson Blackmore

Commission Chair: Jaime Topham called meeting to order at 6:02 PM

AGENDA:

1. Discussion of Worthington Ranch Subdivision

Barry Gittleman and Stetson Blackmore from Hamlet Homes were present.

Barry Gittleman – Hello Thanks for meeting with us. I'm Barry Gittleman and this is Stetson Black-Moore. Hello. We're both with Hamlet Homes and we own the property in Worthington Ranch. Phase one has already been approved and phase one is on the screen in yellow. It is underway with development. They're on track to pave the roads in phase one, sometime in the next couple of months. And then our plan would be to start building homes and selling homes in phase one.

During the past, I would say six months now, we've met with city staff, we've met with the mayor, we've met with the adjacent property owners, planning commission, and city council to talk about phase two, which is the left west section on the screen and the current open space that is on the right section of the screen. What we have been discussing with all of those groups is the possibility of changing the currently approved plan, which has 62 homes in phase one and phase two and 94 acres of open space that's not being used for anything. We have a concept plan to get your feedback on tonight that would have us installing, paying for, and donating land and amenities to the city of Grantsville that would not be owned by the HOA. They would be open for all of the citizens of Grantsville, not just the residents of Worthington Ranch with a modification to the phase two land plan and the open-space land plan that would allow for some additional homes.

That's the general discussion that's on the table. I also wanted to share that we've had, in our conversations with plan commission and city council and staff, we've talked about what those amenities might look like and what the home sites might look like, the number of homes, the size of the home building lots. We believe we've incorporated all of the feedback that we proceed from all of

those groups. We've increased the minimum lot size from a quarter acre to a third acre. We've decreased the total number of lots in those conversations. I think our original proposed lot count was a little over 150 and then it came down to 130 something and 120 something and now it's 112 that's proposed in this concept plan. We got a lot of feedback from planning commission, city council, and staff about the type of trails for the amenities to go in.

There was some discussion about a lot of people in Grantsville own and like to walk their horses, but the general feedback was these trails, if we do them, should be walking trails for people and not horses because most of the people in the area who own horses are going to go to the foothills further to the west and not in this area. Pickleball courts was suggested by several people and so that area just northeast of phase one in yellow would be an amenity area with pickleball courts. A pavilion. Couple members of city council suggested that the open space land might be good for a future school site if there's school crowding in Grantsville, but it would really be up to the city what to do with any of the additional land in the open space. There's also the Willow Lane Parkway extension that is planned for long-term in the future for the city. Some of that open space land could be used for the Parkway extension as well. Am I missing anything? We'd love to hear anybody's feedback, comments or suggestions on the current concept plan.

John Limburg – When you guys came in here before, like you said, you're building some, you're building phase one, right now, right?

Barry Gittleman – Development is underway and phase one no homes are underway. Yeah.

John Limburg – You guys bought it that way with it already approved, right?

Barry Gittleman – Correct.

John Limburg – On phase one. And then you were coming in and asking to go a little denser on phase three than it is now. It's when you were saying they were, were quarter acre, half acre lots-

Barry Gittleman – Well, in the original plan there were 62 homes approved on a total of approximately 154 acres. The average lot size was a little bit less than an acre, but they ranged from maybe 0.6 to 1.4 acres in size. In the new land plan, phase one is unchanged, so it's still what was previously approved, and phase two in the proposed phase three has lot sizes that still range to some that are greater than an acre. Some of them are still up around 1.3, 1.4, but the smallest lot size is currently a third of an acre. In some previous versions of the plan, including our meetings with this group in January, the minimum lot size was a quarter of an acre and we got some feedback that several of you felt that was too small.

John Limburg – I remember you guys had some trails going up around but says Grantsville Elementary now that you proposed, and I think our general feeling was that would, that's kind of wasted land anyway that you were saying you were giving to the city. That's kind of no good. What's the possibility that you're actually going to put an elementary school there?

Barry Gittleman – That's totally up to city council and the mayor and staff and the planning commission. We have no preference whether that ends up being athletic fields or green space or schools in the future. It could be used for many different things by the city and that might be 5, 10, 20 years down the road. We were just putting on there that is a scale drawing of the current Grantsville

Elementary School. If another one of similar size were going to be done just to sort of give a representation of the size and the scale of the area.

Jaime Topham – But the land itself, I mean, can it even support something like that, Dan?

Dan England – I have not seen the geo tech report on this, but I have heard that this area was pretty much a bog and that they had animals who had got stuck in this area. It'd be very difficult to build any structures on this area without a lot of expense to make it work. It's kind of surprise that they've got a number of buildings going out that direction too.

Barry Gittleman – Are you talking about the wetlands in that southeast corner of the land or further north?

Dan England – In the 94 acres that were over there.

Barry Gittleman – Because we've got a wetlands study and that boundary of the wetlands from the wetland delineation is shown on the concept plan. We've spoken with engineers who say that it is a relatively low elevation in most of the 94 acres. If we are able to get approval for a phase three, many of those homes might need some pumps to get sewer out of the house and to connect to the sewer lines for phase one that are already in the ground. But homes would be buildable.

Dan England – Are you proposing to put basements in that area too?

Barry Gittleman – Yes.

Mayor Critchlow – Have you got a picture of what the original call zip was?

Barry Gittleman – We do.

Kevin Hall – And just a question, was there a phase three in the original approval or just phase one and two?

Barry Gittleman – Just one and two in the original approval.

Mayor Critchlow – 62 one acre lots. Right?

Jaime Topham – Cavett can you pull up the original? Find and pull up quickly?

John Limburg – Was it January, you said?

Barry Gittleman – December we came to this meeting. January, we presented at two meetings with the concept plan for this planning commission.

Jaime Topham – Major, were you meaning the original plan that this was originally approved for? Not their proposal, but the original PUD.

Lanise Thompson – Here's the final plan for phase one. Yeah, I can't get on the S Drive either, I don't know.

Jaime Topham – Well while they're working on that-

Barry Gittleman – Sure.

Jaime Topham – I remember of that land, and this came through originally, well maybe not originally. I don't think I was here originally when it was the first Bloomington, but when Adam brought it through, the whole reason that 94 acres was going to be whatever, I can't remember if he was giving it to the city or was part of the HOA, but it was because it's unusable land. Because it is a swamp land. It may not be a designated wet land, but it's swampy. I remember when the field north, no, south of it caught fire and just burned because it was some kind of moss underneath and it burned and it burned and it burned. And that's just south of you. It's not great land. It's very concerning.

Kevin Hall – It was peat moss burning under the ground.

Jaime Topham – Yeah, peat moss. It's really concerning that you're planning on putting homes, especially with basements down there, particularly given the year that we have right now where it's quite possible that there's going to be a lot of flooding and that's a really low area.

Barry Gittleman – It is a relatively low area compared certainly to the foothills in the surrounding area. One of the other things that we've talked with staff about is the possibility that Grantsville city may need a regional storm pond in the future. Part of this land that we're proposing to donate to the city could be a location for that regional storm pond in the future. It would certainly be our obligation if we can get approval to do any homes in that 94 acres as part of a phase three to ensure that they comply with city code, state building code that we protect. We're going to be on the hook to warrant the homes that we build in any of these phases. We're going to make sure that we're not going to have basement flooding. If some of the homes are at an elevation that's too low that we can't do basements and we have to do slab foundations, we would do that. So that would certainly be our obligation.

Jaime Topham – Shay, do you remember how this property, the 94 acres, was it like part of an HOA or was it they're planning on dedicating it to the city? I don't recall.

Shay Stark – So originally this all came through in the, what was it called, the conservation subdivision. We had this big complex mess of things that you had to comply with and the huge spreadsheet calculation that determined how many lots there were there based on the wetlands study, based on the amount of open space that can be given. I mean there were a lot of things there. In that it was required to go into a conservation easement, but I remember when Derek Ellis purchased it and he came in and sat for years and nothing had happened and he came in and asked to amend it in 2000. We were just looking at that in December 5th, 2018 when it went to city council. It was amended from 51 to 62 lots.

The reason that that occurred was because this wetland study had occurred, which originally hadn't occurred. We were able to make a determination off of that, so bumped it up a little bit there on the total number lots they could have. All through that, and the code at the time required that it go to a conservation easement. Derek came in and you may remember, he said, well, he brought it in first of all, and he had a concept for a city park down there. He brought it through and City council at the time didn't want the park. The reason the city council didn't want to park was because of the issues that you've been bringing up about the land. They were afraid that it was going to end up being a pig in a poke and city would be stuck maintaining this piece of ground, wouldn't be able to keep grass

growing on it, wouldn't be able to develop the amenities on it because of the land, if I remember right. They just flat out told them no, it would have to remain as a conservation easement.

Then he came back and he said he wanted to develop it as he wanted to put a shooting range out there. He wanted to put in some stables and so people could keep horses down there, a riding arena for them, an area for them to store their RVs and some of their toys down in there. Then just an area that they could ride and do other things. That was the way I remember it being pushed through. In the minutes for the 12/05/2018, Councilman Allen asked him specifically, is this remaining a conservation easement? He said at that time that they were going to maintain that. They were going to keep the open space, but they were going to maintain and use the open space essentially as it was what he said at that time. Then that was approved.

Then it came in for preliminary and they decided, and then under our old process too, just for those who are newer to this, our old process used to be concept was actually the same as what our preliminary is now. Preliminary was construction drawings and then final plat was literally just the plat. There were three approval steps through this. They brought it in through preliminary, which is, I got a couple of those notes on here that I'm looking at that I still have on my computer. And when it came in on preliminary, the preliminary plat states on it, Utah Open Land Conservation Trust and states on it, that "open space will be owned and maintained by Utah Land Trust or Conservation Corporation." Unfortunately, I've just got bits and pieces here since I can't access my main server to pull stuff off of. I don't know what the final approved preliminary plat looked like, but this puts us into April or May of 2021. With that, it would be May of 2021 when planning commission saw it, probably in June or so, 2021 when city council saw it.

Jaime Topham – I don't really hear any reasons for a change that all of a sudden that land would be good for building on and having other major things constructed on.

Barry Gittleman – So we have no data that says that open space cannot be built on other than the wetlands in the southeast corner. The concerns that he just raised about the city doesn't want to get dedicated to it, a bunch of amenities or get dedicated to it land that they're going to then build amenities on that they might not be able to maintain. I think that's relevant for the wetlands area. I would agree with that.

We're not proposing to do anything in that area, but we're also not proposing to dedicate land to the city and then burden the city with an obligation of building or installing any amenities. What we're proposing is that we would spend our funds to do those amenities and then gift them to the city. It would cost the city nothing other than to maintain them going forward, just like the city does with any other public parks or buildings or real estate that they already own

Rick Barchers – Here's my problem. Not that any of these other issues are not an issue. Originally, this was approved as a PUD.

Cavett Eaton – No, it has never been proposed as a PUD.

Rick Barchers – Okay. Well it's my understanding that at the time the zoning, if the zoning was followed, there'd only be 51 lots.

Barry Gittleman – Yep. There was, right? I don't think that's correct. The original zoning was two and a half acre lots. The size of the total property is 154 acres. I think your point about the wetlands is

valid and relevant, but I think if you do the math and take 154 acres divided by two and a half, it comes out to exactly 62 lots. I think that's how the original number was determined. And then the previous owner before we were involved, proposed to concentrate those 62 home sites in the west and leave.

Rick Barchers – Thank you for making my point.

Shay Stark – Can I jump in here, because I did all the calculations on this thing. I know this quite well. You're right. Ultimately the idea of the conservation subdivision was that you looked at the original zoning, you said, okay, we have X number of lots that can be built on here and if it were just going in under that zone. The idea was that you would take that number of lots and then you'd go through these calculations determining what portion of it was open space. So really the benefit to the developer was that they could build smaller lots, but they would never exceed the total number of lots that they would've been able to do if they would've just walked in with the standard subdivision. But, they could build smaller lots so they have less infrastructure to be able to have with it. Then this other, for instance with wetlands, basically if you found it a certain amount of this was wetlands, you weren't allowed to count that as in that overall property, the buildable acreage.

Rick Barchers – Perfect.

Shay Stark – And even with the open space, it wasn't counted in the open space as open space that could be applied to this set of calculations. I wish I could pull it up because I could show you the spreadsheet on it. It's there. There's several other factors in there. But you're correct. I mean it's essentially the number of lots. That's how we ended up back up at roughly about 62 was because like I say, the wetland study, wasn't it originally done. I guess nobody had required them to, even though it was in the code there. They came in and they did that wetland study afterwards and determined that the acreage, that it was actually a relatively small section of the acreage right there that was wetlands.

Rick Barchers – That kind of goes to my point. The concession has already been made by the city for that area. Okay. That'll include phase three. Now you're asking to double the density when it was put over into one area, which made it more efficient to be developed and more profitable for the developer, which is fine. I got no problem with that, really. I don't. But now you want to double the amount of density on that total property. That for me just isn't, doesn't work because I'm not seeing the benefit of it. I'm seeing a huge area of this being water retention, which is fine. Then you've got the wetlands area, that's fine. The potential school going in on that northern part of it is a possibility of maybe we can do whatever we want to with it and we're not sure we can do anything with it all so that you can double the density. I don't see the benefit in it, that's just my opinion.

Barry Gittleman – That's fair. So, let me address those points, please. First, we're not doubling the density. We're at 62 now, and so we're proposing an additional 50, so it's less than double. We have previous versions that were double and we got a lot of pushback on that. We've taken that into account. The first planning commission meeting that we came to with this body, there was a developer who went up right before us who was requesting some variances in exchange for putting in amenities that were going to be owned by his HOA and accessible only to his homeowners in his project. We heard loud and clear that wasn't really a benefit for the city of Grantsville and all of the citizens of Grantsville. We took that into account and we're proposing that we'll pay to put in one and a half to two miles of trails at our expense and gift them to the city and all the citizens of Grantsville for their use, not just our homeowners.

We're proposing to spend hundreds of thousands of dollars on trails, on pickleball courts, on additional parking, on pavilions that would again be gifted and donated to the city and all of the citizens, not just for our homeowners. That land could also be used for a potential future stormwater retention pond, a regional pond that the city may need in the future, a parkway extension that the city expects to need in the future, but it's not a certainty. The other land, whether it's school or anything else, could be used for whatever the city might need in the future. If the concern is whether or not that is buildable, we're happy to pay to go get additional soil studies and engineer reports to certify that it is buildable. To certify whether or not any homes that went into that area, even if it's just a few or a handful would or wouldn't be stable, engineered correctly, whether they could have basements or whether they need to be on slabs. I think we've heard loud and clear that for any additional density, there needs to be something that is of benefit to the city and all the citizens of Grantsville, not just the homeowners here. I think we're proposing quite a bit that would cost us hundreds of thousands of dollars that would benefit them. We're not just asking something for nothing or for something that's only going to benefit our homeowners.

Rick Barchers – Okay. How many people in this room have ever played pickleball? Four or five. So, benefit about 40%. That's okay. So that would be a potential benefit, a pickleball court. The rest of it's kind of just out there, dude. You see what I'm saying?

Barry Gittleman – How many of us in this room have used walking trails before? Or how many of the citizens of Grantsville have, I would guess that's higher than the number of people who've played pickleball. I agree with you that it's not going to be a hundred percent for probably any amenities that a city offers their citizens.

Rick Barchers – Well, I'm still going to go back to the, you want to go 62 to 112 and that's, I'm not seeing the benefit there for it. So go ahead Kevin, please.

Kevin Hall – I just want to comment about a little bit that's in the news. Can I?

Barry Gittleman – Sure.

Kevin Hall – I'm a life-longer here and I know the history of Grantsville and I struggled this morning when they had a hydrologist on the news this morning talking about the situation in Draper. And I'm certain we're all aware of that, right? His statement was that they knew that the soils there were conditioned to problems. They knew that. As such, it was engineered. The hydrologist did the tests. The other part of the story is there was a story in the news today that paper said, right, that they had to follow what the engineers and the hydrologists and all those people said. It was built that way. But the hydrologists said from the beginning that the soils were suspect. So personally, that part of the world down there is definitely in the low land of Grantsville. And there is a history, right? I've seen that property burn all summer long and I struggle with saying it's a benefit to Grantsville in any fashion to set us up for failure in that area.

Barry Gittleman – So the neighborhood that you're referring to in Draper, I live in that neighborhood. Hamlet built 72 homes in that neighborhood, Edge built on the Utah County side of the county line. I don't want to get into the issues that they had. We'll let that play out as it does. When Hamlet built our 72 homes in the neighborhood of Suncrest and Draper, we spent a small fortune ensuring that our homes would not have the issues that led to those two homes slid down the hill.

Kevin Hall – According to the city and according to the engineers and according to the hydrologists, so did Edge Holmes. My point is, by law or by proof, it never should have happened, but because it was suspect to begin with, and we think that these hundred year events are never going to happen. I've seen two of them happen in Grantsville in my lifetime, and there's one going on right now. I just struggle with the idea that we're going to go into that and that we're getting really anything that benefits Grantsville, especially the city when we have to answer, if those problems arise down the road somewhere, I just struggle with it. For me it's just not a good idea.

Barry Gittleman – But if you take that logic to the extreme, we would never build any homes for anybody to live in because there's always a possibility something may go wrong. And obviously people, we all need a home to live in. Building nothing is not the right answer. And so reasonable precautions are what you take when you approve a subdivision where the last subdivision that you approved, it's unlikely, but maybe all those homes fall down or catch on fire or sink into the mud. You have city staff and engineers that work with developers and builders to minimize the chance that something extreme like that goes wrong. We have engineers, we have developers, general contractors and subcontractors that also do everything in our power to minimize the chance that some extreme, unlikely event is going to happen. I share your concern that terrible things can happen sometimes and we do everything we can to prevent them, but you can never prevent them perfectly, a hundred percent in extreme circumstances or with a record winter like we have this year.

Kevin Hall – And again, I understand that. I appreciate what you're saying and I don't want to argue about it, but there's, it's not apples to apples I don't think, because I get that we could approve a subdivision that could sink in the ground tomorrow, but I don't think I would know or be suspect of that home sinking in the ground as I would when I knew from the onset that there's a pretty big issue there, a potential pretty big issue. Again, if there weren't hundreds of lots improved in Grantsville and hundreds of acres that could be built on, maybe so. But just again, personally I just struggle with it.

Barry Gittleman – And your concern is primarily with the open space area close to the wetlands?

Kevin Hall – Well, I just don't think we should, again, I just struggle with the comment that well, we'll put pumps in and pump and we'll do all that stuff, right? Because I think, again, we know there's a problem there, right? Because you've stated that we're going to put pumps in there potentially and we're going to do this to do that. Right? So again, for me, why would we do that? I just don't see the benefit to anyone in doing that.

Barry Gittleman – One thing that I do want to clarify when I say we may put some pumps in the basement if we're required to, that has nothing to do with the elevation of the land or the wetlands. We're not going to build anything in the wetlands and we know we can't. The only reason that we put some pumps in basements if we're required to is because of the elevation of the sewer system. We're already putting the sewer system, actually, I can point it out here. Our sewer system in phase one is already in the ground and there is an easement from phase one that goes southeast through Bud's property adjacent to us to the south that we worked out with Bud and Nicole. Because that sewer pipe is in the ground, if we build a home, let's say right there behind lot 119 or 120, it may have sewer in the house draining into the basement that needs a pump to get it up to connect to the existing sewer line in phase one. So that has nothing to do with the soil quality in the 94 acres. It's all about the elevation of the house and the sewer pump and the sewer lines.

Kevin Hall – Again, I understand all that as well.

Barry Gittleman – Okay.

Kevin Hall – It isn't the only reason we put some pumps in the basement, right? When there's groundwater issues, we put some pumps in the basement for that too. Correct?

Barry Gittleman – If we have groundwater issues, we're not going to build basements.

Kevin Hall – Okay. Well anyway.

Barry Gittleman – Okay.

Jaime Topham – Derek, do you have any comments?

Barry Gittleman – I did want to ask Mr. Hall, you, your concerns sounded like they were all related to these 94 acres to the east. Do you have any concerns if we were to pay for, build, and install amenities and then dedicate them to the city with doing an exchange for that, some additional home sites in phase two which has already been certified as buildable and doesn't have the elevation issues that exist in the 94 acres?

Kevin Hall – Well, I guess I'd have to see that. I don't know that I could answer that. But without seeing your idea of that, to be honest with you, right? But I'm much more favorable of that than I am going any further to the east or to the North.

Barry Gittleman – That's fair. This plan right here that we're looking at, if we ignore the 94 acres to the east, this has phase two in sort of this pink color and this phase two is shown with 43 home sites.

The current plan that is already approved has 32 in phase two. This would be an additional 11 in phase two without even touching, without doing a phase three and without touching the 94 acres to the east.

Jaime Topham – So let me be clear, what you're saying is you would be open to not doing phase three and still giving us amenities in that 94 acres if you were allowed to do phase two, as you have shown.

Barry Gittleman – We could do some but not all of those amenities and dedicate them to the city with phase two as shown and nothing in phase three. If you're asking us to give up 39 lots that are currently proposed in phase three, we couldn't do all of the amenities that we're proposing to pay for and dedicate to the city.

Rick Barchers – I would like to make a point on what you just said. Phase three was never approved. Building in that area was never approved. So, you're not giving up anything.

Barry Gittleman – From what we're proposing.

Rick Barchers – You're asking from us. So you're not giving really anything up, in my opinion. Just so you know.

Barry Gittleman – That's fair. Okay.

Jaime Topham – Jesse, well actually let me ask you really quick. But you would still give the whole green section to Grantsville City? All of the green, including phase three.

Barry Gittleman – We believe that dedicating the open space to the city provides benefits to the city, to the citizens and the residents. And it also provides a benefit to our homeowners, in that most homeowners in Grantsville don't want to have an HOA or they don't want to have high HOA dues or for the HOA to not have to have insurance to cover that property. Several city council members who we met with did say that eliminating the HOA completely would not be their preference, but making the HOA architectural controls only would be their preference because they've seen neighborhoods with no HOA where the homes and the lots go into disrepair. Keeping an HOA that has low annual dues and the sole responsibility to make sure that the homeowners maintain their homes and their yards would benefit the city and that would be their preference.

Jaime Topham – Okay, thank you. Jesse, our parks and rec people, would they want all of this green land?

Jesse Wilson – Probably not. As for things that were expressed by prior city councils about having that much green space grass in that area, I don't think they would want something that large. I know we won't have the staff to try and maintain it.

Jaime Topham – Mayor Critchlow, I know you have input. What's your input on, would that be a benefit to the city in some way? I mean you're out talking to the people all the time. You have a feel?

Mayor Critchlow – Well I'm going to say a couple of things. First of all, this was zoned two and a half acres. They allowed this to change to keep that open space so that they can have everything built up here off of that lower thing. I'm going to tell you, there's a lot of people that would just love to run their cattle out there. The homeowner association could actually charge them a fee for letting them run those cows out there and would actually make up some of the cost of the homeowner association. But, if you didn't want to do that with the Homeowner Association, they could always turn around and deed it off and sell it.

Jaime Topham – So that kind of brings me back to something that you had said, and actually Rick, about you're asking for more density and you're saying that the benefit will be all of this stuff. But Rick made a really good point that this land has already received concessions. The land received the concession of one acre lots to stack everything on the north end. So, when you're asking for additional, it's not the same as the person who was before you that you heard him say about those different amenities in the homeowner's association because that land had never asked for concessions nor received concessions. You're talking apples and oranges. I think you were talking about probably the land that was up on the hills that was going to do a whole bunch of different things. You had mentioned that that person was right in front of you.

You guys thought, "Okay, we hear that they want it within the HOA or they don't want it within the HOA." But that's not the same kind of land because that land did not already receive concessions. This land has already received concessions. Any additional ask from you has to have a real benefit to the city. What I'm hearing from our city managers, our parks and recs wouldn't necessarily want that 94 acres, dedicate it to the city. I'm kind of hearing the same thing for the mayor and I have the same kind of feeling. Now, you ask about the Phase 2. I don't know that I'd necessarily have a problem with that if we got something we really wanted on the end. But then it comes back to the, "should it be dedicated to the city?" That's a lot of area to take care of.

Barry Gittleman – I agree with your statement that there have been some concessions on this property with the previous property owners before we bought it. Your point is valid about the developer who wanted to do a park for his HOA for his residence only in exchange for some concessions that he was asking for. My point there was that planning commission and city council has been clear that concessions by planning commission or city council that only benefit the homeowners of the developer and they don't benefit the city and the citizens are not really a benefit to the city. That was my takeaway from your feedback to the other developer. We understand that and we're trying to do something that would be a benefit for the city and all of the citizens.

To Jesse's comment and the mayor's comment, I agree that if that 94 acres stays in its current state, where it's a lot of tumbleweeds and just open space without any amenities, if I were in charge of the parks and rec department, I would not want to have to maintain that either because it provides no benefit to the city. But if it has, whether the city decides that you want pickleball courts or you want a regional storm pond or you want an extension of Willow Lane or you want a future school or you want walking trails, any of those things would be a benefit to the city and might be something that parks and Rec would be willing to take on if they're not just getting 94 acres of tumbleweeds.

Jaime Topham – So let's say that we would be open to this idea of phase two but not phase three. What amenities would you be able to do?

Barry Gittleman – Without figuring out the cost of those amenities in detail, I think we could do either the trails or the pickleball courts in a pavilion, but probably not both. If I had to guess right here on the spot. The land, that could be a future extension of the parkway could be a future regional storm pond, could be a potential future school. We could do that as well.

Jaime Topham – So, Jesse, on that, if they dedicated all of that land to the city, not looking at parks and rec but looking more at storm drains, storm retention ponds, is that viable? Maybe I'm asking the wrong person. Maybe that's a Dan question.

Dan England – We are currently going through the Westbank study and in that Westbank Study we can ask the question to Chris, who's online right now. Well his engineers are still working on, we don't have the answers to that at this phase, is needed. I did talk to public works just today and they said they'd like more storm water coming up around this side of the city than everything going around the south side of the city to the east. If that basin's needed, I don't know. At some point we will need to have a road that's going to go through this area that they show just underneath the elementary school area. We'll need a road that goes through that area. What was your question again?

Jaime Topham – Would that land be useful for the city for storm water purposes or some other purpose than parks and rec?

Mayor Critchlow – Can I just, there's two things. Can I mention one thing here? Okay. The water that's coming off of the mountains up there in the west are going run down through, they're going to go through Desert Edge. They're going to go through these folks' detention because we're not going to let them fill the washes in and they have to make arrangements to capture what's coming through. It's going to go out there, it's going to go there and it's going to go over to Chris Robinson's and it's going to go there because that's where naturally it goes. Okay? We're not going to mess with the natural flow of the water. First of all, it won't be detained out there because there's no way where it's going to seep in. This doesn't percolate through this area.

Kevin Hall – Got a little clay out there on Burmester don't we?

Mayor Critchlow – Okay. So as far as the elementary school goes, the people up on the west side of the mountain up there have already dedicated or want to dedicate a school area. So that won't be necessary down there. 62 is what we agreed to because that's what the zoning allowed them to do. It's my feelings, personal feelings, this should just stay that way.

Barry Gittleman – That zoning that this property was approved for before we purchased it doesn't exist anymore in the city, as I understand it.

Mayor Critchlow – That's why it got changed. They allowed them, it was two and a half acres when they agreed to this.

Barry Gittleman – And am I correct that the current city code, your lowest density zoning is two homes per acre? Is that correct?

Dan England – Cavett, do you want to answer that?

Cavett Eaton – I don't know.

Derek Dalton – We have one acre lots.

Chris Hupp – There is the RR-2.5 and the RR-5 still and the RR-1 and the RR-1-21, which is half acre lots.

Shay Stark – So I said one home for five acres is the RR-5

Barry Gittleman – Got it.

Shay Stark – But the A-10 is ag land with one home on a 10-acre lot.

Dan England – I don't know 2.5. Chris, is 2.5 still there?

Chris Hupp – Yeah, it's still in the code and it's still on the zoning map.

Speaker 6:

Jaime Topham – I know we're here just on discussion but, I mean to me, it sounds like you're stuck with what you have. My opinion: you're stuck with what you have.

Barry Gittleman – I think that's definitely the general sense that we've gotten from meeting with the mayor and planning commission a few times. I think our frustration is that what we currently have is acceptable. Obviously, we knew what we were getting when we bought the land and so we can proceed with that plan rather than banging our heads against the wall every time we come to planning commission and city council and meet with the mayor. We feel that there is a better opportunity for the future residents of Worthington Ranch, for the city of Grantsville and for us. If sticking with the current plan leaves the homeowners responsible for 94 acres of green space that's not really green and

they get no benefit of it and the citizens of Grantsville get no benefit of it because there are no amenities in it, then that's not optimal for the homeowners.

If the city has an opportunity to get some amenities that are available, whether it's pickleball courts, walking trails, future parkway, future regional storm pond, at zero cost to the city, then why would that not be a benefit to the city if they can get things that their citizens want and the city may need in the future at no cost. It seems like there's some opportunity that would be better for the city, better for the citizens, better for the homeowners and for us, which is why we're going through this process trying to not just settle for what was previously approved that's suboptimal for all of those groups, in our opinion.

Rick Barchers – Well going back to that 2.5 acres, this was a benefit to the homeowner because they made concessions to go to smaller lots to start with because this area is not developable. These, as proposed, are already benefiting those homeowners because they're smaller size and makes them more affordable. That's my opinion.

Jaime Topham – What I hear from the citizens all the time on Facebook, I never comment, what I see them post all the time is: we moved out here for this rural feel and it's getting eaten up. Well that's going to feel pretty dang rural. It's exactly how it's been since the dawn of time, that land, if you leave it the way that it is. I don't know that they could get much better than that. They have the smaller lot living but they have the rural area and that's what you signed up for. I feel like I've heard from everyone. I think we've definitely given you a fair shake and listened to everything you have had to say.

John Limburg – I've got a couple things. If I were you guys, I would've come in with a geotechnical report for phase three to go, "There is water problems or there isn't water problems. Percolate or does it not percolate?"

Barry Gittleman – I believe we already have that but I will confirm that for you.

John Limburg – We don't have that and I think we got to be making decisions based off facts, not feelings. It feels like that's not a good thing to do. But I don't know if that's really right. I haven't even been out there so it's hard for me to even make a decision on that. And then I kind of agree that it is kind of wasted land and he talked about, Mayor, talked about deeding it off and selling it. I don't know how they could deed it off and sell it without coming back into us

Mayor Critchlow – It would have to remain open space because that's how it was agreed to be done.

John Limburg – That's how it was agreed when they did the original.

Mayor Critchlow – But people would love to just have this is a grazing land and it would actually be an income producer for the homeowner association that's out there.

John Limburg – So are we sure that they can't deed that off of sell it to somebody else?

Barry Gittleman – We can't. With the current plan that has been approved by Grantsville City, that land is required to be owned and maintained by the HOA so they can't sell it.

John Limburg – Okay, good. Are we being shortsighted though, you guys, in that going, I mean we don't even know what those guys that are going to live out there, if they do want this stuff or don't want it and I'm not fighting for them, but I'm just going, "Would it be good to have this stuff versus just an open field that has nothing?" And the only reason that field's open is because they got that much land and they probably went out and bought some more to make it work for the zoning so they could put the homes in it they wanted.

Kevin Hall – No, it was all one. Yeah, this was all one property.

Mayor Critchlow – This belonged to the Worthingtons and that's how they ended up, it's all one big farm.

John Limburg – It just doesn't make any sense why you wouldn't just keep it at two and a half and just say you build on half of it originally.

Dan England – Well it is cheaper to put all your utilities in one part.

John Limburg – It's less infrastructure.

Dan England – Exactly. So, if they're able to take that and combine it all down to that area, it would be a benefit to them and go with the one acre lots for one part. And the other side was, from what I've heard, is that that whole side over there is difficult to build on.

John Limburg – Kevin, I would say is when they were building up on Suncrest and I managed a geotechnical firm for 17 years. I thought it was insane to build up on that ridge and where the old widow maker used to be. All of that just, this seems insane. I wondered that whole time that they were doing that. We were testing on the roads and we did some other things, but I thought that just seems insane and it's coming. It's coming true. Right? But we still don't like here. I just think this isn't Draper, it's not up on a ridge. Yeah. I mean don't think that it's apples and apples.

Rick Barchers – I do.

John Limburg – So how do you know?

Rick Barchers – Because the original agreement went from two and a half.

John Limburg – I'm just saying facts. You got to do it for the right reason.

Rick Barchers – I understand. But there was concerns. They reduced it from two and a half acre lots to one acre lots because there was a concern. They've basically moved the density so that concession's already been made. If they want to go back to putting all two and a half acre lots in because they feel this ground is developable, I mean that's a whole other discussion.

John Limburg – No, I totally understand what you're saying. But if they came in and said, "Hey we have 25 acres here, we want to put 39 lots on it and we're going to build all this out for you. Here's the Geotech report that said it's going to work." Why would we tell him no?

Rick Barchers – We wouldn't. Sorry. We wouldn't. I wouldn't have a problem with it. But the agreement's already been made.

John Limburg – I know. So all this, it's an agreement. All these coming back. All they're coming back saying we approve PDDs all the time. He's saying, "Here we know that this is the original agreement. We're asking for a variance on that." Are we being shortsighted and saying, "Hey you guys made an agreement. That's it. We're walking, we're not changing it."

Rick Barchers – Correct. For what? Where's the gain?

John Limburg – Pickleball courts and if they do it, this the lowest area in town and we do need some storm water. I'm just saying I don't-

Dan England – It's a definite maybe.

John Limburg – That sounds like a great place to put a storm water drain if it's the lowest part in the...

Rick Barchers – Well look, being a plumber myself who has done percolation tests.

John Limburg – I did percolation tests for years. I understand.

Rick Barchers – Perfect. So, you know what's going to happen if you try to percolate water in that area. You already know.

John Limburg – You'd put a system in, you'd put some front drain down, you'd figure it out. If it's the lowest part, it's going to go there anyway. Where else would it go? It's a storm drain.

Jaime Topham – So John, what would be okay with you in this proposal?

John Limburg – I don't know because I don't even know if you have enough information to even say no. I don't. Because they may come back with, because I agree. They said, "Hey let's not build on this part because we feel like it's not good area." But then they did go do a wetland study and it wasn't as much as they thought it was and came back in that lower portion. I'm just, I think we ought to either say, "No we're not going to do it because we don't want to approve a PUD" or "No, that it actually is a wetland problem and then there is water problems," and say no because of that.

Barry Gittleman – We have a Geotech, you've got a meeting next week, we have a Geotech, we can bring it back to you.

Rick Barchers – I'll say yes if you want to go to 62 units on that entire area. Fair?

Jaime Topham – No, this isn't coming as a PUD, right? This is an amendment to the-

Cavett Eaton – That's part of the thing we need look at is if Worthington wants to come back in with the amendments and changes, then apply for the PUD and then all of this information will come out. The reason that you haven't is because it's still a concept.

Jaime Topham – It's still a concept.

Cavett Eaton – So if they come back PUD, if that's their choice, present it, and change it.

Barry Gittleman – If we did come back as a PUD with what's proposed up there and we came back with a Geotech certifying that wetlands down here in the southeast corner we need to stay away from. But the rest of the 94 acres to the north is buildable and could be used for our stormwater retention for Worthington Ranch and the regional storm pond, if the city wants it in the future. We've heard objections about going into the 94 acres because it may not be buildable. We can get a Geotech to certify whether it is or isn't or portions of it are or aren't to address that concern. The density comment has come up a few times, whether or not we're proposing benefits to the city and citizens that compensate for the additional density that we're requesting. Is there a specific number that any of you have in mind? Like 112 is too many, but going from 62, we'll give you five more lots if you spend half a million dollars on amenities and donate them to the city.

Jaime Topham – I said that I would not be totally opposed to phase two, but I would not agree with phase three. So that would put you at what, like 70, I can't remember, 70 something acre. 73 lots.

Barry Gittleman – 73. That's right.

Jaime Topham – 11 additional lots, if the city gets the big chunk and you do some improvements to that said chunk.

Barry Gittleman – Some amenities that we would dedicate to the city.

Jaime Topham – Right. Because then look, mayor, I know your opinions, I see it, but Dan has a point. We might need that property and if we can get it for free and it sits there until we have this storm drain and all of that figured out and then we need it, then there it is.

Rick Barchers – We still have to maintain it though.

Jaime Topham – And maybe we don't but you're maintaining, for the moment, is you fence it off and leave it set. The city could lease it out for cows just the same as the HOA.

John Limburg – It's no different than what's happening right now. It's just sitting there.

Jaime Topham – Yep. The big difference is that they would be asking for is that Grantsville would be responsible for it, not their HOA. Because right now their HOA would be responsible for all that.

Barry Gittleman – And there would be amenities that are not currently there.

Jaime Topham – Right. But if it was in the HOA, we wouldn't really care anyway. But that's your subdivision's stuff.

Kevin Hall – Well, and here, here's my last comment I guess. And then it has to do with density and that is: it's in an area and it's A10 and the people who live in that area, for the most part, other than Silver Fox across the street and the new one-acre thing that's by me. I guess, personally, I struggle with going on the outskirts of town and doing away with all the density, right? Because we only go smaller from there. Right? Once we get down to a certain point, then the next thing that comes next to there saying, "Well it's conducive with what's there." Right? We're in an open area of our community on the outskirts and we're going to now take it down to something else and then the next thing that comes, it opens the door to go to 7,000 square foot lot. Do you agree?

Barry Gittleman – Not exactly. I understand your concern that whenever any of us make concessions there's a risk that they're going to snowball from there. I think the city's already approved a 700-lot project right across old Lincoln Highway from us. We're not talking about anything anywhere near that. We're talking about 150 acres for only 60, 70, 80 lots. One other thing I forgot to mention is that when we met with a few of the city council members, they expressed an opinion that home buyers like to have choice and variety. Having a subdivision where all of the lots are exactly a quarter acre or all of the lots are exactly one acre is not ideal for the consumer because some people might want a smaller half acre lot and some people might want a bigger one-and-a-half-acre lot. As much as we can, if we're going to get approval to make any changes, their feedback was to have some variety of lot sizes, not have them all be the same plus or minus 10%. If we were to go with the new proposed phase two, that does give some variety in the neighborhood for home buyers to choose whether they want a one-and-a-half-acre lot or a half-acre lot.

Cavett Eaton – You have provided some graphics to show.

Barry Gittleman – Oh, that's right, if you could. Thank you.

Jaime Topham – Since you're there, this is another proposal.

John Limburg – Shay, is this in a flood plain?

Shay Stark – I don't think the top portion is. It's the bottom portion.

John Limburg – Just where it says wetland.

Shay Stark – We have to look, I know the city took a tour with FEMA the other day so the maps, I don't know if they're completed yet or we're getting close, I'm assuming, is why they were touring.

Dan England – By close you mean within the next five years?

Shay Stark – Well, whatever it is. But I know it's-

Dan England – Going to be a couple years.

Shay Stark – I know there's some draft maps out there, so you guys may have a better fill for what.

Dan England – But they only showed the hillside as being flood possibility because where the creeks could change past.

Shay Stark – In the drainages only or did they actually go outside of that?

Dan England – Well, the hillside is on sandy banks and those sandy banks can move. So, the whole hillside basically is possible flood area and once it gets down to the city they left it open.

John Limburg – I think if you look at the USGS site. I don't know which one it is, but it shows almost all of Grantsville is a flood plain if the dam breaks. So I don't know.

Jaime Topham – So I'm giving you two more minutes to kind of wrap this conversation.

Barry Gittleman – We had Stetson actually put together this rendering to give an example of what we were proposing for phase two where we would increase the density and do some smaller lots, but none of them were less than a third of an acre. These are the largest one story and two-story homes that we build. This shows that we're not talking about high density jam packed together houses, but they're going to have a lot of space in between them if we are able to go smaller than the roughly one acre lots. On the next slide, we've got examples of the homes that we have built in some other neighborhoods with smaller lots. This was in right near Sugar House Cottage Court. Then the next one shows another one of the homes, I believe this is in our Brookside neighborhood up in Heber. Just some examples of the large size homes that we have in mind. There's one more or two more.

This shows some of the architecture of the homes that we've built. We take a lot of pride in our architecture team and our design team and we're not proposing to build cheap, ugly houses in Grantsville just based on what we've paid for the land and development alone. We expect that these homes mostly are going to sell in the 800s or above. We know they're going to be relatively large lots and large homes, but if we're able to build a few more than the 62 that's already proposed, then we could make them a little bit more affordable for home buyers. That's what we wanted to show. Is there anymore. Is that it? Okay. So, I know we've already taken up over an hour of your time. Thank you for the feedback and if we're able to get on the agenda for next week, we'll make sure that we've got the Geotech report so we can share the highlights from that too. Anything, any other questions for us?

Jaime Topham – I don't think so.

2. Discussion of West Bank Study – Dan England, City Engineer Chris Hupp from Psomas on Zoom

Dan England – We have Chris Upton online. I'll just introduce you real quick and then turn it over to him. The whole purpose of this is for pretty much everybody in the room here to understand what's coming down with this Westbank Study and to try and wrap our heads around what it is, how it's going to help us, and how to be able to understand it, be able to use it.

We sent out for bids to do a West Bank study. We had a concern on the West Bank that people were developing without considering the other property around them. It was just their project and it wasn't working with the other ones. One at the bottom and say all I need is an eight-inch line for my sewer. By the time everybody else develops, that now needs to be a 12-inch line. None of it was working, and the roads weren't working. The water was needed but nobody was building it there, figuring out ways of getting around doing development. We went sent out for bids for a firm to design that West Bank force.

Kevin Hall – Is this the infrastructure?

Dan England – No, it was to figure out what was going to be built. That's the first part. Then once they figured out what was going to be built, how it was going to be interconnected and how the utilities could serve that. Chris is a planner and he's the head of the team that won that bid. He came in and he's put together a plan. I'm sure he'll show that to you in just a minute here. He's also tried to take a lot of the concerns that we've had, that we've been going through with development, and tried to come up with a written way of us being able to protect the city as we go forward. He's also in the process right now, he has engineers that teamed with him that are going through figuring out the

water, sewer, storm drain and how that's going to end up working for what he's proposed as far as where the homes are going to be, where the commercial, where industrial and everything else on the hillside. He'll be able to go over that. He'll go ahead and he'll be able to tell you how he got to where he is. Because we did end up going through and we had a team that looked at it to give us some insight and direction of where we thought the best places are, put it out to the public to have them vote on it and make comments on it. Then we took those through and consolidated into one. That's one that we're working off of right now to plan the utilities and everything for that area. It was a surprise to me how much we need to make that all work.

The other thing is Chris Robinson is on the North side of the city, and he and Judd Lawrence, they also wanted to be part of this. We included them, plus some other properties on the North side that's in the county but is in our sphere of influence that we would end up acquiring someday in the future. They're part of that plan and coming forward with that.

Rick Barchers – Okay. So that's something that I wanted to ask. There was an influence by the property owners and what potential development they want to do, put above our master plan, in this scenario. Who represents those interests in those areas? It sounds like to me those were represented by the developers and property owners.

Dan England – We put together a committee that included three or four of the developers along the side. Typically, they were the larger developers that were going to be the major impact of these things and the ones who are going to be building most of the infrastructure with their projects. They're included. We also included a number of people, well someone from Planning and Zoning, someone from City Council. We had the mayor a couple times. We took their input and Chris interviewed each one of them and got information from them to find out what they thought about those things and took those and incorporated it into the three plans we ended up putting on the website out there. We took the ones who owned the property as well as the city and the direction that we were going from there, as well as our committee and council to get their thoughts and ideas all incorporated into it.

We've tried to do it without going out to the public with big public meetings where we tried to get input from everybody. We tried to keep it reasonable and manageable to try and go through as quick as we can. One of the things that has... This infrastructure that is coming in is needed for additional things that the city is trying to go through and do right now, too. It's important that we can try and get this wrapped up and so I'm sort of putting pressure on Chris to help on that. We have property owners and things that are still trying to change and morph things and every time you change and morph things, utilities change too. They come back and they recalculate and go forward. That's where we're at right now and we're going.

The important thing that I want, because this will be coming three weeks, four weeks out for your review and approval. I haven't really wrapped my head around this, either. We need to be able to know that this is understandable that we can figure out what's being presented to us so we can actually protect our city as it comes to develop. Because some of the things he's doing may stretch out into other parts of our city, too. If it works well here, we could use it other places, too. With that I turn it over to you, Chris. Unless anybody else want to.

Chris Hupp – This presentation was previously sent to Dan and Cavett, so if you want a copy of it, they can distribute that to you as well.

Thanks for that introduction Dan. Just a little bit of information on boundary. I'll just pull this up really quick on screen. This is essentially the property boundary that we're looking at. It's approximately 10,600 acres. You can see the existing size of Grantsville off to the Southeast corner. It's a large development, basically its own city in terms of development potential. That said, when doing this we like to develop a land use model that right sizes everything that happens here. So, as we go through this, keep that in mind. This property is not going to be developed tomorrow, it's not going to be developed in 10 years. This is going to take a very long time to actually develop out. Just for scale of development that's sort of that timeframe that we're looking at. If we continue at the rate that we are, of the approximately 400 residential permits per year, and they were a hundred percent inside of this area, it would be more than 60 years to develop this whole thing. If a hundred percent of that came to just this area and nowhere else in the city. Just for a little bit of reference.

Dan England – I was just going to say that typically cities when they grow, they'll start to go exponentially in growth, so it most likely wouldn't take that long to fully build out if it really went through a growing spurt.

Rick Barchers – Do you know what Day Break was originally supposed to be? Its build out?

Dan England – No.

Rick Barchers – 30 years.

Dan England – And how long did it take?

Rick Barchers – Less than five.

Chris Hupp – It's actually incorrect. It's over 20 from the original date and they're still not done.

But that said, this process as Dan was sort of talking on, the area plan kickoff started in August. We went through, as he had mentioned, stakeholder interviews, meeting with City Council, Planning Commission, a few of you individuals we had gone back and forth with a little bit, and then several of the staff individuals. We also went with key employment individuals throughout this region that may be of interest to the future development. Then after we did all of that, we went into the alternatives analysis with that vision in mind. We did that first step to try and understand exactly what future Grantsville wants to be. Is it more of the same? How does that vision look? We developed that. Then we put forth three potential alternatives that looked specifically at how the development can fit together. These were void of civic uses, meaning schools, churches and those kinds of things, and void of a lot of open space. It was just the trail networks, just so we can understand what types of development patterns residents would like to see.

We put that out. We developed an interactive website, got a lot of feedback from that and we'll actually touch on that in this slide show. We got a lot of feedback, took all of that from the residents, integrated that with the concept, developed a preferred scenario. This is sort of the phase that we're in and have been in for a little while to try and dial in some of the comments and things that have come in. From this preferred scenario, we develop out the capital facilities plan, which specifically says this is the kind of infrastructure that would need to support this type of development. That's where we're at. Once this goes through, then we'll have to come back and do a presentation of the actual full document after review and everything for public approval, public hearing approval. So that's the general process of this development.

That said, existing plans and preliminary analysis is one of those initial things that we looked at, as well, to see what does the existing general plan say? What does the future land use map show? How was the transportation master plan developed to incorporate some of these areas? Obviously, the transportation master plan doesn't cover the entire boundary, but it does cover portions. Then we also looked at existing and proposed development plans, ones that have already been approved by the planning commission and city council, so they have vested rights, and ones that are proposed to see what may come down the pipeline. Obviously, we didn't take those at a hundred percent. We looked and put those plans through the vision of the city and what they're trying to accomplish. What you all are trying to accomplish, through that. We also looked at the future annexation map for areas where growth could occur and this actually expanded out from approximately - I don't remember the exact initial number - it was 9,000 something acres and jumped up to 10,600.

There's a little background there. Then in the preliminary concept we actually have established a few different land uses. The difference between a land use and a zone: a zone is a very prescriptive thing that says this is what's going to go in this area, a land use is the general use that can go in that area. So that's why you'll see several specific zones associated with some of these land uses. For example, commercial, it corresponds with the C-N, C-S, C-G, C-D and potentially the MU zone. Obviously not all of the mixed-use zone but portions of that. In concept one, we actually show a mixed-use zone as a continuation on Main Street. In the preferred scenario that mixed-use zone goes away. A lot of the feedback that we received was against using mixed use in the land use at all, and so that's what you'll see.

Office zones flex is distribution, light industrial, those types of potential users, warehouse, those things. High intensity residential, medium intensity residential and low intensity residential. You will notice because we do it the way that we do, there are no designated densities associated with any of these land uses on purpose. It gives you the flexibility to make decisions based on the context of when a project gets submitted to you. For example, let's say it's 20 years down the road. If it's 20 years down the road, development in Grantsville may look very different than what it is today, and so that low intensity residential zone could potentially shift from a R-1-8 to a R-1-21 based on what's around it or vice versa based on your context that you have at the time that that submittal comes in. We do this to try and add a little bit of flexibility with very specific guidelines for how those decisions can be made to help protect you and give you the ability to make a decision with real data.

So again, these are some of those zones. As we just mentioned with that previous developer there currently still is RR-5, RR-2.5, RR-1, and RR-1-21 and I'm not sure who mentioned it, but the A-10 zone, which again is one unit to 10 acres specific to agricultural uses.

In addition to this, we do delineate specific open space to establish that as its own zone so that if a developer or somebody comes in and says, "Hey, we want to..." Well, I hate to use the example that just came in, but let's say that came in, got approved as is, that green area in the east. If they say, well, we got let's say two units to the acre or whatever, just hypothetically speaking and it's a hundred acres, we get 200 units. Well, if it's 200 units and they cluster it all and then they try and sell that green portion off to somebody else so that they could develop it and potentially get more units, that wouldn't be allowed because it would be an open space zone with a conservation easement associated with it. So, if a land sale happened, they could see that the only use would be for agriculture or open space. A little depth into that one piece, but that's more for informational purposes.

The next piece, minimum lot sizes is a big thing currently with the State. This past year they passed, 575 bills. Several of them talk about intensity. Several of them talk about increasing that intensity

around major transportation corridors and things of that nature. Be aware that the State is starting to lean heavier on cities so long as they hit over 5,000 residents, they have to hit that certain threshold. Obviously, Grantsville's over that threshold, so pressure may be placed on you for increased intensity. That's more of a be aware that that is coming down the pipeline. As development comes in, you may hear that thrown at you. Again, just a side note. We show these intensities with the minimum lot sizes. Again, high intensity goes to the RM-7, the RM-15 as potential zones. Medium intensity is R-1-12 to RM-7, and then low intensity is R-1-21 to R-1-8, and then very low is the A-10 to R-1-21 just for those associated zones with the land uses.

In addition to that, we've established some residential property types, the minimum lot sizes for those. Going back to this previous conversation of the individual that just presented, if development on the outskirts of their project is, let's say it's half acre lots, they shouldn't, and I don't care who it is, they should not be allowed to develop town homes next door to that. If anything, it should either be half acre lots or stepping down to medium lots. If they're putting half acre on their edge, then they can step internal to their project but not on the edge of their project. What that does is that allows for blending of the intensity to go from let's say half acre lot down to potentially whatever's internal to their project. That said, there are specific sub-steps inside of this that should be followed to try and help you say, "Hey, the context of this development that we're looking at today is a hundred acres and right next door you have town homes. You can't put half acre lots next door. Sorry, you can't do it. And vice versa." If it's half acre lots, you can't put town homes next door. It has to step. So, if you're going from half acre lots, maybe you go to third acre lots or something of that nature so that there's a step in those intensities so you're not getting incongruent development patterns. Does that make sense?

Dan England – We see a lot of nods.

Chris Hupp – Okay, perfect. Because I'm sharing, I can't really see all the heads in the room. These are those preliminary concepts and how those could potentially play out. We ended up walking way back from what you're going to see on screen and we'll get to that. The black circles are development nodes and what that means is where intensity should happen and then fade out from there. They typically happen on major intersections where you have an arterial and another arterial intersecting. Those are major intensity nodes where development can get a little bit more intense and then it fades out from those locations. That's just to maximize on utilities, maximize on infrastructure and everything else. You put the most intense uses around where your best infrastructure is. Just simple costing on that. These were those initial concepts that we received feedback on. As you can see, again, we had a little bit of mixed use in this location and none on any of the other concepts, just as a potential. If we were to continue Main Street, this is what it could become.

From there, we get into a lot of numbers. I am a planner as Dan mentioned, but my previous life I ran a marketing company for a decade and a half and I love spreadsheets and numbers. So, as we do this, we develop what's called a land use model that has loads of inputs to better understand what is actually sustainable in this area. So, in order to establish that, we needed to understand what the existing population is, what a projected population may be, and what a full build out could be.

So, going back to those things that I said at the very beginning, the existing population today is approximately 13,500 residents according to Kem C. Gardner and a few other major sources throughout Utah. The current population per home is 3.7 residents, 3.7 residents per unit. So just doing math, you can walk that back to see how many current units, approximately how many current units are there without having to actually count every single one. In addition to that, you'll see the

projected population and this, Kem C. Gardner, the state population, the state put out projections, Kem C. Gardner's from the University of Utah. They put out population projections. We adjusted those slightly to be a little bit less based on some of those pulled permits over the last several years, to assume approximately 18,000 population growth by 2060.

Again, walking that math backwards, if it's 18,000, typically when cities grow their population or resident per unit shrinks. So today it could be 3.7. By that point we're assuming a 3.5. So, if you're getting 18,000 extra residents divided by the 3.5, that would be approximately 5,143 units just for math's sake. Going a step further, we looked at the entire project and then we looked at Grantsville and said, okay, what is the existing density in Grantsville for what's actually the core of Grantsville?

As we look through that, we actually went through and counted a lot of the residential units based in these acreages to get spot checks throughout the city and a very, very large swath of what the existing density actually is in the city, and the average density throughout the city hits about 2.5 units to the acre. Obviously, we're not counting the rural areas that are currently outside of city boundaries where there's maybe one or two units for hundreds of acres, but as far as the city core. Looking at that 2.5 units to the acre, that creates our baseline. So, if you just do simple math from that. 2.5 times 10,600, we can assume at full build out, and this may come across as a fairly shocking number, approximately 95,000 residents in this area in the next hundred years. That said, 95,000 residents if we now look at that and input that into our land use model, we start to get a sense for how much commercial development, how much employment, how much of these other things are actually going to be feasible at the full build out of this area.

We looked at Tooele County School District and looked at their existing populations for elementary schools, middle schools and high schools, and then we have a working relationship with their superintendent and several of the individuals there to try and understand what their long-term growth strategies are and how they model that. We also looked at several other school districts to try and understand what their population has become in their schools so that we can say currently high schools are approximately 1,400 students, but we're assuming that the population of those schools would go up to close to 1,900 per school, per high school. 637 from to 870 for middle schools, and then 483 to 575 for elementary schools.

We also looked at the proximity of those schools to each other over almost all of Utah. We track this data ongoing and the density as you build this out, they hit approximately a quarter to a half mile apart from each other for elementary schools. High schools are a little bit more nuanced based on location, and middle schools are half mile to a mile apart. So, we looked at a lot of this data. Then we looked at civic uses.

Currently, obviously there's the library on Main Street, there's a fire station and some of the other users, police and the cemetery south of Main Street, and a few other things. And again, we keep this database up to date on a fairly regular basis looking at different community types, and these are the informational numbers that come from that. There's approximately one acre per 10,000 residents in most rural and growing communities, one acre per 10,000 residents for library, one to 20,000 for police stations, one acre to 8,000 residents for fire stations, and then 10,000 acres. This is something that a lot of cities or communities don't plan for on a regular basis, 10 acres per every 1,500 residents for cemetery users.

Hospitals, approximately one acre to 3000 residents. So we're starting to approach some of those densities where hospitals may come into play. Typically, you don't get a major hospital, a secondary

major hospital in a area like this until you reach some critical densities. That said, hospitals range from anywhere from approximately 10 acres up to 30 acres for a one specific facility. Sometimes they'll do the smaller facilities to meet more rural communities. We also looked at religious populations for the major denominations within Tooele County to understand what their specific criteria were to establishing a church or a facility within the community. We put that into this. Floor area ratios are, basically if you have an acre, how much of that acre is going to be filled up with commercial office, flex, or industrial users? So that's what the floor area ratio means. And then how many jobs come out of every thousand square feet. This is just a start.

Dan England – Can you help me understand the hospital, you said one acre for 3,000 residents. So every 3,000 residents, you're supposed to have another hospital?

Chris Hupp – No, that's one acre of hospital land for every 3,000. Typically, the threshold is 10 to 15 acres before they'll establish an actual hospital. So, for example, Spanish Fork just reached one of those populations about eight years ago when they developed their first hospital. Now they've actually had decently explosive growth. Again, they have approximately 470 to 500 residential permits per year. Being as large as they are at this point, they still consider themselves a rural community where a lot of people don't. They have started to get their second hospital because they have Mapleton and these other communities that don't have a hospital, and it's a regional draw because they've got a Costco and some of the other things to pull those people in, and so they get a capture rate higher than what just their population shows. Does that make sense?

Dan England – Yeah. You answered the question for me at the first sentence.

Rick Barchers – Hey Chris, I hate to interrupt you. I really do, but is this list the complete things that you've based the model on? Is that the least list of inputs?

Chris Hupp – No.

Rick Barchers – Okay. You're saying... I've got a million questions and I would wear everybody out, trust me. I've just got one in regards to input here. You said the full model build out was 95,000 people in Grantsville?

Chris Hupp – That's the rough number. Yeah.

Rick Barchers – Is that based on the amount available water? Is available water calculated into that at all?

Chris Hupp – Available water is a extremely fickle thing. And the reason I say this is because if you look at your water users today and you have, let's say that we average half acre lots, your half acre lot user is going to be drastically different than your town home user. Internal to the house, it won't be, but external to the house is phenomenally different. Your water user per resident changes drastically based on the size of the unit. I can't just give you a straight answer and say it's based on existing users today.

Rick Barchers – All of these other things are based upon existing users, existing this, existing that, existing average, existing everything. Do we have an existing water usage calculation figured into this? If you can get to that, that was just my... And I'll leave it at that.

Chris Hupp – Yeah, it's a great question. That comes up in the capital facilities plan. It doesn't come up, and so this is all part of the master development plan. We had to create a plan so we can understand what the needs were. And so that's what this is establishing. As far as water users, it's also very difficult to establish a base water user in Tooele County because as you may or may not know, there are way too many service districts that don't really talk to each other. I get it. I'm not saying it's a good thing or a bad thing, I'm just saying, that's the reality. To understand the actual existing water shares in the valley is a very difficult number to come by. We can make some estimates and calculations on that and we do that in the capital facilities plan. But this master development plan, to take that as the input is very difficult to do until you actually have some sort of a base calc, so that you can run those water calcs and utility and carrying capacity in terms of infrastructure.

Jaime Topham – So Chris, can I ask you to kind of zoom forward? We've got two other things we've got to be talking about tonight and we're getting a little late in the hour.

Chris Hupp – I'm getting really deep into some of this stuff. I was trying to glaze over some of the other stuff that's not as important. To go over public engagement. We had 967 website visits, 131 comments and survey responses, 15 stakeholder interviews, the individuals that we previously mentioned and then the response types on the right. We then moved into this preferred concept based on all that public engagement. You'll see there's a fairly large employment center in that northeastern node with some commercial users. We now put in all these civic uses including schools, cemeteries, churches, libraries, fire, you name it, we place those into this. Using all those inputs and parameters that we had previously. In addition to that, the vision was to maintain approximately 2.8 units per acres. We are actually, with all of this, we're at 2.3 and in my meeting earlier with you Dan, I said 2.5, but that's what it was before putting all the civic and other uses in. We're actually at 2.3 units to the acre.

So less dense than typical Grantsville is today. So that's why I said that previous number was 95. This drops us down to approximately 89 at full build out. Again, full build out, if we're assuming, I believe we did the calculation on 450 residential permits per year, every single year until that date. Obviously, there'll be higher years and lower years, but we just ran that as a calculation based on other communities and their growth and Grantsville as well. Again, there's a lot of input data that I'm sort of glazing over, but that's what we ran this off of, and the full out is beyond 2080. Most likely a lot of people will be gone by that point.

Rick Barchers – I'll be mad if you're wrong.

Chris Hupp – We also talk to a lot of developers, specifically home builders, to try and understand where they're being pushed and where they're being pulled. Most residential home builders, not all of them, but most residential home builders, their sales have almost fallen off a cliff in Tooele Valley. For example, just taking D.R. Horton and I mention that because I know they've got a recent develop inside of the city. Someone will have to, it's that little town home piece. I can't remember off the top of my head what that piece is called, but it's along Main Street, Sun Sage Meadows. So there, their sales went to zero. They've got four other developments inside of Tule County, some fairly substantial. They have sold, I believe the number that one of their individuals, one of their VPs told me was they've sold 25 in the valley in the last two months. 25, which is from their typical hundred plus. So it's dropped drastically. That said, again, we'll speed through.

We've looked at agricultural ground inside of the entire city and its future growth boundary, approximately how much there is. We did some math on that to say, okay, if this is what is the ideal

vision for the city, then we need to preserve a certain percent of this in perpetuity. You'll see in this plan, we have a lot more open space than those previous ones. A lot of the drainage corridors and then there's some very key areas. This only shows regional facilities, meaning larger parks, regional parks and things of that nature at full build out. It doesn't include all the sub parks and other things within the city. Another concern was to push traffic off of Main Street. You'll see these major arterials that we pulled from the master transportation master plan and brought into this development as well.

Going into the next thing, we're now at the capital facilities plan. As Dan previously mentioned, we keep making adjustments to the site plan based on comments that are made and issues or concerns that the city has in certain areas and that developers have about their property. We have maintained that 2.3 and we're not budging from it. We had a call earlier today where a specific developer was trying to get significantly higher than that.

Continuing on, these are some of those capital facilities, things that we're going to be looking on or that we are currently engaged in developing for the city. There will be a full document with master development plan, a lot of this stuff backgrounded in it and then the capital facilities will all be there as well. So that's basically that. I can go in a little bit more to agricultural preservation, but I know we're short on time. But please, any questions?

Rick Barchers – I got too many, but it's-

Chris Hupp – Well let's set up a meeting where you and I can sit down and go over those questions then.

Rick Barchers – Okay.

Chris Hupp – I'll let you work through Dan and Cabot because I'm sure they know your schedule better than I do.

Cavett Eaton – Chris, you feel good about providing this and then we can share it with them and they can do a preview?

Rick Barchers – Yeah, I really haven't got... That's part of it. I've never seen some of this stuff, so.

Jaime Topham – Gary, you had a question.

Gary Pinkham – Sounds like your projections are based on historical growth here?

Chris Hupp – Historical and future potential growth based on other communities of similar development pattern and development style.

Gary Pinkham – Have you factored in the effect that things like the Romney Group bring, the complex in here with several thousand jobs and the recent discussions of the inland port just towards the town? That might affect or accelerate this pattern, your plan?

Chris Hupp – Yeah, we also work a lot with Inland port authority and we know probability of things happening.

Gary Pinkham – Okay.

Jaime Topham – Any other questions? Thanks for your time, Chris.

Chris Hupp – Yeah, again, please set up a meeting through Dan and Cabot and I'll answer any other questions that you have.

3. Discussion on MU (Mixed Use) zoning

Jaime Topham – Take it away, Rick.

Rick Barchers – Okay. My biggest concern is that mixed use density is not really defined as a zone. We've got a lot of words in here, et cetera. The intent of the mixed-use zone was to encourage commercial growth along Main Street. That was the intention of it, initially. Right now, what's coming into the city, because we don't have a good definition of what we expect, is less than 10% on some of these is going for commercial and it's a third of that's being used for water percolation. I'm open to all kinds of input on this. One of them was that we had discussed once upon a time, what should be an acceptable ratio for commercial to encourage developers from just coming in here and saying, "Yeah, less than 10% and they never plan on developing it anyway." In other words, we're trying to say, "okay, if you're going to use this zoning, you have to be serious about putting in commercial development. That has to be a serious part of your plan. "The gentleman who came in with the one last time around who's, I mean he's got a very serious plan to put Soelberg's over here, but that's the first time I've seen anything like that. So, minimum of what?

Jaime Topham – You've talked about 50.

Rick Barchers – I have. I'm going with 50% on it. What are your thoughts, John?

John Limburg – So I think the problem with that particular piece is when they came in, I don't know if you were here yet, I know Jaime was. When they came in and wanted to rezone it, it's like makes sense, fits with the future land use map. We want that to be mixed use because we want commercial to be part of that. But they didn't tell us that they were want to put Soelberg's on the other side. If I could go back and take back that zoning right now, I would. And just say you'd have to break it up somehow and just make commercial on the front and residential on the back, because it kind of felt like it was almost like bait and switch there, where they came in and said that, knowing that they were probably going to put commercial on the other side, when the reason we had that there is we wanted commercial up towards Main Street. So if all we did is say 20% they come in and go, "Oh yeah, well we're going to hit 20% because we're going to put Soelberg's down.

Jaime Topham – Well and that's the thing though, is there's no specific amount listed in this. In fact, it looks like this and Shay you probably know this history more than anyone, it looks like this mixed-use district was originally created in 2011 by what says, "enacted by ordinance 2011-04". Then it looks like we may have updated it, amended it in 2018 when we did the plan. But I remember when we did the plan, that it was kind of a rush to get the mixed use done and we never spent the time to actually define it out because our whole intention and the whole reason Main Street and all of our major corridors, travel corridors as mixed use is so we would have the commercial, but also be able to do commercial on the bottom, apartments on top.

Which we previously couldn't do in our zone because everything was either commercial or residential and not a combination of both. Somehow, we ended up with the purpose and intent of mix used district to allow for the establishment of medium density residential neighborhoods mixed with commercial properties. I don't think that that was the intention of the mixed use when we talked about this plan.

John Limburg – We were going to come back and visit it and it just never did come back.

Jaime Topham – That's why we're here tonight. We're revisiting this.

Shay Stark – That's what I want to talk about. I want to say that first language that was part of the original ordinance, when we made those revisions to try it, because we looked at it and said, "This is totally hollow, there's nothing here we can even, that gives us any real guidance." It was all very generic terminology and so we just threw it, like you say, we threw a few things in quickly because we already had pressure from some people who were claiming they were going to be coming in developing and so we needed to have something in place that would start to help us in the right path.

Rick Barchers – Some of the things that, you know, 50% commercial, I'm real good with that is... What are your thoughts?

John Limburg – Well one thing I would say about that is that still wouldn't keep us from having what happened there with Matthew's property.

Jaime Topham – No, that's true. And we maybe can't control that entirely. That definitely was not our intention because the future land use map before the master plan was that was all commercial.

Rick Barchers – What if it was tied to Main Street?

John Limburg – It would be nice if we said "Hey, before you rezone something, you have to bring it in and show us what you're going to do with it." Even though we don't do it in that way. It's not the right way to do it, but-

Kevin Hall – Well as a citizen, that was my argument when it was changed. I voiced some of that, is that when we rezone it and exactly what I said would happen is happening, right? Because they can now, and we've lost that opportunity. Not necessarily totally lost, but to some degree we lost the opportunity to negotiate when we should've maybe seen a-

John Limburg – They're still going to come in and ask for a PUD

Jaime Topham – They have to because it's mixed use.

Shay Stark – What if we require just along the Main Street area, or if you want to define it on some other streets too, require the commercial pass front Main Street and the justification for it is that we are trying to create a feasible, workable downtown area that people can come to and can find a variety of commercial uses so they don't have to travel all over the place.

Jaime Topham – Cavett, can you pull up our land use map or actually our future land use map while we're talking about this?

Rick Barchers – While he's pulling that up, one of the other thought processes here that was brought up by Gary was under a certain number of acres, if you're in an MU zone, it would exempt you from having to develop a certain percentage this way or that way. Gary, do you remember how you worded that? You said something to Pete when we were talking about this, under a certain, like under an acre would exclude you from having to have a certain percentage residential or a certain percentage commercially. Yes. Didn't you say something like that, or am I crazy? I know I'm crazy.

Gary Pinkham – I thought that was regards to across from the butcher shop down here. He wanted to put those two small pieces up front for commercial. We talked about what's a feasible size for a commercial parcel, a half-acre, short of getting another squirt joint, we got over here on Main Street, you're not going to get a commercial facility on that. You need to have enough room for several thousand square feet of retail or truck space plus the parking. There's physical and economic size constraints on what will or won't be commercial. When it comes to what's coming in, if you're going to do a strip mall with 20 storefronts in it, or you're going to do a big box, it could both be done on the same piece of land. I don't know how you're going to define that.

The one thing I was just talking to Shay is, you guys don't have to approve the zoning request for mixed use. If somebody comes in on South Willow or down on the south end of Quirk where there's open ground and wants to go to mixed use, you can say no. They don't have to be approved here. To put it into the code that you could only do it on Main Street is imposing the constraint that you people already have jurisdiction.

Jaime Topham – Well and that's why I had them bring up this land use map because look at where our mixed-use zones are. They're along the travel corridors. They're not along in inside of any neighborhoods. This statement doesn't even make sense. Even in the next sentence, it says "Plan unit developments are required in this zone such that open space, neighborhood parks, natural areas, trails and other amenities are required as part of these developments." No, we don't want that. We want it commercial. Right? Natural, I mean natural areas, even neighborhood parks or probably maybe neighborhood parks but natural areas, trails and things of those sorts is probably not what we're looking for in our commercial districts. Our commercial areas are main thoroughfares.

Shay Stark – Do you want the apartments and really high-density housing such as that in those areas?

Jaime Topham – I think more so than other areas. The whole idea, I think what we were thinking was that we want commercial along Main Street because we wanted to develop a commercial Main Street, but we also wanted the ability to have housing on top of that commercial or mixed into that commercial. Which of course kind of excludes those neighborhoods, or single-family homes and parks and such and then more looks towards apartments and things in that nature. I think we just need to revamp this thing.

Rick Barchers – Gary, I think now that I'm kind of, all this stuff is rolling around in my head again. I think your comment was more geared towards these small lots on Main Street, the small narrow lots. Because right now they're in the future plan to be as mixed use.

Gary Pinkham – We also talked about that for instance like the little parson next to the fire hall down here.

Rick Barchers – Exactly.

Gary Pinkham – It was trying to do something commercial and our code didn't really address what could be done with that little piece and still have viable business and parking and so on. Again, I'm not sure how you would address that because we have all these little pieces that somebody could go buy two parcels, knock down some buildings and put up a store.

Rick Barchers – I think if I remember right, you said something like, if it was less than an acre in the mixed-use zone, we'd be okay with it being a hundred percent commercial.

Gary Pinkham – Well it would almost have to be. If you've got 43,000 square feet, you put in a 10,000 square foot shop and you look at what our code would require for parking, depending on the type of business, it's almost going to eat up an acre. You can't have five apartments on the side of here. These little pieces, you can't say 25% of an acre is going to be commercial and some parts residential. So, putting a numerical constraint on it might work for one parcel, but not one another.

Jaime Topham – Could you say, “if it's less than an acre, then it can be solely commercial, but it cannot be solely residential.”

Gary Pinkham – It could be residential under our code-

Jaime Topham – But if we're trying to-

Gary Pinkham – They could put several apartments there and still have parking.

John Limburg – This isn't what it's zoned right now. They've already got what it's zoned. So if they go in and knock something down that's zoned that way already, can we stop them from building something on it that's already zoned that way? This is just what we want it to be.

Gary Pinkham – And there's other zones too. You got CS, the neighborhood, CM zones, there's like three or four different commercial zones. They don't have to be mixed used.

Shay Stark – Is there a problem with that, with anything under one acre being either, or? We did try to have this discussion. They can still come in with something that was mixed if they want to, but we're not going to require commercial. They can choose either/or.

Rick Barchers – The problem with either, or is then it all ends up being little strip apartments.

Jaime Topham – That's kind of what I was thinking, is if we're limiting mixed use to our main corridors where we travel, then we're trying to encourage commercial there. If we say if it's a small lot, we want commercial, not housing because we have an abundance of housing and not commercial.

Shay Stark – So essentially, going back to what John said, right now, not very much of this ground is zoned along the downtown Park, Main Street. Not very much of this ground is actually zoned mixed use right now. There's just some small. And I guess that makes sense if we tell them that under the mixed-use zone, if you're under one acre, it has to be commercial. Right now, they have a lot of that is zoned residential. There's no issue with them continuing to, if they want to tear down a couple of houses and build an apartment there instead, if it fits the zoning, there's no problem with that. Because they'd be rezoning to MU anyways in order to get commercial, so that makes sense.

Rick Barchers – The problem that I'm seeing in my limited time here, is the one across from the butcher shop and the trailer park. I don't think he ever intends on developing the commercial part of that property. That's just my opinion.

Jaime Topham – But at least it's at the front.

Rick Barchers – Yeah, at least it's at the front. But the problem is it was just like bare knuckles trying to decide just exactly what he could put in there. And then we go into this whole, "Well it says that I can have this amount of density"

John Limburg – But we kept him from going with trailer parks all the way to Main Street and I don't know why he would want to sell that land, but if somebody came in and wanted to buy it built their own. Why would you?

Mayor Critchlow – I just want him to clean up the stinking trailer or something. That's all I care about.

John Limburg – But we were able to keep it from going all the way to Main Street.

Jaime Topham – Okay, I wanted this meeting so we can address this because it keeps coming up and it's going to keep coming up and if we don't do it now, we may never, because that's kind of how everything just gets away from us. And I also said we're going to stay until we get this done and figure it out, or the best we can. Which is why we had dinner before we came, right? I don't know. Because you're in my line of vision. I usually look at Dan.

So, back to this discussion. How do you guys feel about, if it's an acre or less then you can do commercial or mixed but you can't do solely residential?

John Limburg – I'm good with that. And even like he said, it could be a hundred percent residential but you could still put... I mean commercial, you could still put residential up on top.

Jaime Topham – Right. Yeah, it could be the mixed, or the commercial.

Gary Pinkham – We were looking at two storefronts at the ground level and three or four apartments above it.

Mayor Critchlow – Okay, so right next to that property, that two-story building that's there, the guy wants to sell that. Now if he only wants to sell that two-story building... I'm not even sure if he wants to sell that, the old beat up house behind it.

Kevin Hall – Well at one point there was a realtor sign by both. I haven't looked for a while, but at one point there was a realtor sign.

Jaime Topham – So what would you do in that particular case?

Mayor Critchlow – I would rather just have a commercial because that's what it was-

Jaime Topham – Well what is it zoned currently?

Lanise Thompson – RM-7 is what it looks like.

Mayor Critchlow – Just leave it commercial and make it function that way. It would be nice to have some parking.

Kevin Hall – Because I think somewhere, I think we need to build a Main Street. Right? And we really don't have one. And so I'm with the mayor there. Let's begin to create that the best we can. Anything we do to I think promote business on Main Street is a way to clean up our city and it's a way to develop a Main Street in Grantsville.

Rick Barchers – So are you good with the 50%? What are your thoughts?

Kevin Hall – Yeah, I'm okay with that, personally.

Mayor Critchlow – What you guys were saying earlier, a certain lot, do you either do it commercial-

Jaime Topham – If it's less than an acre then it would be commercial, or you could do the mixed commercial and residential. You can't do strictly residential.

Rick Barchers – And then anything above that, 50% of it has to be commercial.

Jaime Topham – Even in under an acre.

Rick Barchers – Well just, what did you just say?

Jaime Topham – Under an acre, you can do commercial, or commercial and residential.

Rick Barchers – But you can't do just residential. So, it's at least 50% commercial, unless they want to build with the existing zone, right?

Jaime Topham – So, Shay, we talk in all these abstracts and it sounds good on paper, but if it's less than an acre and we say, "If you're going to choose to do it residential and commercial, then it has to be at least 50% commercial." Can somebody actually build something like that?

Shay Stark – I think it's a challenge. That's what... As I'm sitting here thinking about this, I'm asking myself, so the auto parts store. How many acres is that property that's on? Because parking constrained what they were able to do on their commercial square footage and that becomes a real challenge.

Lanise Thompson – O'Reilly's is 0.72 acres

Shay Stark – Okay. They're not quite an acre. We had that physical therapy place came in.

Lanise Thompson – Next to Guzzle, is .60

Shay Stark – Okay. I remember on O'Reilly, they were actually, their building site was constrained by what they had to provide for parking. It was really tight. I think telling them that they have to provide at least 50% commercial in that case is a challenge because as soon as you start putting residential in there, you've got to provide parking for that residential on top of the commercial. It's going to reduce the square footage that you'll be allowed to develop in commercial.

Rick Barchers – Right, but that's a minimum of 50%. They don't have to do 50% housing. It doesn't even have to be there.

Shay Stark – Yeah, I guess but the question was, does that work or not? I'm just saying it's a real challenge on the small-

Rick Barchers – Sure. I don't want to eliminate it because of the gal that wanted to build the insurance company with the apartments up above. Right? I don't want to eliminate that.

Shay Stark – Well I guess why in that case... That's okay to tell them that if they come in with something mixed use with commercial on it, on one of those small lots, any amount of commercial they put on there is a, seems to me that that's a benefit, right? On the small lots.

Cavett Eaton – So that map is current commercial and the purple is CS.

Jaime Topham – Where is that piece that we were just talking about?

Cavett Eaton – This is Center Street.

Lanise Thompson – The little brown is the one right next to the firehouse.

Jaime Topham – What's brown?

Cavett Eaton – Mixed use.

Jaime Topham – But that's old mixed use. That's not 2018 mixed use.

Rick Barchers – I mean, I just don't want to eliminate the possibility that someone wants to do something like that, personally. But everybody can also feel a different way. I'm okay.

Jaime Topham – No, I agree. We need a main street. That was one of our things in our master plan as well was creating more of a main street, downtown main street that we don't have.

Dan England – We're in the process of doing a plan right now too, for Main Street.

Jaime Topham – Okay. So, what I have now is that MU would be 50% commercial and then you'd mentioned on Main Street. But if we say that that commercial has to front the major roadway, not necessarily main.

Kevin Hall – Yeah, or in most cases, if they're changing it, we have that flexibility to say that's where it's going to be, right?

Jaime Topham – Well, we do anyway because it's a PUD, right?

Kevin Hall – I mean, if they come for the change to the MU, can we dictate that that 50% is on Main Street as a part of the approval or not?

Cavett Eaton – Brett, are you on?

Brett Coombs – Yeah, I'm here.

Jaime Topham – Okay, Attorney Coombs, the question is, well actually, you ask it because it was...

Kevin Hall – The question is, and when they come to rezone to an MU zone, if we require a 50% commercial, at the time of the approval, as part of the approval, we can dictate that that 50% be on Main Street or on whatever street it fronts so that we, again, help to create a Main Street or a business district or whatever.

Brett Coombs – Yes, you can. Yeah, you can control how the zone gets laid out. There could be some potential restrictions on if there is already a property that's zoned MU and there's a grandfathering and some other things that would come into play there. But yes, for in the future, absolutely.

Kevin Hall – But the majority now is not MU?

Brett Coombs – That's correct.

Kevin Hall – Right, so again, there are a couple of little ones that may not be applicable, but we could dictate that as they come.

Rick Barchers – Well, as long as when they understand that if they're going for that MU zoning, we're going to expect that 50%. It's still a conditional...

Kevin Hall – Well, I think we write all of that, right?

Rick Barchers – Right. But it isn't in there now.

Jaime Topham – Right. Right.

Mayor Critchlow – Yeah. I think you guys hit it on the head there. What have we got to do?

Jaime Topham – Okay. So as far as the actual language in our document, we need to fix the proposed, the purpose and the intent. I mean we need to take out the language that talks about the open space, neighborhood parks, natural areas, trails and other amenities. Although with MU with a PUD, are we still requiring open space? We are, right?

Rick Barchers – We should.

Shay Stark – Well, so in the situation of a PUD, the language in the PUD requires that they provide 10% open space.

Jaime Topham – Okay.

Shay Stark – See, the way I interpret that, they can't do a fee in lieu and the other thing, when we had the PUD discussion, we can discuss this more, but the idea being if you think about it, if you have single family homes, a half-acre lot, those homes have a place for people to go outside to be able to spend time outdoors privately, for their kids to play in their yards, that type of thing.

If you're building townhouses or you're building, say, apartments or condominiums in an MU zone or high-density development, where would they do that? It's not provided in the development of the building, and so that 10% open space, and I think that should be amenity-rich open space if it's in a PUD, that they should be providing amenities with it. Because of that very issue, that becomes the place that those people can go to get outside.

Gary Pinkham – Due to the existing code, 19A.8, that would require a minimum of 25% set aside for landscaping.

Mayor Critchlow – Okay. Just so you know, in those papers I gave you, the state has restricted what we can ask commercial developments for landscaping. I'd have to read through it, Jaime.

Rick Barchers – When does that take it affect?

Mayor Critchlow – May 1st.

Rick Barchers – May 1st? Wow. Well, it needs to be in our code if it's...

Shay Stark – Oh, yeah. But we can just change this requirement of the landscaping to apply only to residential.

Jaime Topham – So it says in commercial, industrial, institutional, and multi-family development common area landscapes. Oh, it says lawn areas shall not exceed 20%.

Mayor Critchlow – That was more with the multi-family dwellings. When they were talking about commercial, they said they just really want to restrict that.

Jaime Topham – Which kind of makes sense. You're not really going there for the land, to landscaping and that.

Mayor Critchlow – It's like the guy down at American Burger. We made him put in a park strip and according to the state, we can't even make them do that anymore.

Jaime Topham – So Shay can we charge you with kind of revamping this mixed-use district with kind of what we wanted to say, taking out things that would conflict or adding in things that would be appropriate? Like the minimum lot sizes. I don't know if those are, how those tie in, Gary?

Gary Pinkham – With minimum lot size, I didn't have a problem with that but that will define our density. So if you look at 19a.1, paragraph three, delete the last sentence. Because that sentence is the one that we constantly argued about in building.

Jaime Topham – Yeah. Well, in 19a.9, exceptions also. That's where the conversation went with well, we could have up to 15.

Gary Pinkham – Right. If that wording and 15 units per acre needs to be totally rewritten.

Cavett Eaton – I can't believe how many times we hear that from developers. "Well, we can get 15 units per acre, right?" Every time we turn around, I'm going, that's exactly where they're getting it.

Rick Barchers – Well, here's my argument for that. You can drive 35 miles an hour down the street out front here, right? That's the speed limit. That's the maximum you can go. But you can't do that through the street lights. You can't do that without lights on your car at night. I mean, you still have to follow all the other rules. You just do.

Mayor Critchlow – We only have one street light, folks.

Gary Pinkham – One other item that you might want to look at, it's on 19a.4. Paragraph 1, paragraph a. The front setback of 25 feet. The rest of that should probably be deleted because that actually lets them go down to 20. And when I was talking with a guy over there at Coops, there at the funeral home the other day, he works for the city of Magna and they're being sued over that very item because people are hitting cars parked on sidewalks on those short driveways, and because the driveway is public right of way, the city of Magna is being sued over that 20 foot driveway.

Rick Barchers – Well, yeah. Some of this stuff isn't to pick on the developers. It's a safety issue. When it comes to cutting corners for PUD, I 100% agree.

Gary Pinkham – The deal should just be a 25-foot setback. It's that wording about letting them go 12 feet in front of the garage and letting the garage go up to 20, we have our houses within eight feet of their sidewalk which means you can't back out of your driveway without running over a pedestrian. I would just simply say draw up 25 feet period.

Kevin Hall – I'm good with that.

Jaime Topham – Yeah. The number three, we said just take out the "and 15 units per acre." They could still go, I mean, are we still okay with them doing heights of three stories or above? I mean, so some of our mixed use is out along, 138. Are we okay with them going up to three stories above grade?

Gary Pinkham – Yes, someone can in with an office building and they want to put in some extra floors. I mean, if we're looking at commercial, I wouldn't say in Grantsville we want to go above three stories?

Cavett Eaton – Mayor, are we good with the fire reach on three stories?

Mayor Critchlow – That's why that 35-feet's in there. There's ways to mitigate that in that you put in the sprinkling system that will be able to extinguish a fire or a certain thing, and there's lots of ways you can make that happen. By keeping them at 35 feet, we can still get people out of the building if it's on fire on another floor.

John Limburg – That's a good idea then.

Dan England – According to the building code, that 35 feet is not to the very peak of the roof, it's halfway up the roof. It's not defined in there, therefore you go to the building code and that's all.

Rick Barchers – Well, I'm just trying to, I mean, do you remember when the three-story apartment buildings were proposed down here in front of Maverick? What kind of pushback there was on that from the public? Do we really want to allow three-story apartment buildings? That's the question.

Jaime Topham – We're kind of not going to have a choice because we also are getting mandated to do affordable housing.

Mayor Critchlow – You know, the whole thing with the fire is being able to get people out of the building, okay, safely. I don't want them jumping 35 feet. Old people like me would just turn to dust when we hit the ground. If we have to get on the roof, we can get on the roof and go up from there. That's why we have these really cool toys and all sorts of fun little things to do that with. So, I mean, three stories is okay with me.

Jaime Topham – Okay. So, we have 19a.9 that says exceptions, and it says heights of three stories above graded street. We're going to strike out the 15 units per acre. Do we need to add in there the three stories not greater than 35 feet? I mean, it does say it in 19a.6 but then this is an exception. Do we even need the exceptions? Do we strike that out?

Shay Stark – Yeah, I thought we said we were going to get rid of the exception.

Jaime Topham – Okay. I like that. I don't like exceptions.

Shay Stark – So yeah, I agree with you, the 19a.6, let's just say a maximum of three stories high, up to 35 feet above the grade of the street. But I guess we need to define what that 35 feet is first.

Jaime Topham – So is there a code somewhere that says what that means?

Shay Stark – Well, see, I think in our definitions, we do have a definition on that. Currently, I believe it's to the peak of the roof. But if the building code is saying that on a sloped roof it can be mid-height and on a flat roof, on a commercial building, it just needs to be to literally the roof and not the parapet, then maybe we ought to...

John Limburg – But wouldn't it need to be above the parapet if they're going to get somebody on the roof?

Shay Stark – I guess that's what we need to know is what does the building code allow?

Kevin Hall – What are we measuring from to begin with? The sidewalk?

Shay Stark – From the grade at street.

Cavett Eaton – Here's what our code says right now, in the building code, what does it say, Dan? To the middle point of the parapet?

Jaime Topham – So you need to modify that as well? Add that to the list of definitions we need to fix.

Rick Barchers – What's wrong with this one?

Jaime Topham – It doesn't comply with the building code.

Rick Barchers – Well, I'm okay with the definitions. You don't want to change the building code? Or change the definitions?

Jaime Topham – Well, we can't change the building code so the building code trumps.

Dan England – The building code trumps. Well, we've barely worked on this.

Jaime Topham – We want to make our definition in line with the building code, right?

Dan England – It would make it probably less confusing but I don't know that you have to make it match as long as it's defined and it's clear for our code, this is what it means.

John Limburg – But we can only be more restricted, we can't be less restricted with it?

Dan England – Well, there's no restriction on measuring. It's just where you're measuring the height to, so that's all that, is a definition.

Jaime Topham – Would it cause a problem to just grab that language and make that our new definition?

Dan England – It's not doing what the Mayor was thinking. The Mayor was thinking that third floor, getting it to where the wall came to there, coming to that height right here, that right above the wall. That would be your 35 feet, so it didn't include the eave. If you include this then it's going to be halfway up that between there and the peak, somewhere in here. That becomes the height. So it changes things to the 35 feet. You may not get your third story.

Rick Barchers – Under that definition, would they be able to build apartments like they're building up in Tooele currently?

Dan England – I don't know. I don't know what they're building.

Jaime Topham – But what I'm saying, so the building code has a definition of how you measure it, right? And you're saying that's what we should be using as our definition.

Dan England – I didn't say that, you said that.

Jaime Topham – That's what I'm asking. Should we be using that? Is that what we need to be doing so that they could get their 35 feet but you can also get the rig that we have?

Mayor Critchlow – You know, I've been told on those new apartments, the ones that are not finished because they can't get the materials, they said. The top of that is what I'm saying is that their ceiling of that third story is 35 feet up.

Jaime Topham – Okay. Cavett is saying that we have a lot of builders that want to push us to the building code definition, is that the right way to go? Should we just adopt the building code definition of what that roof, how you measure it? This is not my language so you guys have to help me.

Shay Stark – I think they want two things because the building code description, I don't think says 35 feet, I think it's just talking about how you measure the height. Is that right?

Jaime Topham – I know but we're going to say 35 feet no matter what.

Shay Stark – The other thing that we're seeing on every one of these PUDs, I believe, I have to go back and look again but I think every one of them asked for a minimum of three stories and 40 feet. These PUDs that you're going to see coming through.

Jaime Topham – Okay, but we've already said we're not going to do more than 35 feet. So what definition do we need so that they know here's where 35 feet is? This is how we define 35 feet.

Dan England – I think it would be better not to go with the building code because the building code, they've learned how to cheat on that one where all of a sudden you have an A-frame. Now, with the height of your building it's halfway up that roof. So you have floors above that height of the roof and everything else. I think, if you say, outside wall where the roof crosses, that's the definition our mayor was saying they can make the safety work at that point.

Jaime Topham – Okay. What our definition says, can you pull that back up, Cavett? Is that what it says in our definitions?

Mayor Critchlow – They can do four stories if they spend the 1.5 million bucks allowed on a truck.

Rick Barchers – Mr. Mayor, in your opinion, would the apartment buildings and building in Tooele meet the definition of a rural feeling in our community that we're trying to produce?

Mayor Critchlow – No. No, it doesn't.

Rick Barchers – Okay, so is that, do we want the ability for a developer to do that?

Mayor Critchlow – So I'm going to tell you the conversation we had down in St. George. Jesse was in that class, weren't you, with the lady from Mapleton?

Jesse Wilson – No, I was alone.

Mayor Critchlow – Oh, she had bad words to say because the state came in and said you have to allow these people to build multi-family dwellings up in the same, and she says, "Our city doesn't do that. If you want to do that, you go to the city next to us, either side, to the East, the West, but we're not going to do it right here." And the state says, "You're going to because we told you to."

Jaime Topham – That's what I was saying.

Rick Barchers – Was that in the State law that they can come in and tell us what our codes are?

Mayor Critchlow – Yeah, it's coming.

Jaime Topham – So we'll get on the definition, it can stay.

Kevin Hall – Okay. The two-story thing, if they can do three stories, it's not going to be the residential, the rural feeling we have in our community. I know that. But in the right place, we can live with that. I can live with that.

Rick Barchers – Well yeah, but what I'm getting at is then that's what everybody wants to do. On our PUD, they come in and they propose something that's appropriate in a place for whatever, et cetera. I'm not opposed to voting for something like that but right across the street from here, do we want apartment buildings like are in Tooele?

Mayor Critchlow – Where this guy bought Jane Hill's place and he wants to do the front commercial and do the back townhomes? It wouldn't matter to me right there if it was three stories because it would be off the Main Street. Personally. That's my personal opinion. I'm just sharing.

Rick Barchers – Well, I know you talk to a lot of people, that's why I'm asking.

Jaime Topham – So do you have enough direction to get that cleaned up? I think we've gone in a little bit of a circle here. I know, well I wrote all over of it so I'll scan it and send you it.

So, Gary?

Gary Pinkham – We looked at 19a, all the same lines on this unit density thing, we might want to look at 4.34 2. b. ii.

Jaime Topham – Can you find that Cavett?

Gary Pinkham – Yes, where it says about the density per acre. Again, delete that, and let the dimensional characteristics of the lot determine the density, or calculate the density. That's the one that keeps biting us in the tail.

Similarly, on 15.4 paragraph one, we have that minimum lot count per acre, then maximum density. That line should probably go away. Then in 15.5, the same correction there.

I think that gets rid of all the little code that are perpetually haunting us and let the physical dimensions override the term of how many we're going to get, unless you guys can show variants.

Rick Barchers – So Shay in particular apartment buildings, do you think they're going to reach a density higher than that? Is it possible?

Dan England – Not higher than that but the problem we're having, sorry to jump in but people come in and they say, "Oh, I have 10 acres therefore I get 150 lots onto here." They can't get that many lots on there, but they have it set in their mind that they're going to get that many lots because it says right there in our code that you can have that many.

Rick Barchers – Well, I don't think they actually believe that. I think that's what they're saying.

Jaime Topham – Oh, so many people believe that.

Dan England – Oh, yeah. They absolutely believe it.

Cavett Eaton – They forget to realize it's an open space and they're like...

Jaime Topham – Haven't you sat through some of those conversation?

Rick Barchers – I know but I can give you 1000 reasons why you can't always necessarily drive 35 miles an hour down Main Street.

Jaime Topham – Right, but they don't care. They're going to try and bully us as much as they can, if they can.

Rick Barchers – I know common sense is out the window in these discussions, so I understand. My question is maximum density on an apartment building, are they going to be able to exceed that?

Dan England – They might be able to.

Shay Stark – Well, again, it's all based on what we're requiring. For instance, don't we say to the MU Zone that the minimum dwelling site, every dwelling unit in this zone should contain a minimum of 900 square feet of living space. They come in with an apartment complex. The maximum number of stories they can have is three stories and then in every one of those units, the minimum size unit they can have is 900 square feet. That's going to control it and again, parking is going to control that too.

Rick Barchers – And minimum numbers of units from that place.

Shay Stark – Then we've got, I guess, the state law, I'm going to have to read that a little bit because the multi-unit housing. I mean, I knew there were limitations on everything but I thought multi-unit housing was a little more open than that. I know commercial, we really can't require much of anything.

Dan England – Do we have anything in the code that says if we have so many apartments that they need to have so much playground area to compensate.

Shay Stark – Well, that's what I'm saying. That's what we need to try to deal with and we can deal with it through the PUD. We can require all, which I think we do currently in code. Don't, we require MU to go to PUD?

Jaime Topham – Yeah.

Gary Pinkham – The MU is required to be at PUD for a multi-unit and the new revision of 4.35 and 4.34, it does stipulate that you have to have a minimum of open space and a minimum of square footage per residential unit. So again, we have dimensional requirements they have to meet. If they meet those, that will determine how many units they get on all of the property.

Rick Barchers – I'm just worried about it going the other direction, that's all. But it doesn't sound like it's really possible.

Gary Pinkham – If they want to double that, they can come to you folks and ask for it. And you guys can say, "Well, in this instance, yes. Or in this instance, no." Because again, it's coming in as a PUD where they're allowed to ask for waivers. You're not required to give them to them. But you could consider. If they come in with a two-story apartment and say, "We're going to put in 15 units per acre on a 50% of the ground. The rest of it's going to be open play space." You could say yeah.

Rick Barchers – Yeah, I'm good.

Jaime Topham – You're good? John?

John Limburg – I'm good.

Jaime Topham – Good. Shay, is there any way that you could have this cleaned up and ready for us to review next week?

Shay Stark – Yeah, I will.

Jaime Topham – Okay, and then can we put it for public comment at our next meeting, what is that, the 18th? Not next week's meeting but the 18th.

Shay Stark – Yes.

Lanise Thompson – Did you get enough changes on the purpose and intent?

Jaime Topham – I scratched some things out. I think that it works. So, this is what I have now. The purpose of the mixed district is to allow for the establishment of commercial properties with shall we put high-density housing? Or does it matter? with residential.

Dan England – If you say residential, they will assume high-density.

Jaime Topham – Okay, so then just put residential? But well, that's kind of, should we put medium?

Shay Stark – Do we even want to bring up density again because we're going away from that and we're letting the lot sizes make that determination? Do we want to bring that argument out?

Jaime Topham – No, just leave it out? The purpose of the mixed-use district is to allow for the establishment of commercial properties and residential neighborhoods.

Planning new developments are required in this zone, period. Developments in the mixed-use zone shall be designed so as to integrate the residential and commercial components into one harmonious development and to be compatible with the existing or anticipated uses of the surrounding properties. Does that all work?

Then the next part, I didn't really have too much of an issue with. While achieving a mix of commercial and residential uses in mixed-use developments is the goal, the city will review proposals on an individual basis in determining an acceptable ratio for the residential and commercial components.

Project designs that fail to sufficiently integrate commercial and residential uses will not be considered for approval. Creativity in both site design and architecture is expected. Master planning in multiple contiguous properties is encouraged in order to integrate the proposed development harmoniously into the surrounding neighborhood.

Some of that seems like a little bit of fluff language. It's not enforceable and creates a whole lot of discretion. Do we want to keep that? Do we want to take that out? Somewhere, we need to put in the 50% requirement and maybe that's where it needs to be.

Dan England – That's where I was wondering if you wanted to say, "Individual basis determine the acceptable rates of approximately 50%."

Jaime Topham – Not approximate.

John Limburg – At least 50%.

Jaime Topham – At least 50%, okay.

Rick Barchers – Or we can always approve something less, right?

Jaime Topham – Right.

Rick Barchers – But the code-wise, they can expect 50%.

Dan England – Well, you better say 50% commercial then.

Jaime Topham – Yes. 50% commercial.

Rick Barchers – Right. You say that's fluff language, that last sentence there?

Jaime Topham – Well actually, it's not the last sentence actually. It's probably creativity in both site design and architecture is expected.

Rick Barchers – Ax that.

Jaime Topham – I don't know that we should really have the language of project designs that fail to sufficiently integrate commercial and residential uses will not be considered for approval because we're going to allow the one acre. What do you think? Should we strike that line too? Or does it matter?

Dan England – Say what you thought. Do you care about that one?

Shay Stark – I agree with you. I think let's just pull it out of there. It doesn't...

Jaime Topham – Okay. It doesn't add anything.

Dan England – There's nothing behind it. It doesn't really give us any authority here to do anything.

Rick Barchers – The authority's already there anyway.

Jaime Topham – And then, in that same paragraph, we're going to add in the one acre or less can be all commercial or mixed but not only residential. I guess I mean that's kind of true of all mixed-use but it's clear.

Rick Barchers – Well, it's still got to be a minimum of 50%, I don't know.

Jaime Topham – No, I don't think you want to say you have to have a minimum of 50% under an acre because that could...If you just say, "You can't be only commercial," then they could do their

building 20% commercial and the rest residential and still fix or get what we want, so long as all the other details are counted and that's not our problem.

Does that make sense?

Rick Barchers – It does but however, anyway. Maybe I just need to see it in black and white.

Shay Stark – We'll get it to you in black and white and then we can...

Jaime Topham – Talk more about it.

Cavett Eaton – So do you want to see that draft next week? Then in two weeks we'll notice it. By then, you can do a consideration if everything looks good.

4. Discussion of External ADU is a permanent structure

Jaime Topham – Moving on to a discussion of external day use. I gave you the PUDs from other jurisdictions that Brett had tracked down and provided for us. So, you can be looking at it, because our next meeting that we're having with the combined group is going to be talking about PUDs. I'd really like to have a plan or presentation.

And the reason that I asked Brett to provide the ones he did in particular is that they put in a table of, you get this much density bonus for these things. Now, read them. Very open-ended. They're other people's ideas, but we can put in the things that we want.

And I think that we need to do that so that when we're talking to developers, we can say, "This is what's required. This is what you get," and they can't say, "Well, but we want..." Oh. Well, they can say, "Well, we want this," and we could say, "That's not what's permitted on our PD. Okay? So there's that.

Jesse Wilson – So Jaime, Brett had a drop off. He's not on the meeting.

Jaime Topham – Oh, okay. All right.

Rick Barchers – You're just providing this as a framework to start with, basically.

Jaime Topham – Yes. To start with for our next meeting, so please read through them. If you find other jurisdictions that have great language, let's look at those too. But that's where we're starting.

External ADUs. I don't know who could direct this conversation, but what I do know is that we have community members who want to do External ADUs, who has to do it, who've even come in front of us and we said, "Hang on. We're going to be working on that," and then it kind of just got dropped. We got to rectify that situation as well. Now Shane, I think you were saying the state hasn't started on the ADU externals.

Shay Stark – Nothing's gotten out of committee yet. I don't know if it even went. I wasn't really following that closely this time, so I don't know if anything came in the committee like it did last time, but nothing's gotten out of committee yet.

Jaime Topham – At one point in time, we were working on some language with external ADU's and we kind of dropped that to deal with our internal. Can you send that same language over that you previously sent to us?

Shay Stark – Yeah, if we can find it. Because that was based off, I believe originally, it was based off of Tooele and then it had been highly modified. But yeah, I think what would be really helpful here is if everybody would kind of think about what, and maybe what you need to have is that code in front of you first. I realize you may not know what I'm going to ask you here is a little bit open-ended, and that may help close... So it's not such a so it's not such a wide, wide thing. But I almost feel like we need to brainstorm what it is we would like to see in the ADUs, and come up with a list of things that we would like, and also a list of concerns. So that then, when we look at code, we can see if we, how we can incorporate those issues or address those concerns.

Jaime Topham – I like that idea. I like the brainstorming instead of working kind of in the negative, I'd rather work in the positive. What do we want to see? What don't we want to see? I'm open to that conversation, but everyone please put input in.

Rick Barchers – Input? Setbacks, parking. My biggest concern, access to the property. Are we going to require, if you've got, I mean, if we just say anybody can have an external, then they're going to have some sort of minimum clearance on the side of the house and the front to get around to it, if that makes sense. They have to provide an access. I just think it's going to have to be defined, that's all. I mean, its common sense, I think maybe it's already kind of defined, but that language needs to be in there.

Shay Stark – I believe Park City kind of tried to do the same thing, not exactly the same, but I believe Park City, in their code, basically says that your lot has to be set 7,000 square feet or greater to, before they would even consider an ADU on there. And some of that may be tied to those access issues and physically being able to have room to, put that on there and still have room for emergency services to get around it. You can't get around it when you put your little tuff shed out there and turn it into an ADU and it catches on fire. And they got to climb up to the third story that you stacked on there to get back in there.

Jaime Topham – Accessory dwelling unit. I guess that would be good to define what we're talking about. So yeah, an accessory,

Rick Barchers – So that would address setbacks, allowing for setbacks too, so.

Shay Stark – Yeah that's an important part of it. I think everything we did is for key issues.

John Limburg – So it would be like a mother-in-law apartment downstairs if its internal, right? If it's external, it's still going to completely separate building.

Jaime Topham – Yeah it could be in your garage, you could turn your garage into an external ADU.

Rick Barchers – One of the things that we had talked about when we were talking about this before was separate utilities.

John Limburg – What we're concerned about is, is it a detached ADU though, right? So it wouldn't be the garage, it would be an additional building.

Jaime Topham – Well okay, if it's a detached garage, then it could be. Yeah, you're right

Rick Barchers – And the detached garages will become ADU's.

Jaime Topham – Yep.

John Limburg – They already are.

Jaime Topham – They're already talking about it in the state, right? That garages can become one, yeah. So, we're not doing something out of the norm, we're just going ahead.

John Limburg – We just know that kids are going to be coming home, mother-in-law is going to be moving back in.

Jaime Topham – Well, and the particular people that keep coming in front of us, they wanted to move into the ADU behind and have their kids stay in the front, in the big house.

Rick Barchers – Existing structure requirements, in other words, if they want to turn their garage into an ADU, we're going to require to have them insulated, and do all that stuff.

Mayor Critchlow – What about building code inspections?

Rick Barchers – Exactly. It'll have to be brought up to code.

John Limburg – We've talked about having separate power meters. You know, like, because if your house is based off of this, can you just build it off the same water meter, sewer system, there's like, all of that's got to be figured out.

Rick Barchers – Yeah, it's got to be separate. It's got to be.

Jaime Topham – From the city engineer's perspective, do you have thoughts along those lines, of the external ADUs detached?

Dan England – I've worked with ADUs, I think they can work. My parents had ADUs in their backyard for their parents to live in. It was an awesome arrangement. It came with the developer who said, "Do you want an ADU as part of your house?", and they paid a little bit extra and got it. I can see that happening. That's something that we need to take into account as we go through. Is that something we want to allow the developers to do, or is that something we just want to have individual lots to do as part of those ADUs?

You already brought up the building code side. That becomes very important to make sure that all that happens, and there's a whole lot of things that need to happen to make that a livable structure. But I mean, you can also just have something built in the backyard that's built as an ADU, follows the codes, everything's great.

Rick Barchers – Limit at one?

Dan England – Do we care about sizes, compared to the original house, and things like that.

Jaime Topham – That's kind of where we got stuck last time, I think.

Mayor Critchlow – Right. They require 900 square feet on the, on the apartments. Is that a bare minimum?

Jaime Topham – So minimum is square feet 900, or max? Maximum, that's really small.

Dan England – That is really tiny.

Mayor Critchlow – Good.

Rick Barchers – Can't have granny having poker games in it.

Dan England – I know of one person that they have a really old house that they've been living in, their family's outgrowing it, and so they want to stay there and rent out that one, and build a bigger house in the back. Can that be an ADU for them to build back there? Then they're building a bigger house, and they have this small 1800s house that's a building in the front. Would that be something that would be allowed?

I like the idea of being able to keep the old house, otherwise they have to knock that down build a bigger house. I like the old, I like the antique.

John Limburg – How do you get around not subdividing a lot and just putting three homes on it?

Dan England – Well, you can restrict that.

Jaime Topham – Yeah, you can restrict it, because we talked about that.

Dan England – Only one ADU per lot. If they want to do more, they have to subdivide.

John Limburg – I think I'd just be stopping them when it's two homes on one building lot. It's not a home. It's maybe a bedroom and a little kitchen.

Jaime Topham – Well, but, like we talked about, yeah, limiting the size, but if you have an 8,000 square foot home, are you limited to a 900 square foot ADU? Did we want it proportional, do we not want it proportional? Do we want it to be behind, or in front, or the side? Like you just said with that would be, their ADU would be in front of the home.

Rick Barchers – Well my, on that note, the original intent is somewhere for mom to live, and I got no issues with that, that's fine. But that goes away, and I'm not trying to be heartless, when it becomes a rental, so.

Jaime Topham – Well that's what the state's directing them to be.

Rick Barchers – No, I'm understanding of that, and that's fine. But they have to look at this as, from the perspective, in my opinion of, that's a rental. So, it's not just a place, you know eventually that's what it's going to be, that's all it's going to be eventually.

Jaime Topham – Well, I think you're right, and I think that's what the state's going to be directing us more of, but we also need to plan that way. That's why I asked it, are we, Gary...?

Gary Pinkham – Following up on what Dan said, in a comment or question that he had several months ago from a developer who wanted to put two homes on every lot, okay? We need to be careful on the ADU code that we don't open this up to two lot, or two resident per lot subdivision process.

Maybe the wording should be "An individual property owner may request", and exclude developers from doing it. The reason I'm bringing it up is my son did a job for Dale Webb, just before he came up here from Arizona. Virtually every lot in that 50,000 lot subdivision had an ADU on it. That's a hundred thousand residents per 50,000 lots.

Jaime Topham – That's just right around that density-

Gary Pinkham – Perhaps it should be individual homeowner may request, but somehow exclude the open door for the developer to double their density with an ADU.

Rick Barchers – On the upcoming law, in your opinion, are we going to be able to require more or less, like, water provided for the property?

Gary Pinkham – I have no idea what the law's doing out there. I'm just saying-

Rick Barchers – I mean, it would seem right to me that if they're going to-

Gary Pinkham –... if we don't be careful, we're going to open a door to two units on every single lot. In other words, the R-1-21, Instead of having two units per acre, will have four units per acre.

John Limburg – Couldn't you just say something like, "It's going to be, it's a minimum of 900 square feet."? It's got to be, after that it can only be a certain percentage of the original homeowner lot, like 25% of the size. Or something where you're not going to come in and build, so nobody's going to build another home on there. Does that make sense?

Mayor Critchlow – So going on with what Dan's talking, or his question, the problem is, as a fire department rolls up and the big house is in the back, and they can't get in the driveway, you got to pull off the hose to get back there. We have, on the attack hoses, 200 feet, and that's it. That's got to be able to reach, by fire code, it's got to be able to reach the back corner of the second dwelling.

John Limburg – So isn't that kind of the problem you have with that property that Cloward's bought?

Mayor Critchlow – Absolutely.

John Limburg – Where it's got the shop in the front and the home in the back, and you can't-

Mayor Critchlow – Other than we got a driveway that goes through now.

John Limburg – Yeah. But that was the original problem there, right?

Mayor Critchlow – Yeah, that was the original problem. There's a house down here on Race Street, next to my old in-laws. They let them build a house set back in there. The driveway literally is like, 10 feet maybe. I can make it back there on the fire truck, but I might lose a little fence on the way back through.

Rick Barchers – You might take out the eave on the house.

Mayor Critchlow – Oh, the house is away. Fence is gone.

Shay Stark – But is that why the City outlawed flag lots?

Mayor Critchlow – Yeah. Pretty much.

Rick Barchers – That's why I'm saying access, side access, it's a big deal.

Mayor Critchlow – There is a fire code that says it has to be able to go to the back corner of the house from the fire truck.

Jaime Topham – So if you can't get the firetruck down there, that tells them how far they can go back.

Rick Barchers – There's not a minimum distance from a fire plug too?

Mayor Critchlow – That's something that goes along with that. It's 250 feet.

Rick Barchers – So we're going to have to meet those fire codes.

Jaime Topham – Yeah, of course.

Dan England – And you need to have access to the back building.

Rick Barchers – Right, because now you're talking about adding additional footage distance from the fire plug.

Dan England – Right. That really helps a lot, because that sets limits on if you don't have a drive access between lots, which a lot of properties, the small lots don't have, they won't be able to put anything very far, or very big back there behind it. So that really does help a lot.

Whereas if you do have a larger lot, you have room for a 30-foot driveway along the side, then they can put something bigger, as long as they have access back there.

Jaime Topham – What about tiny homes? Anyone have a tiny home?

Mayor Critchlow – I think they're cool, and I want to have one sitting on a beach in Oregon somewhere. But that's, what else do you want to know?

John Limburg – I was just in San Antonio last week and there was this whole village of them.

Jaime Topham – All right. They're everywhere.

Shay Stark – They're building them over in Salt Lake, too. I mean, they're putting them in a whole subdivision over there.

Rick Barchers – Don't those fit into basically the camper category, as far as the house?

Cavett Eaton – They're not mobile, so no.

Rick Barchers – They're not mobile? The ones I've seen were on wheels.

Cavett Eaton – There are some that way. But there's manufacturers now building pre-fab tiny homes and I've had developers ask me if they're accepted in our city. Everybody's looking that way.

Jaime Topham – Well I know of people that do tiny homes with the compostable toilets. Are those allowed, rather than a sewage hookup?

Mayor Critchlow – Sewage, water, power. Knowing that we have to have power buried underground. We can't have anything overhead.

John Limburg – So are we going to rely on the city to decide whether or not they need an extra water hookup? Or are we just going to say "They need an extra hookup."

Mayor Critchlow – I think they need to have an extra one.

John Limburg – Agreed.

Dan England – I think they should.

Rick Barchers – So separate utilities, because like I said, you're looking at basically it's going to be a rental, eventually at one point or another. Personally, I've been involved with decaying, decrepit utilities that were shared in that type of situation. It's a nightmare for everybody. Nobody likes it, so.

Mayor Critchlow – So up on the corner of Plum and Hale, they built a duplex. Now this duplex over here was going to be just this half, and the second one was going to be a bigger duplex and have a basement, okay? Well they turned around and so now they rent out the top and the basement, and they're all hooked to the same utilities. The guy downstairs is the guy who has to pay for all of the utility.

Kevin Hall – I bet he's a happy camper.

Mayor Critchlow – Oh, he's a happy... yeah, they're really happy campers when they realized that.

Rick Barchers – You're talking about a rental, right? So, imagine the guy upstairs. He doesn't care if the sewer's backing up in the one below. He doesn't care.

Cavett Eaton – So we've already got that problem right now with our internals. We have those right now that are building internals for rental purposes so they can qualify for their loan. That's happening in Grantsville right now.

John Limburg – Oh, so they can use that rent for... They can use the rent that they're going to get off of that towards the payment on a home.

Cavett Eaton – That's the only way they can qualify. Yep, a lot of people are converting their basements and Andy's having to deal with does it meet code, did it meet code originally. They've all got the same utility line. And they didn't specify to that, it'd be different, because it's internal.

Dan England – Internal is different from external.

Cavett Eaton – I'm just saying that situation is already happening. It's just going to exacerbate it.

Dan England – The external... I think we should try and keep them separate for the reasons you were saying.

Mayor Critchlow – As long as it's not too big and we have to meet those fire codes, but we can access them. These things are all part of the job.

Jaime Topham – Can RV trailers be considered external ADUs?

Mayor Critchlow – Oh, yeah. That's a good question.

Cavett Eaton – I was going to bring it up but I don't dare touch it.

Jaime Topham – We have to touch it.

Cavett Eaton – We've got hundreds of people living in their 5th-wheel in Grantsville right now.

Mayor Critchlow – Yeah, one that's living out front of... Her parents are living right in front of her house. the cords across the sidewalk and they got the awning-

Kevin Hall – On Clark street?

Cavett Eaton – We have on that they are in the backyard and they're asking if they can come live in their trailer while they build their house for a year. We get tons of that. And that hasn't even been touched with the economy and what might come in the future.

Dan England – I thought we already had the code says no.

Cavett Eaton – There's some discrepancies.

Jesse Wilson – Brett and I had this discussion as well, and I think there is one that says RVs are not considered-

Cavett Eaton – The code says no coaches, which is the RV.

Lanise Thompson – Well, how did the people on the Durfee do it while they rebuilt their house after the fire?

Mayor Critchlow – Well, okay. Yeah. I have no idea. We let them do it.

John Limburg – I mean he'd lived there for two years before they even started.

Lanise Thompson – Yeah, it took him forever to even turn down the old burnt house.

Kevin Hall – What about the place out by Tooele Valley Meats. There's three or four trailers their people are living at. They're all set up, just like they are homes

Cavett Eaton – The ones that ask get a no, and the ones that don't ask just do.

Mayor Critchlow – The one by Tooele Valley Meats, that's the county. We don't worry about that.

Kevin Hall – I thought that was annexed here.

Jaime Topham – Not yet.

Kevin Hall – No? I thought they'd already annexed it.

Mayor Critchlow – I wish. But I'm not sure about the trailers. I'm not sure what situation it is. I know that there's been times when people have lived in the trailer while they built their house. And we've allowed them to do that as a City. I'm not sure why-

Rick Barchers – Well as long as it meets the code, whatever the code is, for a temporary dwelling inside an RV, like an RV park, they have to have those hookups to the sewer and the water and all that stuff.

Mayor Critchlow – Yeah, I don't know with those folks.

Kevin Hall – That kind of defeats the purpose though, because a lot of places will tell you, "Get the infrastructure in, you don't have a wait time." And we have facilities to dump and do all those things. So, I don't think-

Jaime Topham – I guess that's why I asked. Could we allow them to have an RV that they run a connection to the sewer and an actual connection to power and allow them to have that as an ADU?

Cavett Eaton – I'm glad you're asking. I think we're going to be faced with this. If we get this approved as an external ADU, the next step is going to be can we use a trailer.

Jaime Topham – Yeah, and the thing is like we aren't allowing any more RV parks, right?

Rick Barchers – Okay, ADU has to be a permanent structure, how's that?

Lanise Thompson – We had a guy come in to talk to James today to about he wanted to lift the manhole cover to run his sewer into it. He was... James told him, "No, you mess with that. That's a fine." Like he was going to be at his daughter's for two weeks.

Kevin Hall – Your question was, is it in the street or is it in the yard, right? That was the question.

Cavett Eaton – James just had them pull the meter cover and dunk in the meter hole and had to deal with that, two or three times. So, we need to talk about it if we don't pass anything-

Jaime Topham – Yeah, I mean I think we should meet to talk about it because there's a lot of people that can't afford to do anything but that. We either talk about can they do that, as long as they hook it up properly, or are we going to allow some trailer parks that allow people to live in their RV parks?

Cavett Eaton – The thing I look at, or the thing that means the most to me is the safety part of it, right? And then we have hundreds who are doing it, maybe not. But quite a few. And we have no regulation. We have no say, nothing. If we pass it, at least we can regulate some safety. Maybe somebody's RV might burn to the ground.

John Limburg – You've got to a trailer park, you can make them tie it down with hurricanes ties and stuff like that.

Cavett Eaton – Right now we have no control.

John Limburg – Well, maybe for an ADU, you just say it's on a foundation. Just an ADU's a permanent building.

Rick Barchers – How are you going to inspect it? How do you know it's safe? Here's one from the 1930s, and pull it in there. Who's liable for saying it's okay?

Cavett Eaton – Same thing as mobile homes. Manufactured homes have to be made after '95 or '96 or they don't pass code. So that there's actual regulations for that with manufactured homes and we could do the same kind of thing.

John Limburg – I know about all that kind of stuff. I have mobile offices on a lot of the jobs. You'd have to get the City and have a permit for the trailer. Have them go out and inspect the tiedowns

Cavett Eaton – They'd come with an inspection paper and whether they pass. We had developed the last day tell us she has access to 25 of those mobile units and she wants to bring them in.

John Limburg – It'd be easy to do. It'd be easy to regulate if that's what you're asking. I think with ADU we just say it's a permanent building and let's deal with this.

Jaime Topham – ADU needs to be on a foundation.

Dan England – Right and you deal with the RV separate. I agree with that. But it does need to be addressed.

John Limburg – There's got to be some precedent somewhere that I've got to have the right power to run the ADU outside the house. If they plug in, and they can hook up to the sewer if it's done right. But it's got to be done right.

Shay Stark – With some other communities too, where they've allowed... they've... you know if somebody comes in they're building a home and they come in and they say, "Hey, Look I want to have an RV pad off to the side of my house. And when I come home from using my RV, I'd like to be able to just dump my trailer right there and not have to go to a dump site. Can I run a line out to my sewer and then just cap it so I can dump trailer in?"

And a lot of the cities, at first are like, "Sure, why not?" You know, not big deal. "Just keep it clean and don't let it stink." And they allow that to happen. But you know exactly what happens. I got somebody up the street from where I live that I know that trailer's being lived in because they've had it all pulled out and it's been that way for a long time. I see lights in it. And they've got the same situation. They set themselves up ahead of time for it.

Mayor Critchlow – Does it smell? And you know we have situations like that in Grantsville, where people have installed the, after the building part of it, have installed the sewer dumps on their lots.

Jaime Topham – Anything else that we want to talk about tonight for this? Okay. We'll start to wrap up. When should we... I'd like to have this put together... Well, I actually asked Shay if he could get us the language that we had kind of started working on last time. Now, that we have some brainstorming ideas without having all the rest of that, maybe we can start tying that in. And then when do we want to have another meeting about this so that we can get this ball rolling and help our community members actually tackle this.

So, our next planning and zoning meeting jointly is on the 10th. So that's May 10th. That's only PUD. P-U-D, right?

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Our next meeting that's joint with City Council is only to talk about ADUs. No, PDU. PUDs, there's too many acronyms. PUDs and only PUDs.

Mayor Critchlow – I just typed that in there. PUD only.

Jaime Topham – Yeah. And then, so we could do it as a work meeting before the 18th. We could-

Lanise Thompson – When do you leave?

Jaime Topham – I leave on the 21st and I'll be back on the 2nd.

Cavett Eaton – Do you have time to put it together by the 18th? That's two things.

Jaime Topham – So June 1st, I will not be here. I'll be flying back. Wait, that pushes us all the way to the 15th. Or you guys can have the discussion without me.

Lanise Thompson – Do you want a meeting on the 8th or something? Just a work meeting?

Jaime Topham – Are you guys open to that? Work meeting on the 8th?

Lanise Thompson – I mean it's a Thursday night, but it's the off week.

Cavett Eaton – We'll have planned zoning on the 1st and City Council will be on the 7th.

Jaime Topham – John, you're the one that's always traveling, so-What about the... I mean we could just do it the 15th before that meeting.

John Limburg – I'm here the 15th, so.

Jaime Topham – Should we do that? Six o'clock on the 15th?

Lanise Thompson – So a work meeting on the 15th?

Jaime Topham – Okay great meeting.

5. Adjourn

Jaime Topham – Okay. Anything else we need to discuss tonight? Thanks everyone for all of your

Jaime Topham made a motion to adjourn the meeting. Kevin Hall seconded the motion. All voted in favor. Meeting was adjourned at 9:29PM

Action Summary

#1 PUD code	Discussion
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MINUTES OF THE GRANTSVILLE CITY PLANNING COMMISSIONWORK MEETING HELD 07/20/23. 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, Cavett Eaton.

Appointed Officers and Employees Present: Mayor Critchlow, City Engineer Dan England, City Planning and Zoning Administrator Cavett Eaton, DRC specialist Gary Pinkham, Public Works Deputy Director Christy Montierth

On Zoom: Aqua Consultant Shay Stark

Commission Chair: Jaime Topham called meeting to order at 6:00 PM

Jaime Topham – Welcome to the planning work meeting of the planning commission for here on Thursday, July 20th, 2023 at Grantsville City Hall. We have one thing agenda today is the discussion of the PUD process. So, Brett and I were actually going to meet ahead of this meeting to work on some things with the PUD. We didn't have the opportunity to do that. So, this is definitely going to be an open-ended conversation. We talked with city council, whatever work meeting that was, I kind of got their input on what they're okay with, and what they're not okay with concern to variances. They wanted to talk about that more, then probably the process, so people understand when you come through a PUD you're coming through and you're asking for variances so you have a PUD, or if your property is in the zoning district that requires a PUD, what that process like. So where would you guys like to start? It's been a long week for me, so I'm going to let you all, Rick talk.

Rick Barchers – My biggest concern is that if they want variances, they should put them up front. I mean that needs to come out in the process right up front. I mean we're looking at PUDs that are pictures, and they got square circles and stuff on them. No measurements, no nothing. They don't line out any variations that they may or may not want. I mean, so what am I looking at? I don't know what I'm looking at.

Jaime Topham – So what you're saying, they need to write out the PUD variances. Not put it on a map and then have us guess. They need to actually spell out in this section we are looking for a change to the setbacks of five feet or whatever rather than just trying to put it on a not very detailed map and have that's guess, is that kind of what you're saying?

Rick Barchers – Yeah, more or less. I mean they do that, have to do that in the very final part of the process. Instead of doing that at the very final, that stuff should, in my opinion, come out in the front.

Cavett Eaton – The new PUD process is that they list all of those items. We encourage them to use the spreadsheet that we've created for them. Some of the developers have cut and pasted their same info and forgot to erase the other guy's name, so we can see if they're doing it. But it helps you and us if we do that staff report, it set all that stuff in it.

Rick Barchers – Where's that on Matthew's Lane?

Cavett Eaton – They haven't presented a PUD. They've only given us a concept.

Jaime Topham – Cavett, will you tell us what the new process is?

Cavett Eaton – So they apply online, they are invoiced, after we get a receipt that they applied. We send them the copy of the requirements for the PUD 21-point checklist, all of that and tell them that we're going to be doing a staff report and they have a chance to input into that staff report, or they can just leave it. And that's what happened with Matthews Lane. They said, we don't care. We don't want input." I said, "We're going to present what you gave us and there's no feedback." He said, "That's fine." So that's why we didn't get much from them. But most of them, I'll send them a copy before we present it to you guys and they can say, yeah, this is right, this is wrong. I add this, subtract that. Okay, we're just going to be objective one and give the basic information. So, then that comes to you as much information as we can drag out.

Jaime Topham – So where is that in the process? So, would that be along with their preliminary application? You said they apply online.

Cavett Eaton – It can be, but it's separate. We're encouraging it to come first.

Jaime Topham – Okay

Cavett Eaton – So if the preliminary doesn't have all this stuff in it, that ends up getting chewed up because they didn't get their original PUD approval. That's one thing, Gary pushes, from day one is we get that PUD, at least get it moving before they ever throw a preliminary together. And then they scream wine because they've got so much work into it, so much time into it. Preliminary that isn't flying.

Jaime Topham – So then on Matthew's Lane, but they haven't actually submitted an application yet. They're still completely concept.

Cavett Eaton – And if you look at red lines on this, this is way ahead of the game for concept. Which we acknowledge that and they're willing to do this because they want to make it right. So, all of the notes on here, we would never do this on a concept. You're seeing preemptive stuff before it ever gets to a preliminary. So, the PUD will come probably with the preliminary because this has progressed so well.

Rick Barchers – So Matthew's Lane, right now they're coming in here saying we want to put some townhouses over here. We want to do this over there, we want to do the other thing. It has nothing to do with density, nothing to do with setbacks, nothing to do with anything else. And we're going to say, "Yeah, okay, yeah, this looks great," but they're going to come in next time around and say "You said it looks great and we've got all of these here at 10 foot from the back on the setback." I mean almost then you're getting into that whole, well we've put all this work into it conversation.

Jaime Topham – We have to remember, all of us have to remember, and so do they for sure, at concept we're not investing them with anything. If they're getting this information, that doesn't mean they're vested in that single thing. Not until preliminary is filed that they get any kind of vesting.

John Limburg - We just need to make that clearer that they are not guaranteed anything on a concept.

Cavett Eaton – The one you're referring to is a specific developer who takes that information and can cause it in writing in blood. And then he goes and tell everybody else you've approved it. He's never been to anything but a concept. He's got it all approved.

Jaime Topham – We just have to be really good about it's a concept. We are not vesting anything. We in our own mind do remember that. So that they don't talk things, and we don't have to spend a ton of time on it if they don't want either.

Rick Barchers – Well then there's no sense in spending a lot of time.

Jaime Topham – But it's also not our job to propose to them what will be appropriate on their property. It's their job to propose what they want to do. Then if they're asking for variances, they've got to convince us why those variances are okay.

Rick Barchers – Right.

Jaime Topham – So, transitioning from any particular property to our system. So, Brett, right now, because part of the conversation is also development agreements, right now they can file their PUD application with their preliminary application, and they're asking to have development agreements right up front. Is it appropriate to have a development agreement on the preliminary prior to the PUD kind of process?

Shay Stark – Chapter 12 Section 4 specifically states that they submit the PUD with the Preliminary Application. We need to change this to disconnect the two applications.

Brett Coombs – It can be. I mean it's really up to you guys and the city council how you guys want that. So right now, the way it's written into the code is the development agreement comes on the backend after final, after everything's done. But that's not the way it has to be done. We can do it upfront, and essentially what we would do in an instance like that is we would create the availability in the development agreement for them to get greater density, or taller homes or whatever it is, whatever the variance is. But we would make it contingent on that being approved by the preliminary plat

Jaime Topham – But does that need to be the PUDs development agreement or are they two separate things, or are they the same thing?

Brett Coombs – They're the same thing.

Jaime Topham – Okay. There's different parts of it.

Brett Coombs – Yeah, we've just been creating it as a master development agreement. So, it controls the entire development, PUD included.

Jaime Topham – Okay. Because that's I think some of the concerns that we have in the last year seen development agreements. So, we're put into place before everything else and it's found the city to things that we didn't want to be bound by.

Brett Coombs – Well, and part of that has been negated by the state law that now says development agreements come here first. It has to come through planning commission. And then as a city, we strengthen that by saying, because the way the state law is, it says that if there's going to be a major change to a city ordinance or a land use ordinance, then the development agreement has to come here first. We strengthen it by saying all development agreements come here first. So, it doesn't matter if they want to amend it, whatever it is they're looking to do with that development agreement, you guys will see it first.

Jaime Topham – Okay. So then asking in relation to PUDs, most of the PUDs come before us so that they can get additional density. They're getting set asking for setbacks that make it so that they can get additional density. So how do we craft our process so that we know what we're getting into when they're coming and asking for these variances that don't necessarily give us the whole picture?

Brett Coombs – Can you provide an example?

Jaime Topham – Yes. The one that had 40 variances, I think it was Matthew's Lane. There's a lot of things that they're asking for, but it doesn't really spell out what that's going to look like on paper as far as how much extra density that will create versus, because then I think that's what my concern would be is if we're doing the development agreement up front and we're doing the variances upfront, we don't really know how that's going to look on paper when they start doing all the details. And are they then vested in that amount of density that was created on sketches essentially?

Brett Coombs – It depends. So, turning, we love that phrase, right?

Jaime Topham – Yep.

Brett Coombs – The development agreement can be crafted. So, it's still contingent on the PUD being approved, and the bounds of the PUD approval. But having the development agreement upfront, we can also use that to our advantage in that we can say, "All right, we know you want greater density. We're going to say that you get X amount of greater density if you do Y." We write that in into the development agreement. It may not be how many houses they're envisioning it, but that's what you're going to allow in the development agreement up front. If they want more than that, then they're going to have to wait for the development agreement till later, to find out how the PUD process is going to go. So that's one thing you can do.

That's what a lot of cities do. That's a lot of the developers, that's what they're coming in kind of expecting that okay, "At least give us an idea of what it is we can expect." Part of that is because our PUD ordinance doesn't really provide them a whole lot of guidance of what they can expect. And so that's what I'm hoping in this process and creating a better PUD ordinance, will provide them greater guidance, will provide me greater guidance on what I can give them in a development agreement. And then that would be brought before you guys to review.

Jaime Topham – So that seems like a really good segue into how we want to handle the PUD. Are we willing to do bonus density for X or-

John Limburg – You know what would help me? And I don't know, I think if we had a cheat sheet that said, here's what the density, here's the density of this, and then this is what the setbacks are, all the codes in the city setbacks are this. Because what it looks like is they're going to meet density per their zoning, but they're not going to meet our, they can't do it. They're not even going to get close to what they could do in density with our setbacks.

Jaime Topham – Well, how we worked on taking a lot of the maximum density out of everything so that there's not an expectation of a max maximum density.

Rick Barchers – Well that was on MU.

Gary Pinkham – Didn't you say council last night approved that 19 a

Cavett Eaton – Yes, the MU was approved last night.

Gary Pinkham – So on that 19a MU, we took out that maximum, the council approved last night. We took out that, assuming they didn't want, we took out that maximum density issue in RM-7 and MU, and so on. We put all that depended on 4.34, what you can physically get, by meeting those dimensional limits within 4.34.

John Limburg – So, I guess what I'm saying is that was MU and they're trying to get away from that by getting a PUD, because they know they're not going to meet that. What kind of density will we try to get on that area, and what can we do with setback? And I guess I think we ought to just decide as a group what we're okay with and what we think. You don't want to have 10-foot setbacks or 5-foot setbacks in the backyard. That's a big deal to you. I guess I'd like to maybe talk about why that's a big deal, because I think the thing that we're kind of tasked with is trying to meet that density to make sure that we're not allowing that to get too dense, right? And that's kind of what we're here for.

So, I guess I would just like to say if there is a maximum density, what or maybe we just decide as a group what we're trying to get MU. What we're trying to get in this other one. So, we know by what we're giving up, what we need to get from them. I think another thing would help is if we knew from the city what they actually want. Do they want pickle ball courts? Because that's what everybody's offering. What does the city want? They just ripped down the pickle ball courts up in Hollywood.

Christy Montierth – It was one piece of cement.

John Limburg – Oh, all right. So, I don't know. But do they want pickle ball courts? Does the city want pickle ball courts? If people are offering this? What? I don't know. I don't have a very good idea. I don't play pickle ball. I don't have a good idea of what the city wants in return for giving up density.

Jaime Topham – Well, and I guess that's a different question. Are we willing to give up anything for increased density?

Rick Barchers – I don't think it's our responsibility to make sure that they can put the maximum density on there. And I'll tell you what, what if they bought this same property that we're talking about, Matthew's Lane, what if they bought Matthew's Lane and a third of that was covered with a pond? Are we therefore obligated to take all the density that would've been in that one third area that's covered by a pond and put it on the other two thirds?

John Limburg – That's what happened out there on that property with the wet lands.

Rick Barchers – That's what he was trying to do. I think that the property density should stay within the bounds of the zoning. In other words, if it's zoned half acre or whatever and they say, "We want to go smaller lots, but we're going to leave this bigger area in exchange for park," et cetera, whatever. Then okay, you're asking us to make changes on the lot size, but you still got to meet our setbacks. You still got to meet all these, you still got to meet all the other regulations, but we're not going to allow you to put smaller lots just to meet the density. Does that make sense?

John Limburg – It does. I'm just thinking if I'm a developer and I buy a chunk of property, and I'm thinking I can come in and put so many, this makes sense for me because I put this many units per acre and they're not going to invest, they're not going to investigate in all of our codes and our setbacks to figure that out before they buy that piece of property. Then they're coming in thinking that they can do that and then we're telling them no. And I think it's creating some problems

Rick Barchers – Well, I have just one point to that. If I was going to spend millions of dollars on a piece of property, I didn't know what the code was. That's why we're trying to cut that language.

Kevin Hall – John, shouldn't they know that though? I mean, again. They should do their homework. For instance, my family owns a bunch of Grantsville irrigation water. One of the big developers came in and tied it up, going to buy every bit of it, Right? Tied it up to do their due diligence for 30 days. And guess what? They tied it all up, went through all the legal process and all that and didn't even know that they couldn't convert to city water. Well I'm thinking they're big hitters and they go through all the process and don't know that? I mean to me that seems so stupid.

John Limburg – I'm not even trying to take the developer side on this. I'm just trying to make it as easy on as possible. But we do want to make it easy for people to come in and do business here. As much as we can. And I guess maybe just for me, I don't know all the codes, I don't know all the setbacks. I haven't learned them all. I completely lost on some of the stuff we're even talking about. I'm impressed that you've learned it all. I don't, and I guess, and I'm not Gary. Gary can look at this and write up all of this stuff on these notes. "Hey, this doesn't have this." But we may not always have Gary here. I don't know, I think maybe we just decide, are we going to take out maximum density on all them?

Rick Barchers – I think that's what we should do. I think we should go with minimum lot size. It would just be a lot easier.

Gary Pinkham – I think in that amendment that was done last night, that maximum density, in other words, if you go into the RM-7 code, that line says, "A maximum density of seven units per acre," is gone, as of last night

Jaime Topham – So there isn't a statement anymore about what maximum density looks like.

Gary Pinkham – No, there's a physical requirement for frontage, width and area that'll control how many lots you're going to get. And that's on the dimension of the lot. So that whatever lots you get on that piece of ground, it's 10 acres or hundred acres, you'll get it based on meeting that physical requirement for that lot. Because we've fought the issue of density, people applying on gross area. Well that includes the streets, that includes the ponds, that includes the open area, which accounts to 40% of the subdivision. So, in essence, they're taking that maximum density and squeezing it into the remaining 60%. That's why we took that out.

Cavett Eaton – I here is up here, this is RM-7. The maximum density line is stricken out.

Gary Pinkham – So they struck that out so what going to control if the other three numbers there. That means when they out how to put the streets in, and they take care of ponds, they take care of the open space, whatever's left over is going to be cut into that size lot. In the end, they may get five acres on gross area. I mean five units on gross area. I think Shay was playing his numbers. He said in the RM 7, after streets and stuff was taken out, you're getting four and a half units per acre by meeting this code. Now you guys were saying none of them want to do that. They don't want to cut those lots in half and get twice as many units. What happens is we get drawings like this based on that, which doesn't meet our code, which you folks haven't reviewed and approved yet.

So, they're drafting drawings based on a code that you guys haven't approved for them yet. You guys need to approve the variances before they can incorporate them into the drawing. That gets back to one of the comments I left with you guys last week or a week before, in fact two meetings ago, about making for a PUD, making a concept plan mandatory. And within that stage, make the review of the, I think there's 64, 65 possible variances here. Make that review part of the concept before they waste a ton of engineering money, before our staff wastes hours and hours of review time and money, through and say, "Okay, I'll let you have this. But if you do that, you have to do these things also." For instance, if we narrow up the lots. Where you going to put the street parking? We require them go to a parking lot. If we go to narrow streets, where are you going to put the garbage cans? Make them put in a dumpster bin station. In trade, it's not so much whether I get a pickle ball court that matters to me personally. It's what do we do with the infrastructure? Where do we put the cars? Where do we put the garbage? If we eliminate the sidewalks, how do we keep from running over our kids? Those things need to be addressed here.

In fact, the ladies with Matthews need to address those here. So that they can move forward with a set of drawings that meets what you guys have approved. And that's what these ladies were asking for a month ago is can we get this list of things approved and agreed to beforehand before we go back to the engineer?

Jaime Topham – So logistically, how does that work? Because if they haven't done all of the engineering and everything, how do they know what variances they need?

Gary Pinkham – Well, if you look at their sheet here, on their sheet, they put right here what their minimal size lots are. They put right there what their front details, they're putting their street details down. This is at the concept level. It's a single sheet. They haven't developed 50 sheets of engineering drawings yet. At that point they know that that 20-foot setback requires variance.

Brett Coombs – Well, but most concept plans are not this well drawn out. I mean this is farther along than 80% of the concept plans.

John Limburg – I think they're doing that though to try and not have to go spend the money like they would've had to do before they asked if they could do that.

Brett Coombs – Well, and our code doesn't require them to have something this fancy. Literally they can make it on the back of a napkin and come forward, right?

Gary Pinkham – That's true. And it kind of goes back to your question about due diligence. I mean, if they're coming in here with their head in the sand and ignorant on our code, that puts us in the boat we're currently in with going back them saying, "Hey, you guys got 60 violations." The developer and the engineer needs to do his job, his due diligence, read our code, interpret it, find out what this drawing should look like versus what he wants it to look like. Then they need, according to the PUD code, they need to present us with a list of requested variances. Our PUD code already requires them to do this, and none of them are.

If they do, then you folks can sit there and say, "I won't require this big a lot, but I'm not going to allow you to go to there. We'll let you go this far." But the conditions of that are you put the parking, we've had some discussion here recently on some of these street designs, where they only made park strips. That puts a sidewalk behind the curb and gutter that puts the fire hydrants in the sidewalk. That puts the water meters in the sidewalk. That puts the traffic signs in the sidewalk, or over on private property. You can't put the traffic sign over there on private property because you're probably violating UTC, Uniform Traffic Code for the distance off the side of the road for the traffic side. Some of these things seem like a real good idea, but they're the proverbial rock in the pond. The ripples go wide and far.

Jaime Topham – Before we go off on a tangent, that's why I asked logistically, how does that work for them to bring the PUD and the variances to us if they haven't done any real study of our code and all the engineering to know I need this variance to get what I want. So that's why I'm saying, it seems like it's an impossible task.

Hey but hold on. There's two different things here. So, we're talking about what our process should be for the PUD. If we're saying they should bring the PUD to us before they bring their preliminary application, the PUD, they're bringing it to us so that they can ask for all the variances, but how do they know what all the variances they're going to need if they don't even know where you like the basic concept?

Gary Pinkham – Well, like I said. I can read code, okay? You can read the code. There is absolutely no reason in the world that they cannot read the code and know what we're supposed to do. If they can't, they deserve an engineering license.

Kevin Hall – Can I just make a comment?

Jaime Topham – Please.

Kevin Hall – Because to me it's somewhat simple, in my mind. And that is that this is a drawing and there's some ideas here about commercial and stores, and parking lots and all that stuff, right? When we look at this, for me, for instance, I like that they want to build a 55 and older community, right? And there's some things I like about it, right? So, when I look at them and say, for the most part, I like your conceptual plan. Now you need to go and figure out what the codes are and make it work. We're not vesting you in anything. All we're saying is that we like this, this and this, right?

Jaime Topham – Right.

Kevin Hall – And then whatever's laid out, written in code, then it's their responsibility to go do that. But I think what's happening is they're not. They want us to say, "Yeah, great. You can have it."

Rick Barchers – Well to that point, we've spent a lot of time in here discussing why these codes need to be this way. And they want us to sit up here. I've got 40 variances. You want me to explain why each one of those codes are what they are? You should have been here the last five years to all these meetings why we were talking about it, okay?

Kevin Hall – I don't think we should do that though.

Rick Barchers – That's what I'm saying.

Kevin Hall – What I'm saying is sometimes you got to hard line it and say, "Well, the codes are there," right? Why do we, I agree, John. Why do we-

John Limburg – Rick.

Kevin Hall – Rick,

John Limburg – Let the records show he's talking to Rick.

Kevin Hall – Why do, over and over and over with everybody?

Gary Pinkham – In our PUD code it says those variances need to be identified. You five need to review them and either approve with conditions, reject or table. Until you guys have done that with this, they cannot proceed because unless they want to come back and explicitly meet the code as it's currently written. That's where I've talked about recently the last month or month and a half ago, I brought it up in one of our DRCs, and I handed it to you guys a month ago.

Let's make on PUD, let's make the concept a single page, or maybe a couple pages if they want to give us a little better detail, like these guys have done. These guys on the concept have really, I think done a good job of two things, of listening to the city with regards to what's in it, and given us enough detail that we can really consider it. But this still needs to be resolved before they move forward and start preparing engineering drawings. Because right now what they're preventing you guys is illegal for the codes.

Jaime Topham – Well, but okay, I get that. Hold on-

Gary Pinkham – And on a PUD, by a PUD basis, this needs to be formalized. Yes, no, with conditions, and converted into some sort of a document. I don't like the idea that it's in the minutes of your meeting, because the engineer's not going to look at it. Our inspectors in the field aren't going to look at it. The contractors aren't going to look at your minutes. It needs to be put into either a preliminary development agreement that covers this aspect of the project, knowing that at the end we may have additional stuff regards offsite traffic or utility issues that comes up in the engineering

phase. But somewhere upfront we need to get this resolved, which is exactly what these two ladies asked us for a month ago, so that they-

Jaime Topham – Gary I'm going to cut you off. I get that they asked us for that. But how do we look at all of those variances that they're asking for on paper and translate that to what is going to be in their actual preliminary plans, and draft it as a legal binding document that says before when you bring in a preliminary, you are entitled to these things but they must be included in there. It feels like a cart before the horse. Or they have to come simultaneously.

Gary Pinkham – It kind of goes back to work meeting we had six, seven weeks ago about these projects, between you guys and city council. Somewhere, you guys going to say, "Okay, we've got people coming in, we've got projects developers had produced here for 20-foot-wide lots." Are you guys willing to go there? You guys can sit down and say, and it's your responsibility to do this. Sit down and say, "Well we're not going to go any narrower than this and this is why." And if we do go to this, then this is what also needs to be done.

Rick Barchers – That's already happened.

Gary Pinkham – Basically the bottom line, and that's what they were talking about with the council, is what is the bottom line, you guys need to establish the bottom line. What are you comfortable with? You mentioned in the walk down here, you couldn't drive through what the snow did last winter.

How narrow are you going to require the 32-foot street? I think Shay popped up with a state code item. That doesn't apply to Grantsville. It only applies in low impact housing developments. We don't have those. According to state code, we can still mandate the 66-foot right-of-way and 42-foot curbed curve. When the developers, which we've already seen, come in with the 32-foot deal the state was talking about and say, "Well that's state law. No, it isn't. Not for us. Because our city doesn't come under that, okay? Do we want to go narrower than 42? We got this proposal here is going down to 22 feet of asphalt.

John Limburg – That's not enough.

Kevin Hall – It's not enough. Because again, you can say what you want about parking, but people are going to park on the side of that-

John Limburg – 100% are.

Rick Barchers – I'll guarantee you. The UPS trucks going to if nobody else.

Gary Pinkham – I would recommend is maybe take something like this, maybe take the one Cavett's got, or the one that I developed, Shay also has developed a couple. One for Desert Commons, one for Desert Edge. Look at the kinds of things these knuckleheads are asking for, and among yourselves say, "Okay, we won't agree to this. We won't agree to this. We'll go this far on this mark under these conditions." You guys may need to go down somewhere and get a corner table and work this out.

Jaime Topham – Okay Gary, I got your thing. Where are they asking for this? Because like it says 4.3, 4.2., b4. The setback is not being met. Well how do I know that?

John Limburg – Because there's more drawings that you're not seeing.

Jaime Topham – But okay, it kind of gets us back to this whole thing. This is just a concept plan.

Gary Pinkham – Okay.

Jaime Topham – Right?

John Limburg – So he just went and looked at this and said this is the problems with this-

Gary Pinkham – These notes are from one of the previous plans that were given to us by the guy that Dan hired. So, some of these notes, I suspect they probably still, the majority of them apply to this. These guys have come a little bit closer to code than what was originally projected. But the point is, what are you willing to do for setbacks? It's not just the setbacks, but consider the encroachment issue they want to do. They want to go to a five-foot side yard setback, but down in the bottom, they said they want to have permission to have encroachments into that setback within one foot of the property line, for window wells and pump outs and porches. So, then you can't get a fire hose to the back of the house.

Jaime Topham – Then why don't we just say, "No, we're not going to allow that." Why is this even a giant discussion?

Rick Barchers – It shouldn't be.

Jaime Topham – We have a code.

Gary Pinkham – The reason it's a discussion is cause our PUD grants them permission. It doesn't grant them permission to do anything. It grants them permission to come and ask you for permission to do these things. Your issue is you need to make up your mind if you want to allow it or not.

Jaime Topham – Gary, thank you for your input.

Rick Barchers – That's actually very helpful. Thank you.

John Limburg – As far as the rear setback, why is that? Why do you keep bringing that up? Because I get front setbacks, side setbacks

Rick Barchers – Because we've already had the setback discussion.

John Limburg – So I don't remember. On the rear why is that-

Rick Barchers – In the code? I can't remember all the exact reasons.

Jaime Topham – Rick is your concern that we already have a code that says this is what it should be? So, I don't want to have that in the variance?

Rick Barchers – So if right here it says rear set back 20 feet, why does anybody ever... Why does it say that here if there's reasoning behind it, okay? If there's reasoning behind it-

John Limburg – Rick, I get that. And I'm not coming after you, or you've been asking, but what I'm wondering is I get why the front setbacks, I get why the minimum width matters because we got to be able to put water meters and all that kind of stuff in. I get all that. If the rear setbacks not an issue, I get where you're saying, "Hey, we made this a rule for a reason." But if we're not going to give on any setback, then we might as well just say that. Then they're not going to come to us with that variance request.

Rick Barchers – Right.

John Limburg – You know what I mean?

Rick Barchers – Right.

John Limburg – So on the rear, what's the reason to have a 20-foot set back?

Rick Barchers – Look right here. I'm giving my reasoning. Look at the rear setback. How close are they to that big, huge, eventually gigantic road? They're going to be 20 feet away from it.

John Limburg – Yeah, but I mean, I guess they're going to be expected to put a wall in there of some sort.

Jaime Topham – I understand. And the only reason that personally, I would on that particular thing, it's going to be a retirement community. Where are the kids going to play? I mean that's all part of that, in my opinion.

John Limburg – I get that. If somebody wants to buy a property that has a 10-foot setback in the back, they're okay with it and it's not going to affect anybody else. With parking and everything else, that affects everybody. People driving by, that affects them, plowing and all that kind of stuff. But if we're going to hold them to that, maybe that's something we can give them. If we don't care if that's something we can move, and we ought to decide that what is the minimum rear setback we're going to allow? And if we're not going to move it at all, we got to just decide that as a group.

Jaime Topham – So Rick-

Kevin Hall – Can I just give you a really quick classic example? The apartments or townhouses, or whatever they're up on the bend there.

Rick Barchers – Yeah.

Kevin Hall – Have you looked at them? That is a nightmare.

John Limburg – Well they've messed something up there because they had to dig all that dirt out behind it.

Kevin Hall – I mean, honestly, when you look at that, first they had it so it was straight off of there.

John Limburg – And they put the gas lines in, and now they've had to dig it all out and the gas lines are exposed.

Kevin Hall – Nobody's going to maintain that, right? So there's a classic example of having a setback that's too small. I know that's an extreme.

John Limburg – The reason that's messed up is because of the elevation of the building they put in and the grade they were trying to get to, they could have been five feet, but everything could have been flat and it wouldn't have been an issue.

Kevin Hall – But what I'm saying is, in my mind that never should have happened, though.

John Limburg – Agreed.

Jaime Topham – So Rick, I'm going to roll us back in. Rick, I've heard you say before that you don't think that we should make changes to the codes, that deal with safety and things like that, right? So, would it be appropriate, do you feel like the best thing to do is say we're not going to grant any kind of variances as far as setback? The lots are what they are.

Rick Barchers – Right.

Jaime Topham – Would you be comfortable supporting that?

Rick Barchers – Oh, absolutely.

Jaime Topham – What about you guys? Now I'm going to ask Shay, because I see Shay's on. Can you hear us?

Shay Stark – Yes.

Jaime Topham – Would there be, let me think of a way to say this. Would there be an appropriate reason to grant a variance to a setback that would not affect a safety issue? If so, give us an example.

Shay Stark – Good question. Personally, I guess I'm going back to what John was talking about with the rear yard setback. If the planning commission determines that there are situations where they're willing to allow additional density, in order to get that additional density, something is going to have to give? Because it is the way, again, it's been brought up with the MU, RM-7 and RM-15, and I'm sure we'll move into the other zones and change those. We're no longer talking about density, we're talking about physical sizes of lots. So, the rear yard setback, maybe one of those locations that we can say, yes. I look at it, the rear yard setback is the point that it becomes a safety issue I think is if you have buildings too close together, and for instance, part of that protects you with fires, and for the fire department to be able to get around back and be able to fight a fire in a building, and be able to keep the buildings around it from also burning.

We also have in rear we also have a utility easement. Quite honestly, on some of these town homes that we're starting to see coming in, we're having this discussion that we may need to be able to pull, we may need to have them put some of their dry utilities, primary power in some of these things back in the back, because we no longer have the park strip out front to put those in. By the time we get our water meters and our sewer connections in there, there's really not room for anything else to be in the front.

So, I think where it's not a safety issue, I think it's more of an aesthetical issue to pull the buildings apart, give the property owners a little bit of space to lighten air around their homes somewhere they can go, a private space that they can be outside, that doesn't force them just to go to a park to be able to be outside. But at the point that it's a safety issue. So maybe what we need to do is determine what the smallest setbacks are that we could accept.

Rick Barchers – But that's all we'll get right now is 20 feet. If we go with a smaller setback, then that's all we're going to get.

Jaime Topham – Unless, I mean, but that's a variance. They have to give something to get something.

John Limburg – Yeah, we'll leave our code how it is, but we say, "Hey, it's still a 20-foot setback, but on a PUD, let's say on this particular one, which we don't have to do on all of them, we're going to give concession on this in order to get something else. And I don't want to do it. I'm just wondering, if we're not doing that, then why do we even have a PUD?

Jaime Topham – Right?

Rick Barchers – Right, okay. I'll agree with that. But it's like okay, we want an exception to the setback. We want an exception to this. We want an exception to that. We want an exception to everything else, and 15 other 20, 30, 40 different things. Well, if you're only asking for that one, okay? Well maybe because we've got this issue with trying to get the property to put Matthew's Lane in like it's supposed to be. In that case, if you're not asking for 40 other things, I'm going to listen to maybe taking a cut on the rear setback, personally. But not as a standard practice. I mean there's got to be something the city's really needs. In this case, there's something our city really, really needs, right? As opposed to we're giving you 5% more open space if you let us cut the backyard setback in half and allow us to have 40 other different variances.

Do you see what I'm saying? So that's my problem with saying, "Well we will accept this, we'll accept that. We'll accept the other thing." Well look, if you want to build a doghouse in the middle of Durfee, I would consider it. But what are you giving up to do that? You going to buy up the entire land mass between Cherry Street and Durfee to put a gigantic thoroughfare through there? Then I'll let you build the dog in the middle of Durfee Street. I don't care.

John Limburg – I get it. Go back to what he just said. He goes, I don't, not as much as them giving us something like a pickle ball court, but them giving us roads so we can plow and stuff. Well that ought to just be given. I don't think that we should give up something to get a road that you can plow, or you know what I mean? It's wide enough that people can park on it. You can still drive through.

Jaime Topham – Right.

Rick Barchers – They're supposed to do that anyway.

John Limburg – We shouldn't be giving a concession on that to get something else.

Jaime Topham – So if they want a concession that they get to do a more narrow street, okay? But you then have to add a parking lot over here. For all those houses, or those cars that can no longer park in front of that street.

John Limburg – And they're probably going to go back and do the math and go, "Well it makes more sense to have a lighter degree."

Jaime Topham – Just do it. And maybe that's the thing is that the PUD should be an exception, not the rule. Except that in the MU we have a PUD requirement.

Kevin Hall – Can I answer your question?

Jaime Topham – Yes please.

Kevin Hall – So you guys are going to learn about me. I'm old school, I'm old Grantsville, right? And I'd like to see Grantsville developed with a mix of things we have here, right? So, your answer to the question about having minimum setbacks, I'm all about that because I'm concerned that everything we're seeing is high density. If we keep minimum setbacks, we can at least protect some of the rural hometown charm by doing that.

Rick Barchers – The character of the city.

Kevin Hall – The character of the city, right? So again, I get that we have to have low income, we have to have apartments, we have to have all of that. But man, everything we're seeing is this kind of stuff. If we start down that road, how do we ever stop that?

Jaime Topham – Yeah.

Kevin Hall – So I'm about, and wasn't here about the Mack Canyon thing. I still say that the guys should develop that with some of what's there in there. Instead of everything, townhomes and whatever there. Of course, sort of be contingent with the people that are around there.

Because I think, and we know this. The developers out to make money, and the more they can put on a piece of ground, the more money they make. And again, honestly, I'm worried sick that we're going to go down this road, and that's all we're going to get here

Rick Barchers – To that point on Mack Canyon, okay, they're proposing townhomes when that property was never zoned to have townhomes in it. So that goes right to what you were saying. If you want something to put in a PUD, they shouldn't be allowed to have things outside of what it's zoned for, if that makes sense. Because up there at Mack Canyon, okay, well we're going to put all-in apartment buildings up here, which maybe we need apartment buildings fine. But it's not zoned for that. You're going to have to go through a zone change then apply for a PUD, if that's what you want to do. Does that make sense?

Jaime Topham – Yeah. So, what you're saying is up there, I don't remember what it is, but I'm guessing it was something like RR-1, they need to be doing single family homes, not twin homes because it wasn't a multifamily... It wasn't zoned multifamily.

Kevin Hall – Right. Well again, if they design them, in my opinion, to create a little bit of a barrier, right? Because if I had a home that's build up whatever that's called, Cherry Grove, and somebody come in and build all that next to me, what does it do to my property value, right? I mean if it's nice, probably won't affect me. But typically, smaller places create not some of the best environment. It's just natural.

Rick Barchers – And that's all part of what we-

Kevin Hall – If you do a mix of things, and sort of put them in there, appropriately, then it can all mix together, right? To me that's how we keep Grantsville a little bit of Grantsville. Instead of having this whole thing, it's like-

John Limburg – Well this is nice. I mean it's nice that we get to control how this is all done. Across the street, they've got across the street from here on Durfee, they've got those four homes that were built there in a hayfield, and then somebody's put a dirt driveway on both sides of it to get to a home behind it. They're all mad because we let them put in a real subdivision on the other side that's going to all be done professionally. But they were upset that we let them do that. Well I'm like, well you guys didn't follow anything there, and you've got dirt roads going here and there and it doesn't look good to me. Do you know what I mean?

Kevin Hall – Yeah.

John Limburg – And at least with this, we can control where they're putting the apartments, where the high density is. It's way away from these bigger homes here, with this 55 and older. I don't know, maybe if you're 55 and older, you don't want a 20-foot backyard. I have no idea.

Rick Barchers – No that's... I couldn't agree with that that's positive.

John Limburg – So in this situation we're going, this is where-

Rick Barchers – Homes where they've got a family-

John Limburg – Yeah, but in this situation, we can go, "Hey, let's make it more affordable for these guys. They can put more homes in whatever, however they want it." If we want to give them a setback on here, I wouldn't have a problem with that. We're still going to keep our minimum setback and code. They have something we give on here.

Rick Barchers – The town home part though-

Jaime Topham – What about them?

Rick Barchers – I wouldn't want to change the setback on that.

John Limburg – I agree with that. You going to have kids, you're going to need... They do have a park right now.

Jaime Topham – Well two parks.

John Limburg – So it's not that bad but-

Rick Barchers – I understand that. But I've lived in places like that with kids. It's not good.

John Limburg – Here's the other thing, when you're saying you're old Grantsville, I get it. I totally get it. I like Grantsville, that's why I live here.

Kevin Hall – And I live on 12 acres, and when I get up in the morning, all I can hear is the birds sing.

John Limburg – But here's the thing, if you wanted to go buy that 12 acres again right now, it's going to cost five times as much as when you bought it. I think about my home right now. I bought a pretty nice home. I could not afford to buy my home right now.

Kevin Hall – Yeah.

John Limburg – I couldn't not turn around and go buy my home, get a mortgage on my home. It's just changed that much. So, if I was going to sell my home and try and get an affordable mortgage, I'd have to get a quarter acre lots or more. Everybody's saying, "Hey, we got to have these big two acre lots." Well, nobody's going to go afford them.

Kevin Hall – Well no I'm not John-

John Limburg – No, I'm not saying you're saying that. I'm just saying that we got to look at that though and just go-

Kevin Hall – Well-

John Limburg – And I'm not arguing with you either. But I'm just saying the old view of what Grantsville, what people were thinking 20 years ago, most people aren't going to be able to afford one acre lots anymore.

Kevin Hall – Okay again, John, just so I'm clear, I'm not saying that everybody has to live on a one acre.

John Limburg – I'm just going back though. People are calling to me, complaining about this thing here I had. They're like, "Well that was supposed to," the 65 lot right next to where those three homes were built on Durfee, "That was supposed to be two acre lots." And I'm like, nobody's doing two acre lots here.

Kevin Hall – I don't know, anyway.

Jaime Topham – Derek, you've been super quiet.

Derek Dalton – I think the city, I think we get taken advantage of when it comes to PUDs. It says right here on the 12.01.a, the first thing it says is, "Creation of a more desirable environment." I think when developers come in and ask for the PUD, we're not getting that.

Jaime Topham – Yeah.

Derek Dalton – We're getting, because they want higher density or something, when we should be holding PUDs to a higher requirement than I think their regular city code. Because we get to actually decipher what they can and can't do. I think that we're getting it taken advantage of by a lot of the developers when they apply for them. Everyone's doing it. Everyone's using PUDs now.

John Limburg – Kevin, I wasn't saying you were thinking that. I'm just like, I just hear that a lot here. You know, so.

Jaime Topham – Rick, you two minutes.

Rick Barchers – I got 30 seconds.

Jaime Topham – I like it.

Rick Barchers – That's all I need. Standard formula for the cost of a home is somewhere between, 20 and 30% of it is in the actual lot, in the actual land that calculates in the street, sidewalk, all that stuff, right? So, if you're building a house and you're selling it and 25% of it is the yard, basically, the most obvious choice to reduce the cost of the product is to make the smaller home. The building of the actual structure. That's where most of the cost is. It's not in the land. The land is a cost. I'm just saying, it is.

John Limburg – I was saying, if I'm going to retire, I'd want a bigger home, smaller property.

Rick Barchers – I've got no problem with that.

Jaime Topham – Hey guys, we're going to have to wrap up this conversation.

John Limburg – Can we just, what's our next steps on this? I think what I'm asking. If the city could get us something that has the setback requirements that we just have a little cheat sheet that we have in front of us.

Jaime Topham – Cavett.

John Limburg – You know what I mean, that's just available to us here? And then what each code, what's allowed in each zone.

Jaime Topham – Answer your question about what our next steps should be for our PUD discussion. I think we need to talk about what the actual process is as far as timing of things coming in, and how we're going to determine if we have enough information to address the variances they're bringing in front of us.

John Limburg – I would love to have a meeting where we all decide what we're going to give on and what we're not.

Rick Barchers – I agree to that.

Jaime Topham – Yeah, well

John Limburg – And just come in with an agenda. Have four or five things we're going to decide and we'll vote on them, and just go we will accept these we won't accept those.

Gary Pinkham – With regards to what you guys wanted, simply go look at the code. Look at the code that gives us the specifics for that code, dimensions and so on.

And among a bunch of you say, "Well under these conditions we could go to here." And then go to the next code. You take the RR-1, take each code. We would be willing to go to here, under these conditions and that might be a step by step way of going out and give you something to... That gives you a dart board to throw darts at.

John Limburg – Yeah, that would help me. I think it would help everybody here.

Jaime Topham – Okay. Did you hear that, Cavett?

Jaime Topham made a motion to adjourn the meeting. John Limburg seconded it. All voted in favor. Motion carried unanimously

Meeting adjourned at 7:00pm

Action Summary

Desert Edge	Discussion
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MINUTES OF THE GRANTSVILLE CITY PLANNING COMMISSION WORK HELD 08/17/23. THE MEETING WAS HELD IN THE GRANTSVILLE CITY HALL AT 429 EAST MAIN STREET AND ON ZOOM.

ROLL CALL

Commission Members Present: Commission Chair: Jaime Topham, Vice-Chair: John Limburg, Rick Barchers.

Excused: Kevin Hall and Derek Dalton

Appointed Officers and Employees Present: City Attorney Brett Coombs, City Engineer Dan England, City Planning and Zoning Administrator Cavett Eaton, Planning and Zoning Administrative Assistant Lanise Thompson. DRC specialist Gary Pinkham, Aqua Consultant Shay Stark

Citizens and Guests Present: Kaycee Foster, Fred C Cox, Jason Boal, Michael House, Brandon Babcock, Barry Bunderson, Spencer Connelly, Tracye Herrington, Matt Christensen, Ben Duzett

Commission Chair: Jaime Topham called meeting to order at 6:01 PM

AGENDA:

1. Discussion of PUD for Desert Edge

Jason Boal – I'll start. My name is Jason Boal. I'm an urban planner with Snell & Wilmer. We're extremely grateful for your time this evening, your willingness to meet with us. We do have quite a contingency here. The ownership team, design team are all here, so we can dive into a deep conversation, and work through some of the follow-up on the conversation that was had a couple of weeks ago, to get some resolution to some of these items we're really looking forward to. Maybe we'll just go around, and I can have the rest of the team introduce themselves.

Spencer Connelly – I'm Spencer Connelly, I'm with LGI Homes.

Tracye Herrington – I'm Tracye Herrington, I'm with LGI Homes, I work with Spencer, and I'm a Regional Vice President of Land and Development for this particular state.

Michael House – I'm Michael House with LGI Homes, I run land development here.

Matt Christensen – I'm Matt Christensen with Focus Engineering.

Ben Duzett – I'm Ben Duzett with Focus Engineering.

Craig Jensen – Craig Jensen with Snell & Wilmer, also representing LGI Homes. I'd like to start.

Jaime Topham – Okay.

Craig Jensen – Yeah. And thank you again commissioners. It's great to be back. I hope our presence here, and everybody coming and joining in to this meeting shows our interest, and how important this project is to our team, and to LGI, and the investment that we're putting into it. I just want to take a couple of minutes if I could, at the beginning of the meeting to kind of talk about why we're here, and what brings us to this point, and in the historical context, and our involvement with this project. I think it would be a beneficial to take a couple minutes for that.

And it kind of goes back a few years to an MOU, or memorandum of understanding that was submitted and approved, and signed by the city, and a prior owner, a developer on this project, related to, again, the mixed-use planning, and some density numbers, which if I remember correctly was north of 1200 units, that was signed, and entered into by the parties there. That did contemplate at a later time a development agreement that would be negotiated, and considered between the city and the developer.

That took place, and that process took place in 2021. In the end of 2021, the prior owner, our predecessor, and interest, CW Land, signed that development agreement, and the city signed it, approved it, signed it, and it was signed, recorded, and contemplated the MOU, but gave us a framework, or I guess I've been thinking about it, it gave us a destination for this project. It's kind of like getting here, and I punched in Grantsville City Office in my Google Maps, and it gave me about three or four different routes to get there. But the destination was Grantsville City offices, and here I am.

So that destination, or that framework given the DA, just to cover a few different points from our perspective, I think some important points, it confirms the zoning is mixed-use for approximately about 119 acres of residential, 29 acres of commercial. It vests, or entitles residential units at a maximum of 750 units.

I think an important point here is that vesting or entitlement of units is a property right. It is on a similar plane with a piece of land with a home. It may not be tangible, but it is an important property right that is considered a property right, and protected by the constitution. That's an important point I think to raise. The final point I wanted to raise is it vests a city code that was in place at the time of entering into, and the signing of the development agreement.

Those are a few points. I think as everybody knows, LGI Homes Utah acquired the residential portion of this project, and shortly after the approval of development agreement in December, 2021. That gives the destination of the framework. That leads again, to the question of why we're here. I think why we're here is to obtain that path of implementation, or the path, the route to that destination.

That's been subject to some uncertainty, I think. Even the development agreements itself left open some points, or items, in terms of that implementation. For example, the land use map that was attached to the development agreement was expressly not final. It was contemplated that the

developer would come back with a preliminary plan, or preliminary plat to address some of the configurations, and the layout of the project. The phasing, which we've touched on, and we'll touch on again, was left open. Location of open space, configurations, items were left open for, again, the developer to come back and work with the city towards that path. So, that's why we're here, was we're looking for the ideal path, and taking that ideal path that we think is most effective to get the city, to get the developer to that final destination.

Going back a few months, I think even around the turn of the year, we've put a lot of effort into this. The design team has put a lot of effort into this, including designing to the vested code under the development agreement, and having discussions with the planning commission at that point. Then it being determined that that may not be the ideal, most desirable way, so we kind of went back in discussions with the city, with staff, with those involved, determined that the PUD application would likely be the best, and most effective way to implement the framework of the development agreement.

A few different points on that is why that's beneficial, and I think why that was recommended to us, and ultimately why we decided to take that path is one, it allows for the use of the current code, which had changed in some aspects after the signing of the development agreement. It allows for that to the extent possible, again, with that end destination in mind, it allows us to work through with you all, some of those exceptions that come up in implementing the development agreement. It allows for that back and forth. I think getting to that final point where we want a great project, we want a great plan, a well-planned project, we want a project that's an asset to the community, an asset to the city, and all in mind, working with, and participating, or using the development agreement that's in place. And with that PUD application, as we all know, I think it's about 10 points have come up that are exceptions that we're looking to modify through certain aspects of the code that would allow for us to realize the rights within the development agreement, and allow each side to get to a great project, one that honors the agreement, recognizes the legal rights, but also provides a real benefit, and asset to the community.

I think we always consider alternatives, and we certainly have considered alternatives. I think we've shown that in working through this PUD application. I think it's important to state that an alternative in our minds is not no development. It's really the only acceptable angle is a great, well-planned project, that implements that destination that's set out in the development agreement. So, those are my two bits. I think with that, it makes sense for Jason to help to walk through those 10 points that I mentioned that have been considered and I think raised in the staff reports on the PUD application. I'll hand that over to Jason.

Jason Boal – With that background, I think I did have a couple slides we can kind of skim through. I mean, talking about where this project is, I think as Craig had mentioned, there's been numerous conversations. I think we're aware of the location of the project, the development agreement was entered into. That's kind of, as Craig mentioned several times, that framework. It's a little bit different than some of the other projects. You have actually a PUD on the agenda later this evening, and it's coming forward with a development agreement. You're establishing that framework with the PUD, as opposed to this project, which is unique in that we have this framework already in place. We're just working through the PUD process.

We did go through and kind of create a timeline of different meetings, and opportunities we've had to work with staff, to work with city council, and to work with the planning commission on this project. This isn't... Again, hopefully you're familiar with it, and you have that background. We are ever grateful for staff, and their willingness to meet with us, and talk through the issues, as they've made themselves available, as you can see here.

Before we get to those 10 points, we do want to touch real quickly on some of the benefits. Oftentimes, as developers come before cities and counties, it's perceived that they're asking for something, and there's little or no return for the community. We've spent quite a bit of time, a lot of time actually, talking about the benefits, and how can we make this a beneficial project, and a partnership with Grantsville, that Grantsville is excited about it, that Grantsville is receiving this project, accepting this project, and the benefits that come with it. Some of the things that we feel are great benefit, starting with the tax revenue.

Based on the 2023 property tax estimate, the valuations from this property, and the benefit to the city goes from \$17,000 to \$2.4 million. Understanding that there's improvements and services provided, that number is a remarkable number. It's a substantial number that comes with this project.

There's also park space that's being improved, and granted to the city. There's a trail system. There's utilities that will serve this project, as well as other projects in the area with waterline and sewer. Then the impact fees, and the willingness to enter into agreements with the city to identify specific needs that the city may have, and offset those costs through impact fees. Then the PID negotiations, and conversations that have been happening around potential of the PID. We hope that there's this understanding that this project can be beneficial, and we're seeking to create a project that's beneficial to the city, as well.

As Craig mentioned, we're here to talk about the PUD, and in Grantsville city code, the planning commission does have, well, shall have the authority in approving any plan developments to change, alter, modify, or waive any provisions of the code as they apply to the proposed plan development. That's ultimately why we're here. We're here for a PUD, so that the planning commission can work through the alteration modification of provisions in the code.

There's 10 items that we've submitted in our PUD as a request for a modification, or a waiver of, and we'd like to go through, and ultimately that's the purpose of this work meeting. That's why we're here, is to be able to go through each of these items individually, and to discuss each of them, and find a resolution to each of them. As I mentioned at the outset, that we do have the ownership team, and the design team here so that we can talk through solutions, and that our proposed solutions, which we feel are adequate, can be considered and that we can work to an agreement on these 10 points.

This as a work session, we are here to solicit feedback. We want to understand your perspective, and we want to understand what you're comfortable with, and where we need to be to get your support to move forward with the PUD. Ultimately that's what we're shooting for, is we want your approval. We want to move forward with this PUD.

The first item is for an alteration of the minimum lot size. And this applies just for the town homes, where the code currently requires 4,000 square feet for single-family homes. We are requesting a modification for the townhome lots to 1,000 square feet. We've included a couple diagrams to demonstrate what this looks like. And it's important to note that although the lot area is smaller in the town homes, there is public space around the lots. So, you can see on the lower right, how there is green space, and public space in front of the lots, and along the lots as well, that's not included in this. This is just the private property that the townhome lots would sit on. Does that request, does that make sense? Do you understand what it is we're seeking with that request? Okay. Do you have any feedback, any thoughts on that request?

John Limburg – So, this is kind of like the picture there below, you're not familiar with Daybreak here, but is it just a small drive between the two, that they can pull into the back of the home? Are these the front of the homes?

Jason Boal – Nope. So, you're absolutely right. They're rear loaded. The garages are in the back, so they would front on the public street. And so, the green space would be in the front of the homes.

Rick Barchers – To that point, if you get out the Webster's Dictionary, and look up front yards, it's going to be the space between the house and the street. A lot of these townhomes do not have a street in what is supposed to be the front yard. So, to call those rear loaded is just a super gigantic stretch for me. I'm sure these two have other things that they want to say too. If our minimum lot size is 4,000 square feet, and you said, "We want a variation of 500 square feet," you're talking about shaving off percentages. This is like whacking three quarters of that lot size. So, that's a hard sell for me.

I realize that in a lot of these things, the only way that you're going to get some of these items you request is for variations in other parts of the code that would be setbacks between the buildings, et cetera. That's the only way you're going to get that 1,000 square foot lot size. So, going to 1,000 square foot lot size affects a lot of other things, and I'm sure you're well aware of that.

What I'm not seeing in the request is how you're planning to mitigate all of those other things that come up. Okay? I don't have a problem with the density, personally. I really don't. If you want to build 750 units do it, that's fine. We have our code for a reason. We're happy to discuss things such as this going from 4,000 to 1,000, but there needs to be a reasoning behind it, and how you plan on mitigating such things as parking, et cetera. Anyway, go ahead, Jaime?

Jaime Topham – I thought that was well said. I guess my question would be, so your 1,000 square foot lot, does that include their parking spaces?

Jason Boal – No.

Jaime Topham – No. So, who owns the... What is white on our little map here? So, their parking space, who owns that?

Tracye Herrington – So that's a driveway right up to an attached garage. When we say rear loaded, we're really referring to the car, the garage, as opposed to it being a front load garage like you would normally see. It's a rear loaded garage. So, there is a front yard, that is not part of the lot that we're showing here depicted, but it is aesthetically in what you would perceive it when you walk up to the home, it has its own front yard. So, what you're seeing is the driveway apron up to the garage.

Jaime Topham – And so who owns and maintains that?

Tracye Herrington – The HOA would own and maintain it as part of the common area that is not owned by the individual town home unit owner.

Jaime Topham – And how deep is that? How long is the driveway apron?

Spencer Connelly – 22 feet.

Rick Barchers – Do you have a picture of that entire townhome area, if you could show us?

Jason Boal – Yeah, and I think that's... As I'm scrolling back up to it, I think that's one of the things that is important to note, if I can just real quick, as I pulled this up.

Rick Barchers – Hold on, hold on to your point. Where's the front yard? Where's the front yard?

Tracye Herrington:
That's it. You're pointing at it.

Rick Barchers – The front? This is the front?

Tracye Herrington – That's the frontyard.

Rick Barchers – So that's the main... When you walk up to that house, if I was visiting the person that lived right here, where am I going to park my car? I'm going to walk up to... This is going to be the front door?

Tracye Herrington – Yes, there's going to be a landscaped walkway just like you might have up to your front. Some houses have sidewalks that park the two yard sides, and walks up to the front door. It'd be a similar concept, where there would be a trail, sidewalk of some sort. We haven't gotten that far in our design, but that would then lead the pedestrian from a visitor parking spot along one of the roads, walk up to the front of the house.

Rick Barchers – You just said, "Walk up to the side of the house."

Tracye Herrington – No, well they would come in, I mean the houses are going to face each other. So, essentially as if houses that have a street that's split, they're going to face each other, and instead of having a street that splits the houses, you're going to have a green space, and a walkway. Someone's going to park at the end of the street there, and they're going to walk

probably 50 feet to the front door. Maybe twice as far as it would be if you had somebody parked in front of your house, walk to your front door of a detached house.

Jason Boal – As was mentioned before, similar to Daybreak, and Daybreak has... This is a model that's worked within that development, is to have houses fronting on the green space, and having a common area for the front yard. It's a common housing model that's not only popular here in Utah, but nationwide.

Going to one of the other questions as far as, well I guess one with density, and two with mitigation. So, first with the density, the idea and the intent is to provide a variety of units. As opposed to just doing town homes to get to the density. The intent is to create a diverse product that has kind of been expressed as the intent and the interest of the city, and the market as well.

That's where we feel that this diversity, which would necessitate the deviation for the standards for just the townhomes. As far as the mitigation, the setbacks, that's one of the things that, it's on our list, but we have, and we can clearly demonstrate the setbacks will function perfectly well. We have a parking plan to meet the parking code, exceed the parking code so, we're adequately parked. We feel very comfortable that the impacts, the perceived impacts could be mitigated with the proposal that is in front of you.

Jaime Topham – Where is your proposed parking plan?

Jason Boal – I don't have it included. Can you come up and show exactly where the visitor and onsite? One of the things to keep in mind, the townhomes, they do have the two-car garage, but then also the 22-foot driveway. Then we have included the visitor parking areas.

Matt Christensen – So, as you can see, along the private driveways, private alleys, where there is a townhome here, there's white open space here, and those are parking stalls for people to... Visitor parking stalls for people to use, that wouldn't park in the driveway of the home. We have them spaced throughout the subdivision, throughout the townhomes, where people would likely park. There's one here, there's there, there, there, there. We went through, and made sure that there was enough parking in the open space to exceed the requirements in the city code.

Jaime Topham – How many parking spaces did you come up with?

Spencer Connelly – I think when we were in our meetings with Dan, we needed a minimum of 168. I believe we exceeded that by about 20. We worked with that with Dan.

Dan England – And that does include parking along the wider roads, the front end. They had street parking along those areas too.

Matt Christensen – Where the roads are wide enough to allow street parking, we're counting that as available parking for members of the community. Just as you would have someone pull up in front of your house, and park on the street, same thing. You would just have to walk to anybody that parks on the front of this street, and walks up the sidewalk to these townhomes, just as they would a detached home.

Ben Duzett – Because those are front loaded or rear loaded, rather, like someone parking right here, the front door is right there. And so architecturally, it does look like... They're architecturally done such that they look like the front of the house. Like anyone's front of the house would look. Parking along there would be the logical place to park. There's not a front door feel on any of those back driveways. And so, for all these townhomes here, it would be the easy spot to park, right there, so they have quick, easy access. All of these have a parking stall that makes logical sense for them to park.

Matt Christensen – And it provides an aesthetic feel with the townhomes, to have no driveways in front of the home. When people pull up, they only see front yards. They don't see cars parked in front. It's owned and maintained by the HOA. And so, there isn't stuff in people's yards. There isn't a crazy amount of stuff.

Spencer Connelly – This right here, this view is beautiful, because you don't have... It's all architecturally pleasing.

John Limburg – Is the thousand full that you guys are looking for, is that essentially the footprint of the unit

Tracye Herrington – Yes, the house.

Jason Boal – That's all the bigger we go, yep.

Tracye Herrington – Does not include the driveways.

John Limburg – Okay. Yeah, I own a condo at a ski resort, and I own the land right below my building. That's it. All the rest of it's community property.

Tracye Herrington – That's right.

John Limburg – I understand it. And when you say it's like Daybreak, it is like Daybreak in a way. The Daybreak does have separate homes. It's not townhomes, but the layout's the same. So, I get it.

Matt Christensen – Yeah, they have rear loaded single family homes.

Jaime Topham – Shay

Shay Stark – I'm going to point this out and I understand that we just approved the revised MU ordinance, and with that, we made some revisions for the townhouses in 4.34. Basically, what we stated in there was a minimum lot size of 2,400 square feet, but that was also including the front setback, and the rear setbacks, and a minimum width of 30 feet wide. Our footprint, minimum footprint size, which that was, I was glad you asked that question, because that's what I wanted to clarify too, is 1,000 square feet. I realize that that doesn't apply here, because that's been

passed after the application. But, I just want to point out that in effect we've been contemplating something similar, it's not that far off from what they are proposing.

John Limburg – I think what would help is if you said, "If they were all separate lots and there wasn't any community land, if it wasn't shared land, what size would the lot be?" I think that... I don't know if that would help, that would you Rick? But it would help me.

Rick Barchers – As long as that isn't being included in the open space.

Tracye Herrington – Well, so it's instead of a trade-off. If we were to allow each individual home to have their own front yard, which we probably could come up with a 2,400 square foot lot in that case, then what it could do, and this is what we are challenged with every day, is it could affect the aesthetic of the whole front of the building. So, you've got a single permit for that building, and you've got a neighbor next to you, maybe doesn't mow their yard on the same schedule, and it could affect the front, how pleasing it is to look at that building. So, it is a mindful trade off, that we've thought about in order to just be able to maintain the aesthetic of the neighborhood, and the building. Any particular building.

Jaime Topham – So are those front yards considered part of your open space plan?

Tracye Herrington – I don't think so. Are they, the front yards, the common spaces?

Spencer Connelly – Yes. I mean, it's all common open space. Yes. There's no delineation saying what would not be, but if it were to all be in lot, it would change then, what the open space requirement would then be.

Jaime Topham – So, Shay, they're asking for modification of our setbacks. How do you see those setbacks? Does that look like it works with what our utilities do?

Shay Stark – Can we pull the numbers up?

Jason Boal – Yeah, I mean we have each of our requests through here.

Shay Stark – No, this is fine.

Jason Boal – Yeah, the second request is to modify the setbacks on the corner lots. There's a couple dealing with setbacks, but we can start here.

Shay Stark – Okay. So, I think that the first thing I want to point out is we had a 25-foot setback for the front of a house, or contemplating that there's a driveway in front of the house, so we can get two cars, or two vehicles parked in front of the driveway. As they have been working with staff and with the city, the one thing that the city doesn't really have tied down in the standards right now is this concept of an alleyway.

I'm going to call it an alleyway for lack of a better term. We have a definition for an alleyway, but there's nowhere in the code beyond that definition, and that definition's just very generic.

There's nowhere in the code that really tells us what that looks like or what it is, but just if we call it that.

Recognizing that if we're going to have the garages in the back, and the fronts are going to be fronting a street, or fronting each other with the sidewalk down the middle, so there's no cars parked in front of there, that setback, as we've looked at it, they were requesting 22 feet. The staff, I think felt comfortable with that, with the fact that there wasn't going to be... You're not going to have pedestrians up and down that. You're going to have essentially the drive path with waterways on the edge to carry the stormwater away, and those driveways. So, there's a couple feet difference there. I believe their front yards, they're wanting a little bit smaller setback in the front.

If we look at it with what we've been contemplating, that was just approved, this 2,400 square feet for the property. One of the things that we talked about in that, was that could be owned and maintained by the HOA, those setback areas. To your point, it doesn't count as open space in the way we calculate our open space. So, that would have to be left out of the open space calculation. But anyway, so they're looking for a little bit smaller front setback.

Can we go back to that? I've got three or four of these subdivisions in my head right now, and I just want to make sure we're talking about the right numbers. What was your front setback that you were requesting?

Jason Boal – So yeah, in this shows on the townhome lots, it's a 12-foot front setback, and then 22-foot minimum setback.

Shay Stark – So your front setback would go from 25 feet to 12 feet, your rear setback, which would now be 22 feet, which I believe in our...so it'd be 22 feet, because of the driveways being there, versus the 20. So, yeah, you're losing 50% of the front setback.

Rick Barchers – Well, part of this whole complication in this discussion is, essentially a lot of the codes are addressing what I would consider to be the front yard, and those two are being switched. So, if we're calling them the backyard, and front yard, then we need 25 feet. And then if the street, which I'm calling the street, because those don't affront to any street, that they're going to be backing out into, is narrowed down to 27 instead of 30, you're losing six feet. I'm just trying to put this whole thing together here.

Then you want only five feet in between the driveways? Where are the trash cans going to go? How are people getting out? And I mean, it just sounds like a disaster to me. I've been in Daybreak, not at three in the afternoon, but 7:00 and 8:00 in the morning. I've been there in the evening, when people are coming in home, and it's a disaster. It is just a disaster. So, if I wanted that, that's where I would live. I could sell my house and move there. Do I have a problem with this? No, it just doesn't meet our standard of the code. So, all I've asked is that you mitigate all of those things that switching all these things, and variant.... Where are these guys going to put their trash cans? Because if that's not a street, they're all going to be dragging them out to that street in the middle, that's supposed to be the street in front of their house.

Jaime Topham – Let's let them answer that question.

Tracye Herrington – Are you talking about for pickup? Like pickup day?

Jaime Topham – Yeah.

Tracye Herrington – In other communities like this, what we do is we contract with a private trash provider, and we sort all that out. In a case like this, because there's a 22 foot, what's essentially a driveway that comes back up to their garage that's in the back of the house, most likely the bins would go somewhere around that drive lane, and the trash truck would come up and pick it up from their driveway, which would effectively be like if it was from the front of the house, the regular street, if you were on a detached house.

Sometimes, if there's not space to do that, if there's no driveway, or if it's like a five-foot apron off of the garage, sometimes they have to drag it around to the side of the building, and then the trash truck comes along there and picks it up.

Jaime Topham – How wide are your driveways?

Tracye Herrington – Pardon?

Jaime Topham – How wide are your driveways for these townhomes?

Spencer Connelly – They're 20 feet wide.

Jaime Topham – And no division between the two of them?

Tracye Herrington – So it'd be 10 feet between the driveways. Between each driveway. The driveway is 20, the building's 25, the next building's 25. So that makes the 10 foot between each driveway.

Gary Pinkham – That's only five feet between the driveways.

Tracye Herrington – Oh, two and a half. Sorry. Yeah, that's why I'm not designing it.

Jaime Topham – That's doesn't sound like a lot of room.

Tracye Herrington – I'm not here for my math skills. Okay.

Jaime Topham – So back to Shay, and the questions I was asking, do these setbacks give enough room to get in everything that needs to be in?

Shay Stark – As I look at it, one of the things that we're always concerned about is our water and sewer connections, especially making sure that we don't have meters inside the driveways. The one way to address that, we always try to put our wet utilities, our water and sewer,

underneath pavement, not just running those out through the grass, because we try to protect them. That helps protect those lines.

If you've got this five-foot area in between driveways, that's where your water meters are going to go. Your other utilities, where this gets to be a little bit of a challenge is when you start putting in power transformers, and communication pads, and all that type of stuff, more than likely those utilities are going to be run in the front yard. If it's between buildings, run down through there, or on the ones that are fronting a front street, you can handle those utility issues. In fact, on the ones that are on the public streets, that are running down the front street, the water and sewer can actually come out on that site, there's nothing there to cause any problems. There's plenty of space for the utilities.

From that perspective, these are probably fine. That's something that, just as we work through that, we just have to make sure. I know that's been brought up in comments, that they'll need corridors. The other part of this is how many units you've got connected together in that space in between units, which I believe you're asking for, again, if you need to go back to that, was it 12 feet, or 15 feet in between units?

Gary Pinkham – I don't know if you could read it.

Jaime Topham – So it's 15 feet on this.

Shay Stark – Okay, so 15. So, typically what we're asking for between those units is 15 feet per unit. So, it would typically be 30 feet between there. I guess part of that becomes a question of, if we have emergency services that have to access this, we have a fire in the home, they've got to get around the backside, or how are they going to address that?

And obviously, if we're only dealing with four or five, six units, the length of these, when you start to look at that, if you've got 25 feet long, if you've got five units that's 125 feet, that's typical to a single-family lot. So, it's not a stretch for emergency services to get around, if they need to get around the backside, for some reason. The other thing with having a rear loaded, you do have a front yard area in there, whether it has a sidewalk, or it's fronting a public street, you do have access literally from both sides.

Rick Barchers – On that point, what if the visitors are parked there, where the fire trucks go? That brings up another issue that's relative.

Dan England – But your firetrucks will park right in the middle of the road.

Jason Boal – Yeah, I mean we have identified visitor parking. It's the same as-

Rick Barchers – How wide is that road?

Spencer Connelly – Which road?

Rick Barchers – The actual street.

Jaime Topham – It goes through that.

Rick Barchers – The actual street. Just to the east of the one we had up there earlier.

Shay Stark – The public streets are standard. There's 66 feet. So those, that frontages.

Rick Barchers – All right.

Dan England – The other ones are 22 feet, which is enough for the cars to go.

Rick Barchers – There's a lot of detail like that that I just am trying to understand.

Dan England – Up here. If you include the curb and gutter on the sides. Yes. It's 26.

Rick Barchers – Okay. Okay. I want to go back to just real quickly, number one, 1,000 square feet. As they're defining it, how close would that be to what we've defined it as? I mean taking out-

Group - inaudible].

Jaime Topham – Hold on. One voice.

Shay Stark – Again, and I realize the new code doesn't specifically apply it, in the old code it was 4,000 square feet, right?

Rick Barchers – Sure.

Shay Stark – But under the new code, our footprint requirement, minimum footprint requirement's 1,000 square feet. What they're asking for is the same there. The lot size around that. Ours is 2,400 square feet, and it was a simple calculation. It's 20 feet plus 25 feet. It's the front and rear setback, times 30 feet, because we were requiring a minimum width of 30 feet, if they're looking at a minimum width of 25 feet with this. But again, when I say that, I'm talking about a code that doesn't specifically apply here, but just to give you an idea of what you contemplated.

Rick Barchers – Yeah, well one of the things that I'm looking at here is our normal rear setback is 20 feet.

Shay Stark – Yes.

Rick Barchers – And what they're calling the rear is what22? So it's actually just a little bit bigger. So, there's some somewhat of a trade there. So, anyway.

Shay Stark – So between their front and rear, they've got 34, and we've got 45.

Rick Barchers – Got it.

Shay Stark – So, if I take that, for instance, there are 34, times that by that width, if we were looking at how we apply this lot size, they would be 850 feet in it. So, their total lot size would be 1,850 feet, including the footprint. Ours is 2,400 feet. So, it just kind give you a difference.

Rick Barchers – What I'm getting at here is looking at the way it's presented, it's 4,000 square feet to a thousand square feet. So, it's a difference, but it's not that drastic, is what I'm getting at.

Jason Boal – Yep, and that's exactly why we have these work meetings, so we can talk through these issues and make sure we're on the same page.

Rick Barchers – Well, one of the things that I do want you to understand here is that you do have a density that's been guaranteed. If this had come in front of us now, there's no way this would pass. It just wouldn't. So, we're really trying to work with you here on this stuff.

Jason Boal – Yeah. And again, as we-

Rick Barchers – We just don't want it to be like 1,000 feet out bounds.

Jason Boal – Nope.

Rick Barchers – Does that make sense?

Jason Boal – Yep.

Rick Barchers – Thank you.

Jaime Topham – We're running out of time. I think we need to move forward onto maybe the public and private streets committed to extend 1,000 feet beyond an intersection. So, what is the reason for that?

Jason Boal – So, this demonstrates those areas that we're talking about, that do extend beyond that 1,000, or that we're requesting extend beyond that 1,000 feet, beyond the 750, to 1,000. As you can see, most of them, the long stretches, they do include cul-de-sacs, they do include turns, and then the private drive along the back also includes some of the public parking spaces along the way. That's ultimately the request. This meets the international fire code standards, as far as length. That's why we're comfortable proposing it, that emergency services will be able to access, there won't be an issue. The majority of those, with the exception of the townhomes, are all city right of way public roads, and meeting the standards.

Jaime Topham – So Shay, is there an issue with... They're asking, it's 750 feet in our code, they're asking for 1,000 feet.

Shay Stark – Well, so I'm going to go back to Wells Crossing. We had a similar situation there, and the way that was interpreted was that, as they were constructing those streets, the overall

length of the street was longer than the 1,000 feet. But at the same time, they've got intersections at both ends. So, you can get people out one way or another. In Wells crossing, they constructed half of the street at a time, and then just wrapped around to tie into another street, with a temporary road, so that we maintain that 750 feet. These looked to me, and it... Sorry, Dan's walked out, because I mean this is really more his call than mine.

Jaime Topham – Well, yes, I could-

Shay Stark – But just looking at it, every one of these has connections on both ends. It's not a dead-end street, it's not a cul-de-sac. If we were dealing with the cul-de-sac, it'd definitely be saying, yeah, 750 feet is...

Jason Boal – If that's how it's interpreted, and that's the understanding that deals with construction. We are happy to meet that standard when it comes to construction.

Jaime Topham – These are the two I actually wanted to ask a question of, but they weren't sitting here. So, Dan, and they are asking for the public and private streets permitted to extend a thousand feet beyond an intersection. And I think our code is 750 feet. Is the 1,000 feet acceptable? Give us some guidance here.

Rick Barchers – That's for both of you.

Jaime Topham – Yeah. Fire marshal.

Dan England – Okay, so you're showing the lengths of the ones that are less than a thousand feet?

Jason Boal – That are longer than the 750 feet standard.

Dan England – Oh, I see what you're saying. So, yeah, we have a code that says that every 750 feet you need to have another street, and these are some locations where it extends out past that.

Matt Christensen – So, I do have a question, and Dan you can help me. So, this street is one street, we have an intersection here, and it turns the corner, and turns to a new street name. Is this a new street, and we just have to be from here to here on our block line?

Dan England – No, I think the way they've got it-

Matt Christensen – Doesn't go all the way to this intersection.

Gary Pinkham – You've got an intersection, it's your lower right hand. Those are the two ends of your street.

Matt Christensen – Right. So, this is an end of the street, and this-

Dan England – I don't know for sure, but I think the concept is if somebody is stuck in the middle of the road, and we need to get someplace, we don't want to go down too far down a road without being able to turn. I think the way you've got it lined out there is the correct way of measuring it. Do you have problems if you end up getting stuck and had to back up a different way around?

Jason Smith – Firetruck gets stuck right here, you can-

Dan England – I You're going to push the car out of the way with your truck.

Jason Boal – I'm sure the city would love that.

Dan England – The mayor says he'd do it all the time.

Rick Barchers – In particular, my biggest problem is that super skinny street they're wanting down here on the townhomes. It can be private, it can be whatever. I don't care. We've got to get a firetruck down that.

Jason Smith – I understand.

Rick Barchers – Is that going to work?

Jason Smith – When we've had this problem before, where they don't allow parking. But there's nobody to enforce the no parking, because our police don't have the time to enforce the no parking rule.

Dan England – Well, that'd have to be enforced by the HOA.

Jason Smith – Yeah, and that's my only concern is you could put up all the no parking signs you want. People are going to park there. But we've had this problem in other places, and we've dealt with it. It's nothing we haven't seen before. And as far as the other layout goes, I mean, I don't have any heartache about being able to get around that neighborhood in a firetruck. The narrow streets are always going to be a problem. They're always going to be iffy on whether or not somebody's parked on them or not.

Jaime Topham – So, do we want to require them to have to stick with the 750 feet on the more narrow streets?

Dan England – Personally, I'm okay with most of them. The one that I probably have the biggest heartburn with would be the big long one, that's 980 feet. That's a really long loop through there, with no place else to go. I wonder if there's a way of getting an emergency access out onto this right through. The U-shaped one. If there's a way to get emergency access out onto State Route 138. I don't know if UDOT would let you do that.

Matt Christensen – Could we have a temporary access that comes through right here?

Dan England – An emergency access that way?

Matt Christensen – Through the open space right there?

Rick Barchers – It's still going to leak it short on the other side.

Spencer Connelly – What if we put temporary access with a crash fire gate heading back out to the 138?

Jaime Topham – Okay, hold on. When you say temporary access, do you mean-

Dan England – Emergency access.

Jaime Topham – Okay, because I want to be clear that what you're asking for in the PUD are permanent changes, not temporary ones.

Spencer Connelly – Would something like that suffice? Would that work?

Jason Smith – If you can get UDOT to give it to you. Because that's a state road. I mean, I'm fine if we have a crash gate to go through. How wide is that opening that you were just pointing to before? Do you know how wide that is?

Matt Christensen – 20 something feet.

Jason Smith – Okay. 20 something feet, that works. I mean that's more than enough to get a fire engine through too.

Dan England – Yeah, it's just you still have the really long length on the other side. I'm not sure how long it is, and it's a narrow road, plus it's a really long road, and so you're only looking at 22 feet the whole way through there anyway. And then, so it's more likely to be blocked. All it takes is two cars to be parked and you're done. But if we end up putting something about midway down the street.

Matt Christensen – We can do something here, and something here, or something here.

Dan England – Yeah. Halfway down the street. Yeah. if you can do that, or if you want, can do the two corners, that works easier, that would be fine too.

Jason Smith – I would do the crash barrier on both, because we don't want... Because they'll try to use it.

John Limburg – So if you're talking, it's just a gravel road, and if there's snow on the ground.

Spencer Connelly – It would be part of the HOA maintenance.

John Limburg – What if we have a two-foot snowstorm? Would they plow a bunch of snow off? They'd have to give up some lots, but why not just put a lane down the middle of that last section, just split those homes up. I don't know why we're going to go way out of our way to create an emergency access there, where you could have a different intersection, and that lane comes down.

Dan England – So turn it into a figure eight through there?

Matt Christensen – Put one through here?

Tracye Herrington – Yeah.

Rick Barchers – And spin those homes so that they-

John Limburg – They could figure out how they could still make work. If you look at the next section over, they've got lanes coming down, so you don't have that situation. You don't have that road going down the bottom.

Tracye Herrington – We'd be willing to do that.

John Limburg – Yeah. Why create something that we're going to have to maintain forever, and probably the firemen won't even know it's there when they get there.

Tracye Herrington – If we could probably reorient it where the unit loss doesn't...

Jaime Topham – So could you do that with all of the houses that have thousand foot or more stretch?

Tracye Herrington – So the townhomes, that particular section, that's doable.

Spencer Connelly – The other would not... It would be a much more significant loss to the density having to do that.

Matt Christensen – And where these are on the public streets, that are 66 feet wide, he's going to have plenty of room to get around a car.

Jaime Topham – Okay. Sorry, I don't mean to cut you off, but we're pretty much out of time on this work meeting. So, we're going to have to wrap up the work meeting. Obviously, you guys are on the agenda, so we can continue this conversation, there's a couple more that are probably more important.

Jaime Topham made a motion to adjourn the meeting. Rick Barchers seconded it. All voted in favor. Motion carried unanimously

Meeting adjourned at 7:00pm

AGENDA ITEM #9

Report from City Council Liaison, Mayor
Critchlow

AGENDA ITEM #10

Adjourn