



PLANNING COMMISSION AGENDA

Thursday, March 12, 2015

Morgan County Council Room

6:30 PM

PUBLIC NOTICE is hereby given that the Morgan County Planning Commission will meet at the above time and date at the Morgan County Courthouse, Council Chambers; 48 West Young St, Morgan, Utah. The agenda is as follows:

1. Call to order – prayer
2. Pledge of Allegiance
3. Approval of agenda
4. Declaration of conflicts of interest
5. Orientation for new Planning Commissioners
6. Public Comment

Administrative:

7. Discussion and Decision of the Whisper Ridge Subdivision Phase 2 – Preliminary Plat – A proposed subdivision of approximately 51.576 acres into 48 lots in an R1-20 zoning district. The proposed preliminary plat is at the north end of the existing Robinson Lane in Mountain Green.
8. Planning Commission Business/Questions for Staff
9. Approval of minutes from February 26 , 2015
10. Appointment of Planning Commission Chair and Vice Chair.
11. Adjourn

Members Present

Gary Ross
Debbie Sessions
Roland Haslam
Larry Nance
Michael Newton

Staff Present

Bill Cobabe
Mickaela Moser

Public Present

Tina Kelley
Tina Cannon
Keith Ralphs
Carol Ralphs
Benson Whitney
Dave Eddington
Susan Eddington

1. Call to order – prayer. Chair Haslam called the meeting to order and Member Ross offered prayer.
2. Pledge of Allegiance
3. Approval of agenda

Member Sessions moved to approve the agenda. Second by Member Newton. The vote was unanimous. The motion carried.

Chair Haslam welcomed new members of the Planning Commission, Gary Ross and Larry Nance, to the meeting tonight.

4. Declaration of conflicts of interest
Member Gary Ross mentioned he lives in the Whisper Ridge development but has no conflicts of interest.
5. Orientation for new Planning Commissioners
Chair Haslam explained some of the basic procedures of the Planning Commission Meeting and how motions and discussions are conducted.

6. Public Comment

Member Newton moved to go into public comment. Second by Member Nance. The vote was unanimous. The motion carried.

Tina Kelley: resident of Mountain Green. She expressed concern over Parcel D from the property in Oakwood Homes. She feels the land owner is bound by the rules of the development agreement concerning Parcel D and she would like the County Council to be aware of the surrounding circumstances.

Jeff Gooch: Commented on Parcel D of the Whisper Ridge development. He thinks Parcel D will be put back into the development, and he commented that that parcel is very steep and that it needs to be travelable, but his opinion is that it is too steep. He doesn't see that it will be accessible for emergency use. He foresees a possible legal battle.

Matt Kimber: Lives at 6280 Oak Ridge Lane. He is concerned that this is a dead-end road with 100 or more houses on it. He would like to explore options for an additional access. He also mentioned sidewalk trails and involving the HOA, and possibly using an

easement. He also addressed construction vehicles and would like to minimize disturbance with Phase 2 development. On the plat map, he noticed a small spring at the base and wondered about location and elevation where the spring comes out of the ground. He suggested a possible geologic survey for the water.

Member Sessions moved to go out of public comment. Second by Member Newton. The vote was unanimous. The motion carried.

Administrative:

7. Discussion and Decision of the Whisper Ridge Subdivision Phase 2 – Preliminary Plat – A proposed subdivision of approximately 51.576 acres into 48 lots in an R1-20 zoning district. The proposed preliminary plat is at the north end of the existing Robinson Lane in Mountain Green.

Bill reminded the Planning Commission members that there is an additional memo with the staff report and he presented a slide show for Whisper Ridge. Mr. Kimber showed on the map where the spring is located, to the West of Robinson Lane. Bill highlighted Parcel A in Phase 2, which is the parcel in question tonight. He mentioned that both the County Engineer and Mountain Green District Fire Chief will review before final plat approval. Benson Whitney provided a visual for open space within Whisper Ridge Phase 2. Some of the open space is native open space, to be used as a preserve, while open space within the development is to be improved open space. Bill said the easement cuts through Parcel D. Bill discussed the potential situations that could prevent access because of the private road. Member Sessions stated that the only option is for Mr. Whitney to get an agreement from the former owner, as the emergency access must be in place to proceed with development. Member Sessions suggested making this a condition to final agreement. Chair Haslam asked if the original development agreement addressed this situation, to which Bill responded no. Bill mentioned that Parcel D was originally intended to be a trail. It is owned by the Tolman's but is part of the development agreement for Whisper Ridge. Bill addressed water concerns and stated that having the added infrastructure for Phase 2 will be beneficial to everyone in Whisper Ridge (meaning the additional well and booster station).

Chair Haslam has spoken with Roger Smith, operator with Highlands Water Company, stated the infrastructure from Phase 1 is currently in place. Member Nance said that the development agreement states that Phase 1 must be completed before Phase 2 can begin. He reads that the development agreement states that Parcel D must extend to Old Highway Road. Member Sessions commented that it is a sidewalk. Member Ross confirmed that the meandering sidewalk is in place. There was some further discussion on the development agreement and the 6 foot trail. Lot C is not developed yet but will be used as the pump station. Member Sessions asked if there will be a bond for the infrastructure and Bill responded that the infrastructure will be put in place and then there will be a 10% performance bond once that is completed. Bill clarified that Parcel D was intended to be part of the trail system. Chair Haslam asked about the name change from Whisper Ridge Parkway to Robinson Lane. Member Newton commented that Parcel D isn't mentioned in the trail system specifically.

Benson Whitney, applicant: He asked for questions. Member Sessions asked about the location

of the spring. Mr. Whitney showed its location on the map, within open space. He mentioned that the geology report has taken considerable time in getting his application to this point. Chair asked about how the spring will be accommodated with the emergency access. Mr. Whitney pointed out that there is vegetation growing around the spring, making it easy to identify, and he would additionally use Grass Pave which allows grass to grow through which is strong enough to allow for emergency access.

Member Sessions suggested adding an “R” to the lots to indicate a geologic hazard, in addition to the “E” for expansive soils. Member Nance asked about the location of the emergency access.

Mr. Whitney responded that this emergency access is similar to what is used in parks. He envisioned that Parcel D would become a mountain bike trail from top to bottom, and people use the trail, currently, for recreation. Member Nance asked what his understanding of Parcel D is.

Mr. Whitney explained in section 3.1.4.3 of the development agreement, prior to conveyance, all open space should be conveyed to the HOA. “The HOA shall own such native open space and is responsible for its maintenance.” He read from the amended development agreement concerning the open space plan. He further stated that the density was approved based on this open space plan. He commented that the HOA would like to put in a 3-foot wide trail system with gravel.

Member Ross asked what open space the residents have access to. Mr. Whitney clarified that the HOA doesn’t own Parcel C of Phase 2 and therefore cannot continue the trail system there.

Chair Haslam mentioned lots 214 and 213 have “no-build” and had questions as to the size of the building envelope. Bill stated that he was able to measure and there is 5500 square feet that is buildable; ample to build a home. Chair also asked about lot 203 and the lower corner of that lot being very steep. Chair wondered where the 5000 sq. ft. buildable part is with the building envelope. Bill brought out the plat and went over the setback lines. Chair was concerned with the slope. Member Sessions asked about the shared driveway of lots 219 and 218. Mr. Whitney clarified that the 3 upper lots (217, 218 and 219) belong to Dave Eddington who will be signing the plat. Any lot line adjusting would not affect engineering. Bill said lot A would need an easement also, and would be a condition of approval. Chair clarified lots 217, 218, 219 would come off of the cul-de-sac, to which Mr. Eddington nodded his approval.

Member Sessions moved to forward a positive recommendation to the County Council for the Whisper Ridge at Stone Canyon PRUD Phase II Preliminary Plat, application #14.004, located at the north end of Robinson Lane, based on the findings and with the conditions listed in the staff report dated February 26, 2015.

Findings:

1. The nature of the subdivision is in conformance with the current and future land uses of the area, as well as with the approved planned residential unit development (PRUD).
2. The proposal complies with the Morgan County 2010 General Plan.
3. The developer purchased land governed by a development agreement, originally approved in 2006.
4. That the developer will install any requisite infrastructure, including roadways, water lines, etc.
5. That the proposal is not detrimental to the health, safety, and welfare of the public.
6. That letters from affected utilities have been secured demonstrating that sufficient water and sanitary sewer capacity exists.
7. That a geologic hazards report has been completed for the property and the preliminary plat has been revised to account for potential areas of concern.

Conditions:

1. That all outsourced consultant fees are paid current prior to final plat recordation.
2. That the developer submit to the County Engineer for review construction documents for any/all public infrastructure.
3. That the developer either provide appropriate bonds for infrastructure improvements or the developer installs infrastructure in accordance with approved plans, with a 10% maintenance bond.
4. That the developer removes the landscaping islands in Robinson Lane in the first phase while in the process of constructing infrastructure to the second phase.
5. That all other local, state, and federal laws are adhered to.
- 6. That the developer has a completed design for the proposed water systems, meeting all requirements of the Highlands Water Company, the Mountain Green Fire District, and the County Engineer, prior to any pre-construction meeting.**
7. That an “R” be placed on lots that contain a geological hazard, slope over 25%, or any other non-buildable designation.
8. That an agreement is signed with the owner of parcel D, allowing for access across that parcel for emergency ingress/egress.
9. That the emergency ingress/egress is engineered and constructed to the international fire code appendix D standards and approved by the Mountain Green Fire District and County Engineer and is maintained to allow for year round access by emergency vehicles.
10. That only the County has authority to abandon the emergency ingress/egress easement once a permanent secondary access is approved.
11. That the water system for Phase 2 is approved by the Division of Drinking Water before final approval.
12. That the County Engineer approves the engineering and construction of Robinson Lane across a non-buildable area.
13. That the easement for the emergency ingress/egress is platted on parcel A of Phase 2.
14. That lots 217, 218 and 219 are reconfigured to have frontage on Robinson Lane and meet engineering requirements.

Second by Member Newton.

Discussion on the motion: Member Sessions is satisfied that her opinion is expressed with the added conditions. Member Nance asked if Member Sessions would amend her motion to include access for hikers and bikers on parcel D. Member Sessions responded that the developer does not own that area and cannot enforce and perform in that area, so she would like it to remain as originally stated.

Member Nance moved to amend item 8 on the original motion to include access for hikers and bikers.

There was no second. The motion failed.

On the original motion the vote was not unanimous with Members Ross, Sessions and Newton in favor. Member Nance was against. The motion carried.

Member Nance clarified that he would like to see the open space in parcel D accessible to hikers

and bikers, so he is not in agreement with the entire motion.

8. Planning Commission Business/Questions for Staff
Bill discussed upcoming training opportunities. Bill said the joint meeting with Planning Commission and County Council has been postponed.
9. Approval of minutes from February 26, 2015

Member Newton moved to approve amended the minutes. Second by Member Sessions. The vote was unanimous. The motion carried. Members Ross and Nance abstained as this is their first Planning Commission meeting.

10. Appointment of Planning Commission Chair and Vice Chair.

Member Sessions moved to open nominations for Chair. Second by Member Newton. Member Sessions nominated Chair Haslam to continue his position as Chair. Member Sessions moved to close the nominations for Chair. Second by Member Ross. The vote was unanimous. The motion carried.

Member Newton moved to open nominations for Vice-Chair. Second by Member Sessions. Member Newton nominated Member Sessions. Member Newton moved to close the nominations for Vice-Chair. Second by Member Ross. The vote was unanimous. The motion carried.

Member Nance moved to cancel the next Planning Commission Meeting (March 26, 2015). Second by Member Newton. The vote was unanimous. The motion carried.

11. Adjourn

Member Nance moved to adjourn. Second by Member Newton. The vote was unanimous. The motion carried.

Approved: _____ Date: _____
Chairman, Roland Haslam

ATTEST: _____ Date: _____
Mickaela Moser, Transcriptionist
Planning and Development Services