COUNCIL WORK MINUTES
MARCH 16, 2022

The City Council held a meeting on Wednesday, March 16, 2022, at 5:30 p.m. in the City Council Chambers, 10 North Main Street, Cedar City, Utah.

MEMBERS PRESENT: Councilmembers: Terri Hartley; Craig Isom; W. Tyler Melling; Scott Phillips; Ronald Riddle.

EXCUSED: Mayor Garth O. Green.

STAFF PRESENT: City Manager Paul Bittmenn; City Attorney Tyler Romeril; City Recorder Renon Savage; Finance Director Jason Norris; City Engineer Jonathan Stathis; Police Chief Darin Adams; Fire Marshal Mike Shurtz; Ken Nielson, Leisure Services Director; Economic Development Director Danny Stewart; Public Works Director Ryan Marshall; City Planner Don Boudreau; Golf Superintendent Steve Carter.

OTHERS PRESENT: Laura Henderson, Denise Goyette, Michael Heap, Jessica Kinsey, Dave Clarke, Dan Roberts, Marcus Hansen, Lindsey Horito, Jacob Bingham, Tom Jett, HT Brown, Mark Mumford, Jared Madsen, Lance Prestwich, Shane Prestwich, Alysha Lundgren, Hannah Gibbons, Makayla Whiting, Whitney Evans, Joel Hansen, Dallas Buckner, Jeff Richards.

Councilmember Melling moved to appoint Isom as Mayor Pro Tem; second by Councilmember Riddle; vote unanimous.

CALL TO ORDER: President Michael Heap of the Church of Jesus Christ of Latter-Day Saints gave the invocation; the pledge was led by Tom Jett.

AGENDA ORDER APPROVAL: Mayor Pro Tem Isom indicated that items #8, 17, 18, 19, 21, 22, 23 & 24 will be public hearings.

Councilmember Phillips moved to approve the agenda order with that change; second by Councilmember Melling; vote unanimous.

ADMINISTRATION AGENDA – MAYOR AND COUNCIL BUSINESS; STAFF COMMENTS: ■Phillips – I want to reiterate that we all continue to have the people of Ukraine in our prayers, they have our love and support. We are a global society. Keep them in our thoughts and prayers. ■Paul – Mayor Green has contacted the Iron County School District and set a joint meeting for August 19th at noon here at the City Council Chambers. They want one before school starts. Last week Phillips asked if we contact the gypsum mine up the Canyon, the owner is very polite. He had some turnover and said he would talk to them immediately. ■Phillips – Chief, thank you to your officers for what they helped with this morning with the homicide suspect.
PUBLIC COMMENTS: Laura Henderson — I had the opportunity to meet with Lindsay Horito and Jacob Bingham, and they are here to talk about their new venue. Lindsay — we are opening the old Jolley’s Building main floor for events and weddings. Friday and Saturday we will hold a grand opening for people to come see what we have done. We are really excited to serve the community and bring some excitement to Main Street. Phillips — I had a sneak preview with the Historic Preservation Committee, and we are excited. They restored to the 1900’s look, they have worked very hard, it will be a great addition to Main Street. Lindsay — we have a lot more to do, but we are excited for people to see the difference, we want to finish restoring the building.

CONSIDER APPOINTMENT OF ETHAN BATES TO THE CEDAR DISABILITY ACTION/AWARENESS TEAM (CDAT). MAYOR GREEN: Paul — Mayor Green would like to appoint Ethan Bates to the Cedar Disability Team to fill a vacancy.

CONSIDER BIDS FOR THE EMERGENCY STORM DRAIN PROJECTS – CENTER STREET BORING. JONATHAN STATHIS: Jonathan — this is a project Sunrise Engineering, and the City Engineering has worked on. The bids will be in this Friday. It is located at the Center Street overpass west of I-15, boring two 54” steel culverts under the Center Street overpass. This is the actual construction; the next item is the material quotes so that we can get the materials ordered for the contractor. I am requesting we bring it back next week with the actual bids. Phillips — you will have both ready for next week? Jonathan — yes.

CONSIDER MATERIAL QUOTES FOR THE EMERGENCY STORM DRAIN PROJECTS – CENTER STREET BORING. JONATHAN STATHIS: Jonathan — we are waiting on the bids for this also.

CONSIDER BIDS FOR THE CENTER STREET TREE GRATES PROJECT. JONATHAN STATHIS: Jonathan — this is to install the tree grates, there are 29 locations from 100 East to 100 West. We have the tree grates, this is the bid to install, there will have to be modifications for the concrete. The bid is $50,725 to install the grates. Looking at the project we found concrete that needs to be replaced, we talked with Jeff Hunter, he feels he has money to make those repairs, that would be $13,200. It is a good time to get the repairs done. The low bid is Blackburn and Associates. In the RDA fund there is $75,000 +/- available, leaving about $22,000 left. Phillips — before we install the tree grates, I believe there are two trees we installed that are dead. Let’s replace those before we do this. I think one is in front of IG Winery and Occasions Dress shop. Jonathan — we will coordinate with Parks before that is done.

CONSIDER CONTRACT AMOUNTS WITH ENGINEERING FIRMS FOR THE DESIGN OF CITY CAPITAL PROJECTS. JONATHAN STATHIS: Jonathan — we are continuing to receive proposals from consultants. These projects related to the storm drain improvements. First is Cody Drive preliminary engineering, Sunrise is already working on emergency design, this is looking at a long-term project for the Cody Drive area. There are 3 proposals for the area, one build a detention pond or series of pones south of Cody on private property; convey the drainage to the existing Cross Hollow Detention basin; larger pipe to
Cross Hollow Road. This phase is to look at those options and work with property owners for easements or acquisitions and find a final solution. It is not design yet but looking at the alternatives.

I-15 is design of additional pipes and possible concrete or drainage channels north on I-15 toward Tagg N Go, and drainage south of Center Street. Phillips – will it be tied into the Center Street boring; it is separate from this. Jonathan – the funding source is the same, it is ARPA funding. Sunrise has moved ahead with that portion, this is more long-term project.

**CONSIDER AN AGREEMENT WITH WILLOWSTICK FOR WATER LOCATING SERVICES. PAUL BITTMENN:** Paul – this is a company that presented during the Council Retreat. They have a technological water witch to locate underground water. They don’t guarantee the quality of the water, they will try and direct us to the best quantity, but we will need subsequent test drilling. They identified 7 areas from Bumblebee area to Shurtz Canyon and Cedar Canyon, some in the Greens Lake area. it is $216,000 to go out and use their electronic digital methods to help us find water. This is budgeted, we have $220,000 budgeted last month. Phillips – they will locate the water, but it is up to us to do test wells. Paul - they have a 3-step process to gather and analyze data. We will get a report where they think the water is. In the budget for the upcoming year, we may ask for money to drill test wells. Melling – it is a lot of money, but if this saves us from drilling two bad test wells it pays for itself. The Conservancy District has used them. Paul – Enoch City has used them; we have used them in other applications. Phillips – the presentation was good; I think it is incumbent on us to do this.

**CONSIDER A RESOLUTION AMENDING THE CEDAR CITY PURCHASING POLICY RELATED TO PURCHASING CARD LIMITS. JASON NORRIS:** Jason – council approves and adopts the policy that staff follows. Many staff have purchasing cards to purchase items as needed. We have not changed the limits for over 10 years, our staff, especially Fleet asked to increase the limits. Currently a staff member has up to $500 purchase in one transaction and $2,500 spend limit, with $7,500 max. Department Heads and Division Heads have $1,000 per transaction and $7,500 max. We are requesting to change up to $2,000 per transaction. The Department Head will determine which staff members can have those limits. Specifically in Fleet, they are purchasing parts for dump trucks and garbage trucks, tires, etc. that easily exceed $1,000, so we are requesting that fleet be $3,000 per transaction and $15,000 per month.

Phillips – it is what it is, and 10 years is a long time. In discussion it says as authorized by Department Heads, but not specifically in item D, is that inferred? Paul – all have to be approved by the Department Head, we won’t issue those without that. Melling – it doesn’t change anything with auditing? Jason – each staff member must provide receipts from every transaction, and they are reviewed by their department head and Paul reviews them for the department heads, and we monitor that. Melling – we have a lot of internal controls, so I am not concerned. Riddle – I am glad there is more than one way to monitor and take care of what goes on, I really appreciate that. Isom – the key words are internal controls.
PUBLIC HEARING TO CONSIDER AN ORDINANCE AMENDING CHAPTER 26
BY CREATING REQUIREMENTS FOR EXTERNAL ACCESSORY DWELLING
UNITS, DON BOUDREAU: Don – late last year the State of Utah passed legislation
requiring cities to allow ADU’s, the city already allows for, they have to be internal to the
footprint of the house. The primary dwelling has to be owner occupied and stay 30 days or
longer. They allowed for some flexibility and the Council wants to require 1 extra parking
space. If they create an ADU in the garage they have to replace the lost parking spaces.
Phillips – they need a building permit? Yes. Don – we have a housing committee, and their
suggestion is what is before you. Allow for ADU’s but not only internal but can be detached
external units. We added definitions to the zoning ordinance and the primary dwelling
definition. This allows detached units, and requires them to match in color and roof design
the primary building so they don’t stand out as something different in the neighborhood.
Maximum 800 square feet and 2 bedrooms and meet setbacks as the primary unit. Also
require 1 parking space per bedroom with a maximum of 2 bedrooms and they have to
comply with fire and building codes.

Melling – one reason why parameters were proposed, we already allow a guest home of 800
square feet if they meet setbacks. It says we allow the 800 square foot structures, up to one
per parcel. My lot you couldn’t do that. You could use a guest house to produce revenue as
long as the residence was owner occupied. If it is for rental property, you cannot rent out the
guest house. It is good for those that can’t do stairs but don’t want to leave the neighborhood
and rent the main unit to a family and help make ends meet.

Phillips – a few questions, I am assuming since they are owner occupied, they tie into the
existing water and sewer? Melling – they remain on the same meter. If it uses more water
they are billed at a higher rate, but they will be removing green space and hopefully reduce
the water usage. Don – I don’t know if it would be required, it is assumed, but if they
propose a separate meter I don’t know if we could tell them no. if you have concerns, they
can be added to the external use. Phillips – construction timeline is relatively short, is that
because it is smaller and on existing property? Don – the size is wood frame and not
bringing on multi-family dwellings that take more time. Melling – also have utility hookups.
Phillips – it says they are lower market rate, that is not necessarily true. Melling – you are a
senior couple retiring to the casita in the back, most people would be quite picky on who they
rent to in the primary dwelling, they would rather have family and good renters than make
more money. That is why the studies say that. If you have an existing guest house that you
have not been using, they often take less rent. If they have students, they are pickier. The
market will bear a lower rent if more of these are put in. Phillips – the external dwelling
units are detached? Melling - Yes, and 16 feet from the primary unit. Don – that is driven by
building and fire codes. I think the 16’ is on height, but they are detached. Phillips – a new
definition 26.1 which may be attached. Last concern we need to address on external
dwelling units where it says any parking taken away has to be replaced. I want to make sure
it is not taking out the front yard. Melling – behind the front setback of the primary dwelling.
There are a number of other things we are looking at in the committee with retrofitting older
buildings, we are dealing with where is the parking, it is generally better in the back yard.
Don – it is a 12’ drive width. If we are behind the unit it is typically 24’ for the multi units,
we think 12’ will work, demand is minimal with only one unit. Phillips – will we have the
determination from the fire department or is it case by case? Don – case by case. Riddle – this applies only to new construction, not existing. Don – if it was a guest house, if it meets the parameters, it can be converted to an ADU. Melling – we will have more things coming from the committee. Phillips – since approving the internal units, do we know if we have had any come online? Don – we have had people inquire. Melling – I will bet we have 100’s of illegal ADU’s. Phillips – it may help with our housing problems. Melling – the added language on the parking is warranted.

Mayor Pro Tem opened the public hearing. Laura Henderson – glancing through the material on the screen, it has a 30-day minimum stay, how do we differentiate from an Air BNB. We could get into blurring of the lines. Melling – that is where the 30 days comes from, there is not much incentive in Air BNB’s to do more than 30 days. Laura – some retired people will rent an Air BNB for a year. Will they have to be licensed in anyway? Phillips – they will be required to have to a rental license. Melling – both internal and external accessory dwelling units need a rental license. I don’t think you can’t do both long- and short-term rentals for the same unit. Laura – it becomes a tattling on your neighbor. Phillips – most of the external dwelling units will be long term rentals.

Tom Jett – we are leaving out a great part of Cedar City for external dwelling units, Dog Town, east of Main Street from the water tank to the Paiute Tribe, most lots are 66’ and 180’ deep, you can’t get parking behind those homes because of the fact there is 8’ on one side and 6’ on the other side, you can’t get a driveway. You might enter that into the conversation. Melling – there are a number of other proposals coming through to address some non-conforming lots in the older parts of town. The other thing, we need to look at driveway widths, I don’t believe there is anything to do an internal ADU. Tom – you will still run into the parking issue. The other is the water to the back of the units, if there is an external and internal, it is like a duplex? Melling – it will stay on a single meter. Tom – I live in one and rent the other, why are they being treated as 2 dwellings on the water. Melling – they can do that if they want to pay the impact fee. Tom – duplexes have one meter and two dwellings. I pay X amount for each side. Melling – it is because the owner lives on site. And it is a financial standpoint for the City, it is more financially sound to bill it all as the same. Tom – I live in a triplex; I pay for the water and sewer for 3 and I still live there. Melling – are you saying sewer and trash fees as well? Tom – there are two separate families they should be treated as such. Melling – we could discuss that, in my mind they are very low impact, it is 800 square feet. Tom – my apartment is 750 square feet. Melling – if they need another trash can they pay for it. Tom – it is really a duplex. Melling – it comes down to owner occupancy, they are not financial decisions, a lot are emotional they may choose to rent at times and other times not. A duplex is not likely to be vacant for a long period of time. The external may be similar. The more responsibility on the owner for their tenants. Tom – I am pretty picky; I share the walls. Riddle - how many of the dwellings do you think will be built? Tom – I don’t know, but you have to look at the concept where I live in one side of the duplex. People get frustrated with the government when they don’t use logic, and the logic is not there. Phillips – we will go back and look at this. Melling – to Riddle’s point on the number to be built, I looked at a study and it was about 5% in 5 years. Riddle – there will be more than you think that it will not work. Melling – where feasible about 1 in 20 would elect to do this.
The hearing closed.

**CONSIDER A SINGLE EVENT ALCOHOL PERMIT FOR SOUTHERN UTAH UNIVERSITY, SOUTHERN UTAH MUSEUM OF ART FOR THE 27TH ANNUAL ART AUCTION ON MAY 21, 2022. SUMA/CHIEF ADAMS:** Jessica Kinsey, Executive Director for SUMA – this is the 3rd time coming to ask for this event, we haven’t had it for 2 years, but looking forward to resuming this on Saturday May 21st. We have about 200 people attend; it is a fund raiser for the museum. SUU has a lot of policies that guide what alcohol can be on campus. We serve wine and beer and use licensed serves from the University, and one has to operate an ID station so only 21 and older are served.

Chief Adams – we give a positive recommendation.

**CONSIDER A VARIANCE REQUEST FOR PERIMETER FENCE IN THE CEDAR RIDGE ESTATES PUD LOCATED AT APPROXIMATELY 250 E. CEDAR RIDGE CIRCLE, PLATT & PLATT/JONATHAN STATHIS:** Dave Clarke, Platt & Platt – out at the Golf Course, the old Gilbert Development office was platted for 40 town homes and then the owner held off. Cedar Peak LLC is the owner of the property, we are in the process of doing an amended plat, we are going from 40 units to 15 units, high end luxury lots. Per recent City Ordinance that site obscuring fences can be eliminated if we meet one of 3 criteria. It doesn’t exceed 60% of the density, we are about 15%. The minimum distance from building is 150 feet, we are surrounded by the Golf Course. The third is if there are geologic features. We are on a hill and requiring a site obscuring fence at the bottom of the hill doesn’t obscure anything. We talked with staff and at the Golf Course since Sketch meeting. We also looked at the single-family PUD, Canyon Ridge, the vacant lots do not have a fence, the developer of the PUD was not required to put in that fence. Our request is that the developer not be required to put in the fence at this time and we write in the CC&R’s that the property owners are required to put in the fence at their cost, it will be a uniform fence and that will be done when they build their home.

Phillips – are you planning to change the topography? Dave – no, it depends on the type of construction. Phillips – you are not cutting the hill down? Dave – no, other than the construction of the home. We are planning to follow the contour of the land, the road is steep, but not overly steep. Melling – I need to look at the site, I would not bind anyone to put up a fence, I don’t think the fence would enhance the esthetics. Paul – this project already has a variance from the fencing, it doesn’t have to be site obscuring, it was a wrought iron fence. Phillips – the landscaping we will all see from the Golf Course, what are you thinking about if you don’t have a fence? Dave – similar to Canyon Ridge, the vacant lots don’t have a fence, many existing homes have not put in a back fence. I pulled CC&R’s for Canyon Ridge and I couldn’t find anything on the document. Right now it is natural, if they choose not to disturb the back of their property and leave it natural, or put a privacy fence higher on the property, we don’t want to be pigeonholed. There is a steep knoll, maybe not the best place to put the fence. Phillips – what is in the CC&R’s about golf balls, they may have broken windows. Dave – at Planning Comission the Golf Pro said everyone wants to live on
a golf course until they live on a golf course. They may choose to put up nets. Phillips – how do we prevent people from just walking onto the Golf Course without paying.

Steve Carter, Cedar Ridge Golf Course – one of the things we have noticed with fencing is everyone has a gate, at night people are driving on the Golf Course at night, or practice and chip on the greens. With this project I talked with Jared earlier, we have agreed if the homeowners put up a fence with no gates, we are ok, but we feel there needs to be a fence, to prevent golfers from going on people’s property to chase a ball and having people access the course. Swan Technology they were going through the Golf Course taking afternoon walks until we told them they can’t do that. People will just access the course if there is not a fence. Melling – people want the quick access. How do other communities handle that? Steve – most are in private facilities. Anyone that comes from the back 9 has to check in at the pro shop and then play. Some will jump on the course and play the holes until they get to the Pro Shop. On this you cannot access on the back side because of the terrain, but it wouldn’t stop the walking. Melling – you want some type of fence and no gate? Steve – yes. Melling – is there anything in the request that requires any type of site obscuring fence? I don’t want it to be required to be site obscuring. Dave – site obscuring is pointless on that terrain. To answer Mr. Carters question, I had a client in St. George that wanted to cut a hole in the fence to access the course, but the fence was on the courses property. If you want to control that then the City should put a fence on their property. We just don’t want to be shackled with that requirement. Tyler – you can grant the variance subject to CC&R’s requiring fencing within 1 year of the lot being developed and no access to the Golf Course from the property. Paul – if the Council is doing that, they need to deal with the building that is already there that should be structured to deal with that. Phillips – do you own the property with the existing structure? Yes.

CONSIDER VICINITY PLAN FOR THE CEDAR BREAKS TOWNHOMES PUD PHASES 1 – 3. ALPHA ENGINEERING/DON BOUDREAU: Jared Madsen, Alpha Engineering – we got a zone change last week on this property. We are not doing any variances. 2530 North with existing homes and 400 West, to the NE is County. There is commercial and multi-family around this property. We are proposing two different products, townhomes with garages around the perimeter, the other is car ports. There are a few extra parking areas, there is also trails and open space with a park and picnic area and a wall and sidewalks all around the development. Phillips – do the carports meet the depth? Jared – there is a little overhang, we did wider sidewalks. The carport areas are 20 feet deep with driveways 22’ feet deep. Melling – are the carport spaces assigned? Jared – we have not discussed that. Melling – from a parking standpoint, it is better if they are not assigned. Residents may or may not complain, that reduces pressure. Jared – it would be difficult to number the parking. Phillips – the hatched lines, explain? Jared – they are phase lines. Phillips – on the north end of 2530 north, does this go to the end of the existing twin homes? Yes. Phillips - so curb and gutter will be put in? Yes. Melling – on the outside of the subdivision, the north side they are facing toward the parking lot? Yes. Melling – the east side, they are street facing? Jared – no they are west facing.

Jonathan – this is not the drawing in the packet, the change is the red outline for the carports. It makes for a wider space because of the columns. Phillips – is the intent if it does well to
proceed ahead? Jared – we are working with the developer, and he is interested in having it continue forward.

CONSIDER VICINITY PLAN FOR THE VALLEY AT BAUER MEADOWS SUBDIVISION PHASE 1. GO CIVIL/DON BOUDREAU: Dallas Buckner, Go Civil – phase 1 was the Valley at South Mountain, it changed, it is an extension of phase 1. We have the zoning for R-2-2 and R-2-1 and R-1. We have everything set up for single family residential. Phillips – is the road Valley Drive on both sides? Dallas – yes it goes out and back down. Isom – the street is on both sides. Jonathan – the double fronted lots are an issue, Mr. Hansen would like to propose an ordinance change, currently it requires a site obscuring fence which would be along South Mountain Drive. Isom – an owner will go onto the parallel street? Dallas – we want to do an ordinance change and then require the subdivision to access the internal roads, not South Mountain Drive. Isom – I want a boundary around my property if I own the lot. Joel Hansen – the CC&R’s don’t require a fence, access to the lots is done through the final plat which is the address. I have had discussion about a site obscuring fence or block wall, the issue I have is I will have a lot of them, we can’t figure out why the ordinance requires to exist a fence on double fronted lots. Isom – I think about it practical if I am the owner. Melling – maybe not site obscuring. Phillips – are you going to enter the front door on both sides? No. Phillips – then they all have a back and so they are not double fronted. I can’t imagine children playing in the back yard along a major street. Joel – then you are telling the developer it is their responsibility to take care of someone’s kids. Melling – we rented a home that the CC&R’s prohibited fencing and it was hard with 3 kids. For the area, we don’t require all residents to have fences, if the goal is to deal with traffic. Paul – the reason was to keep people from backing out on to the street. Melling – there are less restrictive means to get to that. Paul – people still go over the curb, that is why the block wall was required. Phillips – the homes under construction are they to the north? Joel – no, it is to the east. Phillips – they have patios, will there be a fence? Joel – no, it is a 55’ road which allows backing, it changes to 66’ which does not allow backing. When it was changed my commitment was, I would not allow residents to back on that road. People backing on the road is an enforcement issue. The address will be to access the lot from the front. We are proposing the ordinance change also because of the estates that we will be doing. Some will be a 20-foot drop. Melling – we talked about traffic safety issues, if you have a long site obscuring fence for ¼ mile it tends to have drivers feel safer and driving faster. Maybe look at a ranch type fence, it would put drivers at a higher alert. I see esthetically, but public safety also. We don’t fence every street off. I would welcome the ordinance change. Joel – we can include something in the CC&R’s to discourage people from backing on South Mountain. Jonathan – the other items, they are proposing modifications to the storm drain master plan and water master plan, they are on Sketch tomorrow. Phillips – will those hinder the vicinity plan process? Tyler – you can approve the vicinity plan with the understanding that the double fronted lots, the drainage and water master plan to be addressed.

CONSIDER FINAL PLAT FOR ROSE VILLAGE PUD PHASE 1. GO CIVIL/TYLER ROMERIL: Dallas Buckner, Go Civil – the vicinity came through several months ago. Tyler has most everything, he is waiting on the CC&R’s. Paul – where is this? Dallas – on Northfield Road, across from the School District yard. Phillips – is this layout because of the
Airport Approach zone? Yes. Tyler – we are only missing the CC&R’s or the bond. State law allows approval without the bond, but we won’t record until the CC&R’s and bond are in place. Phillips – the PUD, we are meeting the requirements for the garbage pickup? Jonathan – they meet the 26’ of asphalt for garbage and fire. Dallas – It will also have individual meters. There are detention basins, one will be a park and one possibly a dog park. There will also be additional parking.

**CONSIDER VICINITY PLAN FOR THE FIDDLERS COVE SUBDIVISION, PHASES 1 & 2. GO CIVIL/DON BOUDREAU:** Dallas Buckner, Go Civil – we came through a few months ago with a road dedication. There was a portion of DL Sargent dedicated, but we did an additional dedication. We came through Sketch to do a few minor lot subdivisions, city preferred a subdivision. We have approved construction for most of the subdivision, there are some sub roads to complete the construction drawings. We will come for final plat soon. The developer decided to move forward with phase 2 as well. Eventually the road will go through and tie in, there are some steep areas, there is also master planned water lines. Phillips – there has been discussion on the master planned trail on another development. Dallas – there is a master planned trail with a 10’ sidewalk, there is a gap to allow the trail out of the end of the cul-de-sac. There is another trail that we will keep. Phillips – I want to make sure the trails connect. Dallas – this is the trail that we discussed in Ashdown Forest to move it, so it wasn’t so steep. Jonathan – there is an existing water line through the detention basin, they would like it moved out of the basin. There is a note on the vicinity plan that it will be done as part of Phase 2. Dallas – we came through with construction drawings and I thought it has all been worked out, but the issue is still there, we will have to work that out with the water department before final plat.

**CONSIDER VICINITY PLAN FOR THE GLC SUBDIVISION LOCATED AT 1000 SOUTH MOUNTAIN VIEW DRIVE. PLATT & PLATT/DON BOUDREAU:** Dave Clarke, Platt & Platt – 2 lot subdivision, 3 twin home lots south of Culver’s. everything was done about 2 ½ years ago, so we are back. Phillips – do they all come off Mountain View Drive? Dave – yes, we will straighten that out part of the bubble.

**CONSIDER APPROVING THE FINAL PLAT OF THE TOWNHOMES AT CROSS HOLLOW PUD PHASE 2 LOCATED IN THE VICINITY OF CODY DRIVE AND CROSS HOLLOW ROAD. PLATT & PLATT/TYLER ROMERIL:** Dave Clarke, Platt & Platt – this was originally one phase, they came to Sketch April 1, 2020, the first phase was brought in in December 2020 and they decided to do two phases. The vicinity was for both sides. Isom – this is where Cove and Cody come together, by the church. Tyler – the city has received everything, waiting on an updated title report.

Phillips – have we changed the ordinance to allow earth work before final plat, there is a lot of earth work happening? Jonathan – I don’t believe they applied for a grading permit. Tyler – they were not accessed the fee; we will need to look at that.

**PUBLIC HEARING TO CONSIDER AN ORDINANCE VACATING LOTS 8-13 AND 20-24 IN BLOCK 5 OF THE VALLEY VIEW SUBDIVISION LOCATED AT 901 SOUTH JOE THURSTON WAY. PLATT & PLATT/TYLER ROMERIL:** Dave Clarke,
Platt & Platt – there are 4 parcels, one makes up 8-10, one 11-13, one 19-20, there are presently 4 separate tax id’s, the next two items are requests we have to develop the property. We cannot plat over the top of a subdivision, so this is one step to vacate the four parcels of 4 different owners, once the sale goes through it will become one parcel. Isom – this is east of Sportsman’s? Dave – yes, north of the Leavitt Apartments, Driscoll Lane is to the south.

Mayor Pro Tem opened the public hearing. There were no comments. The hearing closed.

Melling – just to disclose these are second cousins.

PUBLIC HEARING TO CONSIDER AN ORDINANCE AMENDING THE GENERAL PLAN FROM MIXED USE TO HIGH DENSITY RESIDENTIAL ON PROPERTY LOCATED AT 901 SOUTH JOE THURSTON WAY. PLATT & PLATT/TYLER ROMERIL: Dave Clark, Platt & Platt – the zoning is CC, the master plan has it MU. We did a few different scenarios with the developer, leaving 2/3 of an acre commercial did not make sense, we are far enough off Main Street. You would want commercial against Main Street. We want a General Plan to change from mixed use to high density residential and a zone change from CC to R-3-M. The plan is to do 3 story townhomes. The property on the east is R-2-2, properties to the side are vacant and the ones on Spruce are owner occupied but did not have people come complain. Phillips – it will help to have the road connected. Dave – it will bring the road to the streetlight. Melling – what we have for MU it would be hard in this location at that scale.

Mayor Pro Tem opened the public hearing for items 18 & 19. HR Brown – we came up with 35 units, they will be two story, a covered picnic area, a pickle ball and sport court, 1100 to 1200 square feet depending on what the buyer wants, if they want a room over the garage they lose the vaulted ceiling. We are not sure of the percentage, but we want some affordable housing rentals. We hope to get to a price point for first time home buyer. Melling – proximity to commercial, it is walkable. HR Brown - we want a little less density and a little less siding. The hearing closed.

PUBLIC HEARING TO CONSIDER AN ORDINANCE AMENDING THE ZONE FROM CENTRAL COMMERCIAL (CC) TO DWELLING MULTIPLE UNIT (R-3-M) ON PROPERTY LOCATED AT 901 SOUTH JOE THURSTON WAY. PLATT & PLATT/TYLER ROMERIL: this was done with the above item.

CONSIDER A RESOLUTION AMENDING THE DEVELOPMENT AGREEMENT WITH LUXURY HOMES CONCIERGE, PLATT & PLATT/TYLER ROMERIL: Tyler – items 20, 21 and 22 go together. When it came for a zone change, we did a development agreement with 74 acres residential, you cannot exceed density, the name has changed to Shurtz OZ LLC and they want to take commercial 10 acres and move to residential but the density does not change.

Dave Clarke, Platt & Platt – I think density is about 248. They decided at the very south end we are doing ½ acre lots, there is about 13-14 acres that we will do larger lots. The overall
density didn’t change. The general plan for the 10 acres is CC, so we need it changed to medium density and the zone changed to R-2-1.

Phillips – why reducing the commercial, is it not viable? Dave – the access off Old 91 is 120 feet and the commercial. He approached SITLA to do this together as 20 acres commercial and they didn’t want to come to the table. They don’t want to develop 15 acres with 120 feet of frontage. With the nicer larger lots, they decided to move the smaller lots to the bottom of the canyon and larger lots at the top. We will leave 5 acres of commercial. Phillips – there will be a lot of homes in the south end of the valley. Dave – maybe a gas station/convenience store, maybe a small store like Fosters. Melling – when this came in, we really guarded the commercial, we flushed out a lot of that and even though UDOT may not move the interchange, we did request that it be moved, this may encourage that to move west. It is still like Enoch population in that area, I like a gas station or convenience store. I appreciate the carve out for whatever is viable, I like the move.

Mayor Pro Tem opened the public hearing. There were no comments. The hearing closed.

PUBLIC HEARING TO CONSIDER AN ORDINANCE AMENDING THE GENERAL PLAN FROM CENTRAL COMMERCIAL TO RESIDENTIAL MEDIUM DENSITY ON PROPERTY LOCATED AT 2901 SOUTH TIPPLE ROAD. PLATT & PLATT/ TYLER ROMERIL: this was done on the above item.

PUBLIC HEARING TO CONSIDER AN ORDINANCE AMENDING THE ZONE FROM CENTRAL COMMERCIAL (CC) TO DWELLING SINGLE UNIT (R-2-1) ON PROPERTY LOCATED AT 2901 SOUTH TIPPLE ROAD. PLATT & PLATT/ TYLER ROMERIL: this was done on the above item.

PUBLIC HEARING TO CONSIDER AN ORDINANCE AMENDING THE GENERAL PLAN FROM MEDIUM DENSITY RESIDENTIAL TO RESIDENTIAL ESTATES ON PROPERTY LOCATED AT 3000 NORTH 175 WEST. PLATT & PLATT/TYLER ROMERIL: Dave Clarke, Platt & Platt – last week you approved the annexation. We now want to change the General Plan from medium density, Old Farm is to the south of us, the developer doesn’t want R-2, he wants to keep it rural. The property to the west is RE, our proposal is to put 3 large lots, approximately 120 x 150 in the RE zone. The zone change is from AT to RE

Mayor Pro Tem opened the public hearing for items 23 and 24. There were no comments. The hearing closed.

Phillips – is the property to the east R-1 or RE? Dave – it is in the County R-1 zone.

PUBLIC HEARING TO CONSIDER AN ORDINANCE AMENDING THE ZONE FROM ANNEX TRANSITION (AT) TO RESIDENTIAL ESTATE (RE) ON PROPERTY LOCATED AT 3000 NORTH 175 WEST. PLATT & PLATT/TYLER ROMERIL: this was done on the above item.
Melling – last week we had discussion about the piece in Fiddlers Canyon Area with several hundred townhomes, I said I would contact Mr. Watson, he expressed they planned on that aspect of the drainage, it would not change their plans.

**ADJOURN:** Councilmember Phillips moved to adjourn at 7:45 p.m.; second by Councilmember Melling; vote unanimous.

[Signature]

Renon Savage, MMC
City Recorder