**BRIGHAM CITY PLANNING COMMISSION**

**BRIGHAM CITY COUNCIL CHAMBERS**

### Tuesday, September 6, 2016 6:00 p.m.

PRESENT: Eve Jones Chairperson

Debbie Manning Vice-Chair

Larry Jensen Commissioner

Reed Hancey Commissioner

Bill Frye Commissioner

Dean Lester Commissioner

Scott Mildenhall Commissioner

Steven Barsuhn Alternate Commissioner

ALSO PRESENT: Mark Bradley City Planner

Tony Ekins Assistant City Planner

Christina Boss Administrative Assistant

Tyler Pugsley Public Works Director

Paul Larsen Community & Economic Development Director

Casey Crossman Applicant

Ed Dayton Kim Keller’s Representative

**AGENDA**

Approval of Minutes

Public Comment*(Per Utah Code, will receive input only, no decision can be made)* for items not listed on the agenda.

Discussion items:

1. Water / Tyler Pugsley, Public Works Director
2. Application # 3733 / Sketch Plan – Subdivision / Approximately 600 South and 900 East / Casey Crossman
3. Old Golf Course Property / Ed Dayton

**REGULAR MEETING**

Regular session opened at 6:00 p.m. by Eve Jones and the Pledge of Allegiance was recited.

**APPROVAL OF MINUTES**

Commissioner Hancey made a motion to approve the minutes from the August 16, 2016 meeting as written. The motion was seconded by Commissioner Jensen and passed unanimously.

**PUBLIC COMMENT** There was no public comment.

**DISCUSSION ITEMS**

**Item 1 - Water / Tyler Pugsley, Public Works Director**

Mr. Bradley addressed the Commission stating that Tyler Pugsley, the Public Works Director, was invited to answer questions on water availability for the community as well as industrial projects. Paul Larsen, the Community and Economic Development Director, was also invited to answer any questions the Commissioners had concerning community development.

Mr. Pugsley came to the table and stated that Brigham City has water rights to several areas in the City and the Mantua Basin. There are nine wells and seven spring sources that provide drinking water to the City’s residents and customers. Six months out of the year, our water is spring fed from Mantua and no wells are used. Mr. Pugsley went on to say that, at times, the springs produce upwards of 11 ½ million gallons of culinary drinking water per day. During drought cycles, the springs produce 8 ½ million gallons per day (MGD) on average but can go as low as 6 ½ MGD.

Mr. Pugsley stated that the wells are used to supplement the culinary drinking water system during the summer months when water usage peaks at 18-plus MGD due to irrigation. In the winter months, Brigham City residents and industries use 3-4 MGD. Under Bruce Leonard and Blair Blomquist, Brigham City developed an aquifer storage and recovery (ASR) that takes excess spring water and injects it into the Intermountain, Cooley and Cemetery wells so that it can be used at a later date rather than having the winter surplus go to waste. On a good wet year, 300-plus million gallons of water is injected back into the aquifer. In the first year of an ASR program, 100% of the water can be pulled back out. If all of the water injected is not used within the same year, it diminishes by 5% each year. Before the implementation of ASR, a lot of the inner city wells had problems with iron and manganese which caused bad taste, odor and staining.

Mr. Pugsley went on further to explain that after the water is pumped from the ground, it is injected with fluoride and chlorine and constantly monitored through sensors and probes. At the mouth of the canyon, there is a 10 million-gallon storage facility which is also the main chlorination facility.

Commissioner Lester asked about water availability studies concerning growth and drought. Mr. Pugsley stated that the Public Works Department consults with the City Engineer, Jones & Associates, when new industry is interested in Brigham City. A water model is prepared, using existing water rights, under worst case scenarios: peak fire flows, low water and drought cycle. Included in the model is what the new industry will require and how that affects the system. Mr. Pugsley explained that there is enough culinary water to supply the residents at City build out. If major industrial users who consume a lot of water come to Brigham City, efforts will be focused on other means to provide water to the community. Mr. Pugsley stated that a pressurized secondary irrigation system will be one of those efforts. Once that is in place, the City would have enough water to supply residents and industrial users at build out. Great Basin Engineering is requesting 900,000 gallons of water per day at the end of Phase II. The water model showed that the City can provide water to the water bottling plant and the residents at build out.

Commissioner Jones asked where the secondary water would come from. Mr. Pugsley stated that Brigham City has significant rights in Pineview, Mantua and Box Elder Creek. The City also holds rights to wastewater from Proctor & Gamble (P & G) which can be used for pressurized secondary water after undergoing tertiary treatment.

Brigham City is contractually obligated to supply 4 MGD to P & G. Mr. Pugsley stated that they are not using anywhere near that amount right now. Brigham City was the only source of water that could supply P & G which is why they went outside City limits. Commissioner Mildenhall asked how far outside of City limits Brigham City will go to share water. Mr. Pugsley stated that he would entertain anything east of the Bear River as long as it could be annexed. He explained that it takes City Council approval for any connections outside City limits.

Commissioner Lester asked for an estimation of build out. Mr. Bradley estimated the build out population at 50,000. Mr. Larsen came to the table and stated that build out depends on residential density and how the community is developed. The Annexation Policy Plan analyzed the policy boundary, anticipated land uses and water availability. The current plan estimates the population to be 65,000 at build out.

Mr. Pugsley stated that when industries want to locate in Brigham City and there are concerns about water availability, the City can make a request that the industry provide funding for a portion of the secondary water irrigation system. Mr. Larsen stated that the City had water rights from the State that were not developed. P & G funding enabled the development of a water right.

Mr. Pugsley stated that significant studies on secondary water have been done. A few of the issues are how shareholders would be made whole and how it would be run and operated by Brigham City. Mr. Pugsley has had water rights attorneys working on the matter and there have been several meetings with irrigation companies.

Commissioner Jensen asked about emergency agreements with other municipalities. Mr. Pugsley stated that the City has an emergency water connection agreement with Mantua, Perry, West Corinne, Harper Ward through Bear River Water Conservancy and Honeyville. Because Brigham City has so many water resources, other municipalities benefit from the agreements more than Brigham City does. Emergency supply agreements state that the user has to ration the water that is given to them. There are also time restrictions in place. The City is compensated the going water rate.

Commissioner Jones asked about the capacity of the sewer treatment plant when the City is built out. Mr. Pugsley stated that the current capacity is 8-9 MGD. The City will have to add on and has the property and capability to do so. When P & G came to the City, they paid for an upgrade to the plant. When a new large user is being considered, the main factor is their waste loading because that is what takes up plant capacity. A nutrient rich industry would have to pre-treat at their site and an industrial pre-treatment permit from the City would be required. There are new State regulations coming that will require significant upgrades to the City’s waste water treatment plant by 2020.

Commissioner Jensen suggested that, in the future, Mr. Pugsley put more detail in his staff review comments concerning capacity, calculations, background and water modeling when applications are made by large users.

Mr. Pugsley offered the Commissioners a spring/summer tour of the water system.

**Item 2 - Application # 3733 / Sketch Plan – Subdivision / Approximately 600 South and 900 East / Casey Crossman**

Mr. Bradley stated that City ordinance requires sketch plans to be presented to the Planning Commission before a preliminary plat application is submitted. He displayed the site on the screen and stated that there are two parcels which are surrounded by existing development. The existing house next to Lot 13 will need to be part of the subdivision. The property is zoned R-1-8. Rocky Mountain Power has overhead lines and there is a City right of way which needs to be vacated and tied into the new road system. A similar design with a cul-de-sac has been allowed in other areas of the City. The cul-de-sac is on the uphill side. The power to the cul-de-sac would need to come from 600 South through side yard easements. The lots along 600 South/900 East would have front yard easements and the power would be buried underground. The street would be named 600 South, and at one point, would change to 900 East. Mr. Bradley stated that Staff is supportive of the plan and feels that this is the best layout for the area.

Commissioner Jones questioned the note that secondary irrigation lines will be installed. Mr. Bradley explained that this requirement has been in place for approximately nine years.

Casey Crossman came to the table and stated that the current configuration seemed to work best financially and for the lot shapes. Rocky Mountain Power is also in favor of this plan with their transmission lines running east of the cul-de-sac. The dotted lines on the site map represent their 50 foot right of way.

Commissioner Jensen stated that he supports the plan. Commissioner Mildenhall asked about the existing house lot under 8,000 square feet. Mr. Crossman explained that the lot lines will be changed to meet the requirement. Commissioner Hancey asked about a retention pond for stormwater. Mr. Crossman stated that there is a significant slope and runoff will not collect. Mr. Bradley stated that the City Engineer and Public Works Director reviewed the plan but he will ask them about the stormwater requirements.

Commissioner Jones stated that the Planning Commission is in favor of the sketch plan and they will have more questions for the Applicant when he comes back with the plat.

**Item 3 - Old Golf Course Property / Ed Dayton**

Mr. Bradley stated that Mr. Dayton represents the property owner, Kim Keller. Mr. Bradley displayed the site and stated that Mr. Keller owns all of the property with the exception of the southeast corner. The property is zoned R-1-8. The draft General Plan proposes a change to the designation from low density to medium density which would be smaller lot sizes and zoned R-1-6 or R-M-7. Mr. Dayton does not have a sketch plan as this is just a discussion.

Mr. Dayton came to the table and stated that the original development was for ninety lots. The owner feels that if they were to go in that direction, they would not sell out for five or six years at the current growth rate. Mr. Keller wants to develop the site with mixed use components and possibly include an assisted living facility.

Mr. Dayton displayed photos of River Bend Townhomes in West Haven, Utah, on the screen and stated that the development consists of 3, 4, 6 and 8-plex two story units, with 57 doors on 5 acres or approximately 10 doors per acre. Each unit has a two car garage and the end units are single story. There would not be any basements due to the water issues on the property. There are white vinyl fences in the rear for privacy. He stated that this type of housing would work well on the property and it keeps pricing more affordable than single family housing.

Mr. Bradley stated that this property has the potential to be a planned unit development (PUD) like Kotter Canyon which has twin homes, patio homes and estate lots. PUDs allow different residential elements where an assisted living facility could also be included. PUDs are allowed with a conditional use permit in an R-M-7 district. A public street system should go through the development to provide access to adjacent properties. As was explained to Mr. Dayton, the City wishes to retain residential zoning. Commercial components would require rezoning.

Commissioner Hancey asked Mr. Dayton if he was looking at multi-plexes for the entire property. Mr. Dayton stated that they were looking at a 5 to 8-acre parcel for the multi-plexes. The Commissioners discussed the advantages of the PUD allowing for negotiation of zoning. They referred to Kotter Canyon. Commissioner Jensen stated that he likes the idea of a PUD with mixed use residential. He is not a fan of high density with 3 or 4 story buildings. He prefers some single family quarter acre lots, townhomes and neighborhood parks with small recreation areas. He likes the trees but does not like visible large garage doors. He suggested that Mr. Dayton bring in another design that minimizes the garage doors. He does not want to see any commercial use with the exception of a gas station/convenience store. Commissioner Jensen feels that this development would help to bring commercial businesses to the north end of town and he supports the concept in general. Commissioner Manning stated that the residents on the north end of town stated at the General Plan meetings that they want to see the area remain low density. Commissioner Hancey stated that the Commission does not want row after row of similar townhomes like in Northwest Logan. He would like to see a 2 or 3-plex mixed with larger homes. Commissioner Jones agreed with Commissioner Jensen and stated that because of the limited access to the development, it would be nice to have a small store and neighborhood play grounds. The Commission agreed that they would rather see a PUD than a rezone with an uncertain future.

**DISCUSSION**

Mr. Bradley stated that the next meeting will be a loaded Agenda with the public hearing on the update of the General Plan, Brigham Place Apartment #2, a request to make changes to Orange Grove for a housing component amendment to the Conditional Use Permit with the PUD, and a request to modify the sign for the Holiday Inn Express. Depending on the turnout, the Commissioners can decide how long to hear public comment on the General Plan and then continue the Hearing so that they can move on to the other items.

Commissioner Hancey asked if the water bottling plant was looking at a West Forest Street site. Mr. Bradley stated that the water bottling company will be submitting another application as they are currently looking at both sites and have not made a decision.

The Commissioners agreed that having Tyler Pugsley speak to the Commission was beneficial.

**Motion to adjourn**

**Motion:** A motion was made by Commissioner Jensen to adjourn.

The motion was seconded by Commissioner Manning.

The motion passed unanimously and the meeting was adjourned at 7:24 p.m.

This certifies that the regular meeting minutes of September 6, 2016 are a true and accurate copy as approved by the Planning Commission on September 20, 2016.

*Signed: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_*

*Christina Boss, Administrative Assistant*