

Grand County Planning Commission Minutes

July 11, 2007

A regular meeting of the Grand County Planning Commission convened on the above date at 6:00 PM in the Council Chambers of the Grand County Courthouse.

Members Present: Chairman Marcus LaFrance, D.L. Taylor, Charley Every, Chris Baird, Dave Cozzens, and Ed Bridges. Jean Binyon was absent.
County liaison – Gene Ciarus.

Others Present: County Staff, Richard Grice and Mary Hofhine, applicants and other concerned citizens.

Regular meeting was called to order at 6:00 PM

The Chair asked the Commission if there were any conflicts of interest that needed to be disclosed on any of the agenda items. There were none.

Acceptance of Minutes – The Commission accepted minutes from June 5, 2007 as corrected, both Workshop and regular meeting.

Public Hearing - A&M Preliminary Plat Subdivision - Staff read into the record the General Plan as amended to date, the Land Use Code as amended to date, and staff's memo of today's date.

This application is submitted by property owner Archie Walker (Applicant). The subject property is zoned LLR, Large Lot Residential, which has a minimum lot area of ½ acre. The property includes a total of 2.48 acres located on Spanish Valley Drive, between Spanish Trail Road and Mesa Road. The Applicant proposes division of the subject property into three residential units, with a minimum lot size of 0.61 acres and access provided via a proposed access tract. The surrounding properties are used for residential uses in the LLR, Large Lot Residential district.

The following utility service providers have approved the easements and made service commitments: Questar Gas, Grand Water and Sewer Service Agency, Frontier Telephone, and Rocky Mountain Power.

No utility service plan is included with the application, but we assume that common water and sewer lines will be installed in the Access Tract or utility easements.

The three lot subdivision will be served via a private access tract of Spanish Valley Drive to be developed by the Applicant. The access tract terminates in a cul-de-sac with a 44 foot radius.

A Homeowners' Association should be formed to maintain the private access tract, and the road contained therein should be dedicated to the HOA.

This subdivision is not required to have sidewalks. LUC, Sec. 5.4 provides that when the average lot size is more than ½ acre, which is the case, no sidewalks are required.

The Fire Chief indicates that the cul-de-sac provided (44 foot radius) is adequate for emergency turnaround purposes.

The County Engineer commented on the proposed subdivision by letters dated Feb. 26, 2007 and June 30, 2007. The following is a composite of those comments:

1. The private access tract plus flag pole portion of the lot #3 are about 360 feet long. Can adequate fire protection be provided at this lot? Where is the nearest fire hydrant?
2. How will sewer be provided to the subdivision? There is an easement for a private 6" sewer line to run along the north boundary of the proposed subdivision, adjacent to all three lots. However state regulations require 8" lines for public sewers. Also is this line a public sewer or a private service line?
3. Who will own the "Private Access Tract". Will a home owners association be set up to own, maintain, and pay taxes on it?
4. The preliminary plat indicates that water and sewer are available in Spanish Valley Drive. Will individual service

lines be run to each of the lots, or will new lines be run into the subdivision?

5. The preliminary drainage report is acceptable.
6. A cost estimate is needed. If common water and sewer lines are run into the subdivision they need to be included.

The Chair opened the public hearing and asked the applicant if he would like to speak. Mr. Walker didn't have anything more to add to the information presented.

There were no comments from the audience – the Chair closed the public hearing and called for a motion by the Commission.

Dave Cozzens move to approve subject to the following conditions:

1. Submission of draft documents forming an HOA and draft covenants demonstrating how common facilities (access road, water and sewer lines) will be maintained.
2. Submission of construction drawings and cost estimate for water and sewer lines and the access tract with the Final Plat.
3. Submission of draft documents forming an HOA and draft covenants demonstrating how common facilities (access road, water and sewer lines) will be maintained.
4. Submission of construction drawings and cost estimates for water and sewer lines and the access tract with the Final Plat.

D.L. Taylor seconded and all voted in favor.

Public Hearing - Puesta del Sol Amended Preliminary Plat- Staff read into the record the General Plan as amended to date, the Land Use Code as amended to date, and staff's memo of today's date.

Tim Keogh submitted this application on behalf of Ronald and Joyce Robertson (Applicant). The subject property is located north of Westwater Drive and east of the Solana Vallejo single family development and is zoned SLR-1, Small Lot Residential-1, which permits a maximum density of one (1) dwelling unit per 9,000 sq. ft. Puesta Del Sol PUD was initially approved by the County Council in October 1996; and, subsequently amended via the same procedure and following additional hearings in July and August 2000. The current application represents the second major amendment to the PUD.

Proposed changes are summarized as follows:

- Change the use of the drainage detention area in the southwest corner of the PUD from "storm water detention" to "single-family dwelling". (The County Engineer confirms that this detention is not needed.)
- Reduce the density of Lot 1, Block 4, from 2 single family units to one single family unit.
- Increase the size of Lot 1, Block 4, by 0.65 acre, and reduce the open space tract by 0.65 acres
- Reduce the Robertson's home site by 0.65 acres and add 0.65 acres to the open space tract.

The changes noted above simply move one unit of density and re-configure Tract A, keeping the open space within Tract A unchanged at 12.51 acres.

The open space tract was dedicated to the City of Moab so the City's approval is required for a change in the tract. By letter dated July 2, 2007, Donna Metzler advised that the City Council approved the change without reservation.

The open space tract was platted as Phase V, so a new plat will need to be prepared for Phase V to execute the changes proposed, and all parties with interest in the open space would need to sign the revised Phase V plat.

The Chair opened the public hearing and asked the applicant if they had anything to add; with no comments the Chair closed the public hearing and asked the Commission for a motion.

D.L. Taylor moved to recommend approval to the County Council subject to the subsequent preparation, approval and recordation of a new plat for Phase V.

Charley Every seconded and all voted in favor.

Public Hearing – Code Amendment Minor Record Survey for fully developed property - Staff read into the record the General Plan as amended to date, the Land Use Code as amended to date, and the draft ordinance.

This is an amendment to the Minor Record Survey Ordinance that was adopted in May of this year. The amendment allows for minor subdivision on lands that are currently fully developed with more than one house on the lot and there are no new impacts associated with the subdivision.

The Chair opened the public hearing; Tim Keogh asked if this is the same ordinance that was adopted earlier in the year, Staff explained that it's the same section of the code with additional changes.

With no other comments the Chair closed the public hearing and called for a motion – Charley Every moved to recommend the code amendment to the County Council with a favorable recommendation D.L. Taylor seconded and all voted in favor.

Public Hearing – Rim Village Vistas Phase 4 Preliminary Plat - Staff read into the record the General Plan as amended to date, the Land Use Code as amended to date, and staff's memo of today's date.

This application, submitted by Chuck Henderson (Applicant), seeks approval for the Preliminary Plat for Phase 4 of Rim Village Vistas PUD. The subject property is located between Highway 191 South and Rim Village PUD. Phase 4 includes 32 multi-family units in four buildings. Each dwelling unit will be in the form of attached townhouses, each built on a footprint lot.

Rim Village Vistas PUD Master Plan includes some 21.72 acres of real property with a split zone of MFR, Multi-family Residential, and RR, Rural Residential. County Council endorsed the allowance of mixing densities

County Council approved the Rim Village Vistas PUD Master Plan in 2006, subject the following conditions:

1. The approved Rim Village Vistas PUD Master Plan, dated June 22, 2006, shall control development; and
2. Improvements plans shall be modified as follows, per the recommendations of the County Engineer:
 - a. Access driveways serving more than 3 units need, as a minimum, to be built to private land standards; and
 - b. Safety guards or fences shall be added along parking areas and the drainage facility.

The County Engineer, Charlie Skewes reviewed the application and by letter of July 2, 2007, and had the following comments:

1. The sewer lines on sheet C-4 are not shown. The sewer line lengths and diameters are shown, but the sewer lines are not.
2. The pedestrian bridge detail on sheet C-8 is not shown.
3. The drainage report appears to be a duplicate of what was approved with the phase III submittal, and so it was not re-reviewed.
4. The cost estimate appears to be acceptable in the amount of \$440,444.38.

Staff explained that the many of the engineering issues will be taken care of at Final Plat. The applicant provided this information at preliminary but it doesn't need to be addressed until final.

The Chair opened the public hearing – there were no comments the public hearing was close and the Chair entertained a motion.

Charley Every moved to give the County Council a favorable recommendation without conditions; D.L. Taylor seconded and all voted in favor.

Public hearing continued – Code Amendment – Zoning Amendment for Article 2 Zoning Districts, Article 3 Use Regulations, Article 4 Special Purpose and Overlay Districts, Article 5 Lot Design Standards, New Sections - Exhibit B Sec. 9.11 Conditional Use Permits, Exhibit C Section 6.14 Affordable Housing, Exhibit D Sec. 6.11 Open Space and Common Area.

Staff reviewed with the Commission changes discussed during the workshop and summarized as follows;

- Establish a definition of constrained lands, with a reduction of density at 50%.
- Sec. 4.5 overnight rental uses and mapping the historically used for overnight rentals;. Only where appropriate and compatible. First we to draft the ordinance and map; then to apply to the appropriate district.

The Chair opened the public hearing to the public.

Sara Fields asked how long the written comment period will run. Why are the changes being done and who authorized the changes. *The Chair explained that this is not a question and answering forum so the Commission is not going to answer the questions at this time. Written comment will continue through the public hearing process, we will continue the public hearing until the August meeting and a workshop in August and will accept written comment through then.* Ms. Fields further stated that in Sec.4.3.6 Lot Design Standards - she prefers the term “shall” over “may”; may is too vague of a term without circumstances. Sec. 4.4.4 A under water source protection; a hydrological study is needed and should be specified in the code or lay out in specificity under what circumstances they are required. The phrase “practical and reasonable” is not a definite term and may be abused or interpreted incorrectly in considering open space. There is confusion in the current code and the amendment posted on the web site.

Mike Suarez – supports the concerns that Ms. Fields stated particularly a bottom line minimum standard the Commission would consider on the term practical and reasonable.

Barb Morra via telephone – The Chair cautioned Ms. Morra about attacking the staff or members of the Commission.

Art. 2 district standards when and if they will be added.

Art. 3 Use Table there are 9 new uses and definitions been added.

Art. 4 a reference that refers to a non existing section.

Art. 4.3.5 – don’t understand needs clarification.

4.3.7B – reference no build areas, what is appropriate and if it will be added to another section of the code.

9.11.6 needs drainage added.

New section with lot design standards interface with current dimensional standards.

The Chair explained that the public hearing will be continued to the August 8th regular meeting and the Workshop at 2:00 PM August 8th.

Workshop

Council Report - Councilman Ciarus thanked the Commission for their work and his appreciation for all the time they have spent on the revisions of the code.

Adjournment: The meeting was adjourned at 7:00 PM.

Marcus LaFrance, Chairman