

## **Grand County Planning Commission Minutes**

May 23, 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:** Vice Chairman D.L. Taylor, Marcus LaFrance, Dave Cozzens, Ed Bridges, and Jean Binyon.  
Charley Every absent  
County liaison – Gene Ciarus.

**Others Present:** Mary Hofhine, applicants and other concerned citizens.

**Regular meeting was called to order at 6:00 PM**

**Acceptance of Minutes** – The Commission accepted minutes from May 9, 2007 as corrected.

**Commission Vacancy** - Review of P&Z vacancy applications and recommendation to the Council; The Chair opened the interviews for two applicants who were not in attendance at the May 9<sup>th</sup> meeting.

The Chair asked the interviewees in attendance to step out and they would interview each person individually.

The Chair called on the first applicant;

**Judy Tangreen:** Ms. Tangreen stated that she does not have an agenda except for the orderly zoning of Grand County. Retired from the Grand County Assessor's office 2 years ago where she was a residential appraiser. She plans on staying in Moab and would like to give back to the community by contributing to the process.

**Charles Pipkin:** Mr. Pipkin is a Grand County High School graduate; although he has been gone for the last 25 years he's back and plans on staying. His interests are in the workforce housing crisis in Grand County, the junk cars in the County desperately need addressing and a frontage road along the Highway. While living in northern Utah he served on the Kearns Town Council and feels this provides him with experience in public process.

The Commission was given ballots to vote for one interviewee; Judy Tangreen had three votes, Chad Beyer had one vote and Chris Baird had one vote.

Dave Cozzens moved to send the results on to the County Council, Jean Binyon seconded all voted in favor.

Staff asked for clarification that Judy Tangreen is the recommendation from the Commission to the Council to fill the vacancy.

**Public Hearing – Zone Changed from NC, Neighborhood Commercial to LLR, Large Lot Residential Mulberry Lane** ; Staff read in to the record for reference the General Plan as amended to date, the Land Use Code as amended to date, and the staff memo for Mulberry Lane zone change of today's date.

This application is submitted by Ashley Korenblat and Mark Sevenoff (Applicant). The subject property consists of approximately 1.0 acre, on Mulberry Lane. The application seeks to rezone that the property from Neighborhood Commercial (NC) to Large Lot Residential (LLR). Surrounding properties (all sides) are zoned to the North and West NC, to the South and East LLR.

The property was zoned NC, Neighborhood Commercial in 1988, but has been developed as residential - there is no commercial uses except for a Beauty Shop adjacent to a residence.

The history illustrates that the rezone request in 1988 was proposed for a restaurant at the back of Mulberry Lane (the old Bar –M); apparently the description took in property that wasn't owned by the applicant and was inadvertently rezoned. This is definitely a mistake.

The lot in question is not at all appropriate for commercial use it is on an inadequate road (Mulberry Lane) for commercial use and access to the lot is through a city neighborhood.

Staff further explained that in researching the zoning of the property found that it was actually an error in the property description and the wrong property was rezoned. The Korenblat/Sevenoff property was not to be a part of past rezoning. Staff will work on correcting the wrongful rezoning, but until that is started the applicants would like to correct their property.

The Vice Chair opened the public hearing and gave the applicant the floor. The applicant explained that all the surrounding properties are residential in nature and the access would not be conducive for commercial use.

The floor was opened to the public; with no comment the Vice Chair closed the public hearing and called the question.

Marcus LaFrance moved to send a favorably recommendation to the County Council for the requested zone change finding that it is clearly a mistake, but for this parcel only. Also, since this was an administrative error the recommendation include that the applicant be given back their administrative fees. Jean Binyon seconded and all voted in favor.

**Navajo Vista PUD sketch Plan** - This application is submitted by Tom Shellenberger, on behalf of the property owner, JD Norman, Kejana LLC (Applicant). The subject property includes 13.74 acres of real property; proposed use is 13 single-family lots ranging in size from 17,000 square feet to 22,900 square feet, plus 5.1 acres of unimproved open space. The property is zoned RR, Rural Residential, and is located of Highland Drive and adjacent to P-K Lane. A HOA will be formed to be responsible for maintenance of the private road, open space and detention pond.

All subdivisions in the RR, district are subject to the provisions of Sec. 6.2 Zoning map and text amendments, and the requirements of the Sec. 3.22, PUD, Planned Unit Development, unless such division qualifies for a waiver pursuant to Sec. 3.22.2 of this LUC. Where PUD is required, such developments shall be considered to be a RR-PUD, Rural Residential-PUD. No waiver is requested.

The property is currently characterized by “undisturbed sagebrush, black brush and Utah juniper with outcroppings of light colored sandstone and chert. The land slopes from the high end on the east to a lower elevation on the west side of the site.” No construction has been proposed on the slopes but will be required open space lot.

The lots are “clustered” but no information is provided as to why the site is planned as it is; lots vs. open space. Proposed open space represents 37 percent of the 13.74 acre site. Staff notes that the detention pond will need to be set aside as “common area” rather than “open space” per County LUC requirements.

Primary access to the property will be from Highland Drive, which is a public lane within an existing 50 foot R-O-W to County road “dedication”, transitioning to a Public Lane within a 66 foot road “easement”. In addition, one new lot is to be accessed from P-K Lane. The proposal shows a 56 foot private access “easement” within the subdivision ending in a cul-de-sac.

Sec. 5.4, Sidewalks and Trails, would not require sidewalks in this case since the average lot size is more than ½ acre. An existing trail is proposed to be relocated partially to a dedicated public trail easement and partially to private open space. The public trail easement is the correct approach.

Letters should be submitted with the Preliminary Plat application demonstrating the availability of water and sewer service, gas and electric service, and the adequacy of easements proposed.

Fire protection and the availability of adequate hydrants must be satisfactory to the Fire Chief.

A preliminary drainage report must be submitted with the Preliminary Plat demonstrating that the difference between pre- and post-development flows will be detained onsite. Also, measures to protect the structures and minimize impervious surfaces should be described.

A PUD master plan must be approved and recorded as part of the ordinance granting Preliminary Plat approval to any PUD.

Staff asked for questions by the Commission; Jean Binyon said she had some concerns regarding the gated loop and other access concerns that she would like to have addressed by the applicant.

The Vice Chair stated that the applicant has provided sufficient information for a sketch plan and recommends the following stipulations be addressed with the Preliminary Plat application:

1. Submission of the required Master Plan with the Preliminary Plat application;
2. Submission of the required Drainage Study with the Preliminary Plat application;
3. Establishment of common area for the roads and detention pond; open space for the balance of the property not identified as lots;
4. Dedication of easements for historic trail(s) through the property;
5. Street connectivity to the exterior are waived due to the unusual circumstance created by the presence of escarpments on the north east, and to the south west sides of the property due to existing subdivisions, which make it impossible to provide such access;
6. Internal roads shall be redesigned as a connected loop road;
7. Submission of draft HOA documents demonstrating the formation of the entity and covenants per County LUC requirements, the HOA is be responsible for maintenance of private roads, open space, and detention pond.
8. Submission of evidence of roads and dedicated right-of-way meeting private lane standards in all cases;
9. Submission of a fire protection plan satisfactory to the Fire Chief; and
10. Submission of letters with the Preliminary Plat application demonstrating the availability of water and sewer service, gas and electric service, and the adequacy of easements proposed.

**WORKSHOP** – Ed Bridges explained that he will need to be excused early from the meetings during June and July; he has a commitment at 7:30 PM during the summer.

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

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D.L. Taylor, Vice Chairman