BRIAN HEAD

The Regular Meeting of the

Brian Head Planning Commission

Town Hall - 56 North Highway 143 - Brian Head, UT 84719

Zoom Meetings (Click Here)

Zoom Meeting ID#811 7515 969656

TUESDAY, August 6, 2024 @ 1:00 PM

Minutes of the Planning Commission

Roll Call.

Members Present: Chairperson Doug Deutschlander, Commissioner Jeff Morgan, Commissioner Cecile Wallis, Commissioner Sheri Brown. Alternate Commissioner Rachelle Lee

Members Absent: Commissioner Carrie Dever.

Staff Present: Ciera Claridge; Deputy Clerk, Amanda Hunter; Code Enforcement Officer, Nancy Leigh; Town Clerk.

A. CALL TO ORDER

Chairperson Deutschlander called the regular meeting of the Planning Commission to order at 1:00 PM.

B. PLEDGE OF ALLEGIANCE

Chairperson Deutschlander led the Planning Commission and other attendees in the Pledge of Allegiance.

C. DISCLOSURES

- Chairperson Deutschlander stated he may have a potential conflict of interest with agenda item F2: Minor Plat Amendment for The Mall which he is an adjacent owner (Brianhead Sports) to the property being discussed.

There were no other conflicts of interest with today's agenda items. Chairperson Deutschlander stated that the disclosure statements are on file with the Town Clerk and are available for public inspection during normal business hours.

D. APPROVAL OF THE MINUTES:

July 16, 2024 Planning Commission Meeting

Action: Commissioner Wallis moved to approve the July 16, 2024, Planning Commission minutes. Commissioner Morgan seconded the motion.

Action: **Motion carried 5-0-0 (summary: Yes=5 Vote: Yes:** Commissioner Wallis, Commissioner Brown, Commissioner Morgan, Alternate Commissioner Lee, Chairperson Deutschlander. Absent: Commissioner Dever).

E. PUBLIC INPUT/ REPORTS (Limited to three (3) minutes) Non-Agenda Items

Cynthia Vanpost, Cedar City resident, commented that she has a handicapped child and noted that The Mall restrooms did not comply with ADA accommodations and were not a clean place to have a child who needs ADA-accommodating restrooms. Kade Bryant, the Mall owner, commented that they are in the process of expanding The Mall which will include new ADA-compliant restrooms along with an electric lift for disabled persons. She believes that minor repairs to the ramp need to be completed as well.
The Commission thanked Ms. Vanpost for her comments.

F. AGENDA ITEMS:

1. **MINOR PLAT AMENDMENT – GONZAGA AMENDED PLAT** A proposed Plat Amendment for Lot line vacation between Lots 59 and 60 in Cedar Breaks Mtn Estates Unit A (362 and 384 Lupine Ct)

Amanda Hunter, Code Enforcement, presented an application for a Minor Plat Amendment for a lot line vacation for lots 59 and 60 in the Cedar Breaks Mountain Estates, Unit A Subdivision (see attached). The physical addresses are 362 E. Lupine Court and 384 E. Lupine Court.

The Commission discussed the following:

1. Alternate Commissioner Lee commented that the surveyor's narrative second note states that the survey does not close by 2.8. feet and inquired if it affects the lot line vacation. Amanda Gonzaga explained that the subdivision was surveyed in the 1960s and there are small discrepancies in the surveys.
2. Chairperson Deutschlander inquired if the Special Assessment Area (SAA) would be affected by the lot line vacation. Nancy reported that the property owners would still be paying two separate SAA payments for each lot if they were separate lots when the Notice of Intent was adopted by the Town Council.

Motion: Commissioner Wallis moved to approve the Minor Plat Amendment vacating the lot line between lots 59 and 60 of the Cedar Breaks Mountain Estates, Unit A Subdivision as presented. Commissioner Morgan seconded the motion.

Action: **Motion carried 5-0-0 (summary: Yes=5 Vote: Yes:** Commissioner Wallis, Commissioner Brown, Commissioner Morgan, Alternate Commissioner Lee, Chairperson Deutschlander. **Absent:** Commissioner Dever).

2. **MINOR PLAT AMENDMENT - THE MALL CONDOMINIUMS PHASE II.** A Plat Amendment for an extension to The Mall building located at 268 South Village Way.

Amanda Hunter, Code Enforcement, presented an application for a Plat Amendment in order to do an extension to The Mall building located at 259 South Village Way (see attached) for a lot line adjustment.

Kade Bryant, the Mall owner, explained they are requesting to move the north lot line of the property by ten feet (10') because they would like to add two additional condominium units and move the restrooms. Kade went on to explain that there will be a small rock wall and the new restrooms will be located towards the north end of the building. Kade reported that to finance the construction for the expansion of the building, they need to have the lot line adjusted.

The Commission discussed the following:

1. Kade explained that as part of approving the plat for the additional two condo units, there will be four (4) plats recorded so each individual unit can be sold and will be completed at the same time.
2. Chairperson Deutschlander stated that in order to record the final plat, the owners of the condos would need to sign off. Kade explained that Brian Head Ice would be released from the loan.
3. Alternate Commissioner Lee inquired if the Town's Engineer's items have been resolved. Kade responded that they were addressed and would fix the spelling that was suggested and commented on the condo that encroaches the boundary. Kade ensured that he was aware of this being mentioned by the Town's Engineer as well.
4. Discussions regarding public and private restrooms: Kade explained there will be an access agreement stating the current Mall patrons will use those restrooms there will also be additional restrooms in the basement.
5. Commissioner Brown inquired as to why the applicant had not provided a full report. Kade explained that it was at his own risk of potentially not having the ability to record it without having signatures from other owners. Kade reported that they would like to begin the foundation with the enclosure of the front deck area and the loading ramp in the new location within the 180 days that the permit allows.

Motion: Commissioner Morgan moved to approve the Plat Amendment for the Mall Condominiums Phase II based on the findings of fact and conclusions of law presented by staff, as proposed. Commissioner Wallis seconded the motion.

Action: **Motion carried 5-0-0 (summary: Yes=5 Vote: Yes:** Commissioner Wallis, Commissioner Brown, Commissioner Morgan, Alternate Commissioner Lee, Chairperson Deutschlander. **Absent:** Commissioner Dever).

Chairperson Deutschlander requested the Commission begin to consider thinking about what they would like to see for density in R2 and R3 zones for a discussion topic and how could it be achieved in an upcoming meeting.

G. ADJOURNMENT

Motion: Commissioner Morgan moved to adjourn the regular meeting of the Planning Commission. Commissioner Wallis seconded the motion.

Action: **Motion carried 5-0-0 (summary: Yes=5 Vote: Yes:** Commissioner Wallis, Commissioner Brown, Commissioner Morgan, Alternate Commissioner Lee, Chairperson Deutschlander. **Absent:** Commissioner Dever).

The regular meeting of the Brian Head Planning Commission was adjourned at 1:56 p.m.

____

Date Approved

____

Ciera Claridge, Deputy Clerk