



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# 864 9843 9958
TUESDAY, June 4, 2024 @ 1:00 PM

MINUTES OF THE PLANNING COMMISSION

Roll Call.

Members Present: Commissioner Carrie Dever (Chair Pro tem), Commissioner Jeff Morgan, Alternate Commissioner Rachelle Lee, Commissioner Cecile Wallis, Commissioner Sheri Brown.

Members Absent: Chairperson Doug Deutschlander.

Staff Present: Lester Ross, Building and Planning Official; Nancy Leigh, Town Clerk.

A. CALL TO ORDER

Chair Pro Tem Dever called the regular meeting to order at 1:04 p.m.

B. PLEDGE OF ALLEGIANCE

Chair Pro tem Dever led the Commission and others in the Pledge of Allegiance.

C. DISCLOSURES

There were no conflicts of interest with today's agenda. Chair Pro tem Dever stated that the disclosure statements are on file with the Town Clerk and are available for public inspection during normal hours.

D. APPROVAL OF THE MINUTES:

May 7, 2024 Planning Commission Meeting

Motion: Commissioner Morgan moved to approve the May 7, 2024 Planning Commission minutes. Commissioner Wallis seconded the motion.

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

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

Bret Howser, Town Manager

1. The Public Works Director interviews are currently taking place. A decision should be reached by Wednesday, June 5, 2024.
2. The Public Works Director social was held on Monday evening and had a good turnout. Three out of the five candidates were present for the social



- 1 3. The Deputy Clerk interviews are completed and an offer was made yesterday to one of the
2 applicants.
3

4 **F. AGENDA ITEMS:**
5

6 **1. ADMINISTRATIVE ACTION - PRELIMINARY PLAT FOR HIDDEN SPRINGS.** A
7 Preliminary Plat for Hidden Springs subdivision.
8

9 Lester Ross, Building and Planning Official, presented the Preliminary Plat for Hidden Springs
10 Subdivision (see attached). Lester reported the Commission held a public hearing during their May
11 21st Commission meeting and several written and verbal comments were submitted. Lester reported
12 he listed the comments in the staff report along with an answer for most of the comments. Lester
13 inquired if the Planning Commission would like to address some of the public's concerns with the
14 Hidden Springs subdivision. Lester explained that the Commission will review and forward a
15 recommendation to the Town Council for the Hidden Springs Preliminary Plat.
16

17 The Commission discussed the following:

- 18 1. Parking: access to parking is proposed to go across the Pinetree condominium parking lot.
19 Lester explained that people will take the easiest path when going to their cabin.
- 20 2. Roads: the intersection of Roads B and C on the Site Plan. Lester explained that an
21 intersection cannot be more than a 4% slope and he will need to research to determine how
22 far the 4% can be and the first 100' cannot be more than 10%. The developer will need to
23 work with the grading to keep it under the 200' requirement. Lester reported he did bring it
24 to their attention earlier today.
- 25 3. Stormwater storage: an underground storage system that will be metered and gravity-fed
26 back into the system. The Town engineer is reviewing it and will be approved before
27 installation.
- 28 4. Landslide possibility: Lester explained that there is always a possibility of landslides in Brian
29 Head with the soil conditions and nothing can be guaranteed.
- 30 5. Access to Pinetree Condos during construction: access is required before development can
31 begin. A traffic control plan on open lanes and if a road closure is needed, they will have to
32 provide how they will get traffic through the area. This is taken care of in the permit process.
- 33 6. Tree Removal: They have 98% of the land, which is undisturbed, which exceeds the Town's
34 requirement of 20% undisturbed and 40% landscaped. This includes the entire project site.
35 Trees are proposed around the perimeter, the buildings, and between the parking lot and
36 buildings.
- 37 7. Soils Report: This has been completed and the engineers are reviewing it.
- 38 8. ADA Compliance: With 88 planned units in total, they are not required by law to be ADA
39 compliant.
- 40 9. Access to A-frames: proposed to go down the Town trail.
- 41 10. Tree Removal between unit 30 will have to follow the Wildland Urban Interface (WUI) Code
42 which prohibits pines within 10' of the building but is less restrictive with aspen trees.
- 43 11. Turnaround: the turnaround will be on roads A & C which was worked out with the Public
44 Safety Director who felt it was adequate. It will be a bullhead-modified turnaround.
- 45 12. Building placement: Staff believes this meets the Code and is up to the Planning
46 Commission.
- 47 13. Parking/Trespassing concerns: Lester explained that parking and trespassing may be a
48 concern mainly for the A-frame units. The Town Code allows for offsite parking.
- 49 14. Snow storage: The Town requires them to show the snow storage area which will be
50 addressed on the Final Plat.



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- 1 15. Dumpster locations: the dumpster location needs to be identified. The staff has requested
2 the developer to look and find a location around the parking area so that public works can
3 access the dumpster and get the garbage truck in and out. There was some confusion in the
4 design stage as to what was required.
- 5 16. Commissioner Wallis inquired if units 17 - 18 would be the temporary location for the
6 dumpster. Lester explained that is identified in Phase 2 and they have been requested to
7 identify a dumpster location in Phase 1. Staff recommended having two dumpsters in that
8 location with one dumpster closer to the A-frames.
- 9 17. Commissioner Morgan inquired if there were other options other than installing a fence to
10 stop the trespassing. Chelsea explained she is working with Pinetree HOA on a solution to
11 mitigate trespassing.
- 12 18. Construction and Equipment trespassing onto Pinetree: Lester explained the developer will
13 need to work with Pinetree HOA. There are some easements for construction. Lester
14 reported the easement is recorded with the County and the developer and Pinetree HOA will
15 need to work out this civil matter. Lester suggested that if they are unable to come to a
16 compromise, then he would suggest they go to the State Ombudsman to help mitigate the
17 matter.
- 18 19. Commissioner Brown suggested that a fine be associated with the fence along with signs for
19 No Trespassing as a way to help mitigate the trespassing issue.
- 20 20. Increased Traffic: with a new development, there will be increased traffic.
- 21 21. Environmental Impact Study is not required by the Town Code.
- 22 22. Snow Storage is identified on Sheet 4 of the Plan.
- 23 23. Chelsea reported that the stormwater storage will be buried under the covered parking and
24 will not have a lot of force on it. The underground system is more stable.
- 25 24. Chelsea, Hidden Springs, reported they are following the natural topography of the land to
26 do the best of their ability and have a structural engineer for the A-frame buildings. None of
27 the units are dependent on the retaining walls.
- 28 25. Chair Pro tem Dever commented that there were concerns regarding the staggering of the
29 buildings: units 27 - 33 look like they have some staggering effects but the other units look
30 like they are in a straight line, but the Commission does not have the dimensions on the
31 buildings to determine if they are staggered. Chair Pro tem Dever commented that there
32 needs to be some uniqueness in the staggering of the building and the intent was not to have
33 a solid straight line of buildings. Chelsea asked if the Commission could provide the Town
34 Code they would like her to follow.
- 35 26. Parking for each building: the Town Code dictates the number of parking based on the
36 square footage. As of now, there are 2.5 parking spaces required. There are some units with
37 one or two car garages and most of the units have parking for two vehicles along with the
38 offsite parking area.
- 39 27. Chair Pro tem Dever gave a brief background on her experience in Brian Head of 34 years in
40 real estate and ten years on the Planning Commission. Chair Pro tem Dever expressed her
41 concerns about developments coming to Brian Head without getting feedback from those
42 who have worked in the area for many years. Another concern is the length of the project
43 that is proposed to take place and the risk of not completing the project. Chair Pro tem
44 commented that she would like to see something unique instead of something congested.
- 45 28. Chelsea responded she felt the A-frames were a good fit for Brian Head and gave a brief
46 explanation of her background. She is currently working with a brokerage company and a
47 real estate agent who has been assigned to the project. Chelsea reported she would be happy
48 to meet with Chair Pro Tem Dever on her feedback. There are certain processes that are
49 analytical and is an R3 zone that allows for the number of units which she reined in the
50 number of units as to what is allowed.



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- 1 29. Chair Pro tem Dever inquired about a piece of land that is landlocked east of Elevate Condos
2 and west of Copper Chase. Lester responded that Copper Chase HOA owns it.
3 30. Chair Pro tem Dever inquired if the developer is required to complete Phase 1 before another
4 Phase can be completed. Lester reported that before a Final Plat is recorded, a bond for 125%
5 of the overall project is required and the phases would only be able to be constructed but
6 some of the infrastructure for the other phases would need to be cut in.
7 31. Chair Pro tem Dever inquired if there is a way to offset the units so that they are somewhat
8 staggered. Lester explained there is no definition of staggered in the Town Code.
9

10 **Motion:** Commissioner Wallis moved to approve the Preliminary Plat for Hidden Springs
11 Subdivision to the Town Council with the following conditions:

- 12 1. The slope at the intersection of Road B must be at 4% or less and not more than
13 10% for 200'.
14 2. Plans that will show snow storage for parking will need to be identified.
15 3. The dumpster/enclosure location will need to be identified for Phase 1.
16 4. Utility construction easement will be determined.
17 5. Proof of legal access will be provided for the Final Plat.

18 Alternate Commissioner Lee seconded the motion.

19 **Action:** **Motion carried 5-0-0 (summary: Yes = 5 Vote: Yes:** Chair Pro tem Dever, Commissioner
20 Morgan, Commissioner Wallis, Commissioner Brown. Alternate Commissioner Lee.
21 **Absent:** Chairperson Deutschlander).
22
23

24 **2. LEGISLATIVE RECOMMENDATION FOR AN AMENDMENT TO THE LAND**
25 **MANAGEMENT CODE CHAPTER 12, BUILDING DESIGN STANDARDS.** A discussion
26 and recommendations to the Town Council for changes to Title 9 Chapter 12 of the Town Code amending
27 Building Design Standards.
28

29 Lester Ross, Building and Planning Official, explained that the Commission will need to table the
30 Building Design Standards at this time since Bret Howser, Town Manager, is not available to review
31 the changes with the Commission and needs to be excused from today's meeting.
32

33 **Motion:** Alternate Commissioner Lee moved to table Agenda Item F-2, Building Design
34 Standards until the next Commission meeting. Commissioner Morgan seconded the
35 motion.

36 **Action:** **Motion carried 5-0-0 (summary: Yes = 5 Vote: Yes:** Chair Pro tem Dever, Commissioner
37 Morgan, Commissioner Wallis, Commissioner Brown. Alternate Commissioner Lee.
38 **Absent:** Chairperson Deutschlander).
39
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41 **3. DISCUSSION - LAND MANAGEMENT CODE-SUBDIVISION CODE UPDATES.** A
42 discussion on the proposed changes to the Land Management Code - Subdivisions, proposed by the Hansen
43 Planning Group.
44

45 Lester requested the Commission table this agenda item at this time since he needs to be excused
46 from the meeting. Lester requested the Commission review the proposed changes from the Hansen
47 Planning Group and it will be on the next Commission agenda.
48

49 **Motion:** Commissioner Wallis moved to table Agenda Item F-3: Subdivision Code Updates, until
50 the next Commission meeting. Alternate Commissioner Lee seconded the motion.



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

G. ADJOURNMENT

Motion: Alternate Commissioner Lee moved to adjourn the regular meeting of the Planning Commission for June 4, 2024. Commissioner Morgan seconded the motion.

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

The regular meeting of the Brian Head Planning Commission was adjourned at 2:06 p.m. on June 4, 2024.

June 18, 2024

Date Approved

Nancy Leigh
Town Clerk