

# Manti City Planning Commission Public Hearing and Regular Meeting

## MINUTES

July 18, 2023  
6:00 PM

MANTI CITY BUILDING  
50 SOUTH MAIN STREET

TYPE OF MEETING	Planning Commission Public Hearing and Regular Meeting
ATTENDEES	Members: David Tibbs, Donna Birk, Jennifer Christiansen, and Gavin Cox Also present: City Manager Kent Barton and City Recorder JoAnn Otten
ABSENT	Planning Commission Member Alan Christensen

### Public Hearing

ITEM 1	<b>Public hearing regarding proposed development agreement between Manti City and Steve Pyper concerning the annexation of Pyper Lane.</b>
<p>Chairman David Tibbs welcomed all present.</p> <p>He stated that several months ago the city was contacted by Steve Pyper, with a request to develop property he owns near 800 East along 300 North, with access to be allowed from a private lane outside the city boundaries.</p> <p>Being that the city’s zoning ordinance requires street frontage in order to develop property, the city denied the request. Since that time, the city has worked with Mr. Pyper in an effort to allow Pyper to annex the private lane into the city, thereby enabling him to meet the street frontage requirement, while also requiring Mr. Pyper to deed property to the city on both the east and west sides of his property in order to preserve a possible future link to 300 North by either an extension of 750 East or by way of 800 East.</p> <p>In order to obtain the property for the possible future street extensions, the city is proposing a reduced street development requirement for Mr. Pyper, which will include 24-feet of paved street, but no curb, gutter or sidewalk along the street to be</p>	

annexed – currently known as Pyper Lane, but if successfully annexed, to be renamed 800 East.

The Council and City Staff have worked with the City Attorney in creating this agreement, and as required by the city’s land-use ordinance, has asked that the Planning Commission hold a public hearing, discuss the agreement, and make any recommendation to the council.

Chairman Tibbs did state that the Planning Commission has not been involved in the preparation of the draft development agreement, but they are required to hold a public hearing on same. He said that the Planning Commission may either support, support with modifications or not support this development agreement.

He then invited public comment.

As there was no comment, the Chairman closed the hearing.

ITEM 2	<b>Public hearing regarding proposed development agreement between Manti City and Heritage Homes concerning proposed development of 25-acre parcel north of the temple to include mixed use residential and commercial properties.</b>
<p>Chairman Tibbs stated that about a year ago, the city started discussions with the Allred family concerning the family’s desire to develop property immediately north of the Temple, which has been in the family for over 150 years. The property lies within the city limits and is currently zoned for commercial use along the entire west (highway facing) side of the property, extending eastward for 500 feet into the property. The remainder of the property is zoned for residential use with an R-1 or low-density single-family designation.</p> <p>The Allred family desires to do a high-quality development, which will enhance the entrance to the city and compliment the historic temple property. The family has submitted concept plans and worked with city staff to determine needs and requirements for streets and utilities.</p> <p>The concept plan includes about 3-acres dedicated for commercial uses and the remainder as single-family home lots, most being in the range of one-quarter to one-third acres in size. The plan also includes 12 lots in the range from .145 to .167 acres with reduced setback requirements, to be used for cottage style homes with small limited-maintenance yards.</p>	

The plan will require adjusting the zoning on the property to provide for increased residential acreage and decreased commercial acreage. This rezoning would occur through a separate process, as outlined in the city land-use ordinance.

For designating smaller lots within the project, which is zoned as R-1, the city's attorney recommended the development agreement process, also outlined in our ordinance. The rationale for this development agreement being that the city would allow the 12 smaller lots. Because the overall density of the proposed 55 total lots is actually less than the maximum allowed density (57 lots) the property could accommodate because of the use of larger lots throughout the remainder of the development.

The council and city staff have worked with the city attorney in creating this agreement, and as required by the city's land-use ordinance, has asked that the Planning Commission hold a public hearing, discuss the agreement, and make any recommendation to the council.

He then invited public comment.

Mary Pipes- 404 West 500 North

Ms. Pipes said that she had attended the work meetings that the City Council had held and was in complete favor of a development with smaller lots.

She stated that she was not in favor of requiring the developer to have an HOA, as she felt it was inappropriate for government to make this type of requirement. She said that overall the development looks very well planned and she encouraged the Planning Commission to recommend to the City Council they move forward with the development agreement.

Jeff Killian – 723 East 200 South

Mr. Killian questioned if the commercial property on the east side of the highway will have the same requirements as the commercial on the west side of the highway.

He then explained that due to the elevation of this particular property they will be unable to connect to the sewer and a large pump station will need to be installed. He reported that the city council had agreed to complete a preliminary sewer study that would look at different options to allow gravity fed sewer treatment facilities. He said they are also discussing the development of a Special Improvement District for this

development. He stated that there has been no mention of requiring the development to have an HOA.

Ms. Pipes said that at the city council work meeting there was mention of requiring an HOA and Planning Commission Member Christiansen said she also had heard this at the work meeting.

As there was no additional comment, the Chairman closed the hearing.

## Regular Meeting

ITEM 3	<b>Discussion concerning proposed development agreement between Manti City and Steve Pyper regarding the annexation of Pyper Lane.</b>
<p>Chairman Tibbs asked if there was any discussion relative to the proposed Pyper Development Agreement.</p> <p>City Manager Barton explained that Option 1 basically follows the subdivision ordinance with improvement to 750 East Street, and dedication of 34-feet of property within the development for road improvements.</p> <p>He then reviewed Option 2 and provided a map showing the annexation and street improvement of Pyper Lane, dedication and deed of a 34-foot wide portion of the development along the western boundary of the development to the City for the potential future extension of 750 East, connecting with 300 North (future row).</p> <p>Discussion ensued after which Chairman Tibbs stating that this will require the City to maintain 800 East Street (Pyper Lane) which is not in city limits, but will be funded by Manti citizens.</p> <p>Planning Commission Member Christiansen inquired if there will not be curb/gutter or sidewalk requirements and the City Manager said that there will not be these requirements in this Development Agreement, as Mr. Pyper is deeding property to the city for the possible future extension of 750 East connecting with 300 North.</p> <p>Chairman Tibbs once again stated that the citizens will pay the expense of maintaining a road that individuals from Sanpete County will benefit from.</p> <p>Mr. Pyper explained that there will be three homes that will be tax paying citizens that will also use this road.</p>	

Some discussion ensued.

Chairman Tibbs expressed his concerns relative to the 34-foot on the west (future row) and the allowance of property owners within the development to use, improve and fence the “future row”, but they may not install, construct or place any permanent structure or improvements on. He said that it will put the City in a tough situation to tell the property owner they may use the area that is owned by the City, but then make them move their fence or building at some point in time that has been on the property for 20 or 30 years.

The City Manager said that there is no adverse possession against the city, and it will show on the deed that the property is owned by the City.

Chairman Tibbs questioned if it benefits the city to obtain a road that goes nowhere or if curb/gutter and sidewalk would be better for the subdivision. He strongly voiced his objection to the Development Agreement, as written, and felt there will be future problems and also felt very strongly that 750 East should be maintained and connected to 300 North Street.

After additional discussion Chairman Tibbs called for a motion.

Planning Commission Member Birk moved to support the Pyper Development Agreement as presented and forward same to the Manti City Council, seconded by Planning Commission Member Jennifer Christiansen.

Planning Commission Members voting “aye”: Donna Birk, Jennifer Christiansen and Gavin Cox. Members voting “nay”: David Tibbs.

ITEM 4	<b>Discussion regarding proposed development agreement between Manti City and Heritage Homes concerning proposed development of 25-acre parcel north of the temple to include mixed use residential and commercial properties.</b>
<p>Chairman Tibbs inquired if there was any discussion regarding the proposed Heritage Homes Development Agreement.</p> <p>Planning Commission Member Birk said that she is very impressed with their plans and felt Manti City definitely needs smaller lot options available to individuals.</p> <p>City Manager Barton reviewed the site plan explaining that there will be different zones included in the subdivision. He noted that with a development agreement they</p>	

may allow multiple zones, but the commercial zone will have to comply with the current ordinance. He also reported that once the concept and development agreement are in place the developers will complete it in phases.

Some discussion ensued after which Chairman Tibbs called for a motion.

Planning Commission Member Gavin Cox moved to accept the Development Agreement, as written, and forward same to the Mayor and City Council, seconded by Member Donna Birk. Planning Commission members voting “aye”: Gavin Cox, Donna Birk, Jennifer Christiansen and David Tibbs. Members voting “nay”: none.

<b>ITEM 5</b>	<b>Consideration of minutes of the June 13<sup>th</sup> meeting.</b>
Chairman Tibbs directed Planning Commission members to review minutes from the previous meeting of June 13, 2023. After brief discussion he called for a motion to accept the minutes, as corrected.	
Planning Commission Member Jennifer Christiansen moved to accept the minutes as corrected, seconded by Member Donna Birk. Members voting “aye”: Jennifer Christiansen, Donna Birk, Gavin Cox and David Tibbs. Members voting “nay”: None	

<b>ADJOURNED</b>	7:35 P.M.
<b>NEXT MEETING DATE</b>	August 8, 2023