

The regular meeting of the Farr West Planning Commission was held on Thursday, February 12, 2015 at 7:00 p.m. at the City Hall. Commission members present were John Stewart, Bonnie Beal, Ken Phippen, Phil Owen, Ted Black, Joe Markland, Milt Austin and Bruce Allen. City Council members present were Ava Painter and Mayor Dickemore. Staff present was Andrea Ortgiesen. Visitors present: see attached list.

Chairman John Stewart called the meeting to order. Phil Owen led in the pledge of allegiance. Joe Markland offered a prayer.

First Public Hearing as Advertised – Discuss and/or act upon the intent of the legislative body to consider the request of a conditional use permit for Tiffany Corson for a kennel license located at 2487 North 2575 West

Keith Corson was present and drew an illustration of what he is planning to do. John Stewart asked if Ms. Corson brought some letters from her neighbors. Tiffany Corson stated every neighbor was in favor except the Pebley's, whose children are afraid of animals. Tiffany stated with the system they will have in place, even her 8 year old can't let the dogs out. John asked if they are requesting a permit for four dogs. Keith stated no, six. There were no public comments on this hearing.

Second Public Hearing as Advertised – Discuss and/or act upon the intent of the legislative body to consider the request of a re-zone of the William Fox property located at 1957 North 2000 West

Bill Fox stated he would like to put in a construction shop and an open RV storage. He stated they will be eliminating two approaches on 2000 West. He stated there will be no screening of materials and no resulting dust. Lana Wall stated she is representing her mom and aunt who own the three houses near this property. Ms. Wall stated she is greatly opposed to the re-zoning and proposed construction office. Ms. Wall stated there have been construction trucks in and out of the property for the last two years. She stated she doesn't feel this is appropriate for the C-2 Zone. Ms. Hall listed all the ways she felt this business doesn't fit into the zoning. Ms. Hall stated she thinks residential homes would be higher tax revenue. She then read part of the code regarding a decorative wall and asked that that be in place before construction commences.

Ed Ramer stated he lives at 1931 N 2000 West, which is the property directly to the south of this site. He stated he would hate to see another type of business that runs 24 hours a day or a business that creates a lot of noise. Mr. Ramer stated if this is just a business office, he would not be opposed to that. Mr. Ramer stated he has not seen any disruption to his home and he is just concerned with the conditions to be imposed on the business. He stated he feels heavy equipment and children don't mix.

Doug Say stated that, years ago, the master plan was to have 300 feet of commercial on both sides of the highway. He stated the City needs a business base and it should be located on the highway. He stated he is all for that and feels it increases the surrounding property values.

Third Public Hearing as Advertised – Discuss and/or act upon the intent of the legislative body to consider the request of a conditional use permit for a construction office for B & K Fox Contractors located at 1957 North 2000 West

Ed Ramer asked how the conditions are decided. John Stewart stated they hold the public hearing to get input from the public and based on those comments and the concerns of the Planning Commission, they will discuss conditions. Mr. Ramer asked for an explanation of a “business office” as listed on the application. Mr. Fox stated the traffic would be in once in the morning, once in the evening. He stated he will have one office, but his employees will be in and out of the shop during the day. Mike Grange asked if all the equipment at his other site will be moved here. Mr. Fox stated no, he has moved that out west. Mr. Grange asked about the storage on the plan. Mr. Fox stated it will be open RV storage to supplement his income and make the most of his property. Mr. Grange asked to clarify the use of the property. Mr. Fox stated it is just an office and the only time there will be equipment will be in the winter when they need to work on them in the shop area. He stated he does not feel the newer equipment makes much noise.

Julie Matthews stated she is just north of this property and stated she would like some conditions considered. Ms. Matthews stated she is concerned with the SWPPP plan not being followed. Ms. Matthews requested a block wall be installed. She asked if the repair in the shop is an additional conditional use. John stated it is included in this application. Ms. Matthews stated she doesn't feel this has been properly advertised. Ms. Matthews asked for a 20 foot wide landscape strip between this and residential properties. Ms. Matthews also expressed concern about noise, business hours and lighting.

Michelle Harper stated she is representing the Jack and Della Russell property. Ms. Harper stated she is concerned with the lack of enforcement of codes so far in the City. John Stewart stated they cannot change the past, but are committed to keeping things in check.

Lou Best stated he is also concerned about the way the public hearing was advertised.

Elaine Jensen stated the dust and noise have been awful and stated if he puts trailers on the property she will lose her view. Mr. Fox stated the open RV storage will be away from Ms. Jensen's fence. Mr. Fox stated the site will be cleaned up when it is complete.

Fourth Public Hearing as Advertised – Discuss and/or act upon the intent of the legislative body to consider the request to vacate an easement in the McCrady Subdivision #2

John Stewart stated Mr. McCrady has an easement behind Taco Bell that was supposed to serve the property behind and the Jumbo Burger has been built on top of it. There were no public comments.

Fifth Public Hearing as Advertised – Discuss and/or act upon the intent of the legislative body to consider approval of the updated General Plan

John Stewart stated the State requires the City to do a comprehensive review of the general plan every 5 years. Bonnie Beal stated you can look up the general plan online. Bonnie gave a brief overview of the highlights and changes. Ken Phippen stated the General Plan drives all future use of the City. Keith Corson asked if the park on the north is the only park the city is planning. John Stewart stated that park will take 3-5 years so it is the only focus right now. Brent Hales stated he owns a fair amount of property along 2000 West and is not real excited to see the commercial zoning in the master plan go away.

#1 – Motion – Close Public Hearings and Proceed with Regular Meeting

TED BLACK MOTIONED TO CLOSE THE PUBLIC HEARINGS AND PROCEED WITH THE REGULAR MEETING. KEN PHIPPEN SECONDED THE MOTION, ALL VOTING AYE.

#2 - Public Comments

Ed Ramer thanked the Planning Commission for caring about the city and listening to their concerns.

Brandon Whitesides expressed his concern that there is not reliable internet in the Remuda Subdivision.

#3 – Follow-up and Approval of Minutes dated January 15, 2015

KEN PHIPPEN MOTIONED TO APPROVE THE MINUTES DATED JANUARY 15, 2015. BONNIE BEAL SECONDED THE MOTION, ALL VOTING AYE.

#4 – Report from City Council

Boyd Ferrin reported Mayor Dickemore presented a Make a Difference Award to Harold Rogers. Boyd stated the City Council approved a business license for Roger Tirado’s Taxi Service. He stated the City Council asked Davis Custom Meats be reviewed again by the Planning Commission.

#5 – Recommend approval of a conditional use permit for a kennel license for 2487 North 2575 West – Tiffany Corson

John Stewart stated his only concern is the number of dogs. Ed Ramer stated the County is very thorough at regularly checking the kennels. Ms. Corson stated they have already been out to her house. Ken Phippen recommended letting other dogs visit for breeding purposes. Ms. Corson stated they ship what they need out or take the dog offsite. Phil Owen asked about the litters being delivered at the property. Ms. Corson stated there will be only one litter at a time. Mr. Corson stated due to AKC regulations, each dog can only be bred once a year. Mr. Corson stated the puppies leave at 6-8 weeks. Ms. Corson stated she only wants 4 dogs, but would like to be allowed 6 to re-home any dogs that have been returned.

KEN PHIPPEN MOTIONED TO RECOMMEND APPROVAL OF A CONDITIONAL USE PERMIT FOR A KENNEL LICENSE FOR TIFFANY CORSON LOCATED AT 2487 NORTH 2575 WEST WITH THE CONDITION OF A SIX DOG LIMIT AND THAT THE LICENSE BE REVIEWED IN THE EVENT OF THREE COMPLAINTS. JOE MARKLAND SECONDED THE MOTION, ALL VOTING AYE.

#6 – Motion – Recommend approval of the re-zone of the William Fox property located at 1957 North 2000 West, from the R-1-15 zone to the C-2 Commercial Zone – Bill Fox

Ken Phippen quoted that the re-zone should only be considered if it is in the best interest of the citizens. Ted Black stated the re-zone should be considered separate from what is going to be on the site. He stated he feels it is in the best interest of the citizens.

TED BLACK MOTIONED TO RECOMMEND APPROVAL OF THE RE-ZONE OF THE WILLIAM FOX PROPERTY LOCATED AT 1957 NORTH 2000 WEST, FROM THE R-1-15 ZONE TO THE C-2 COMMERCIAL ZONE. NO SECOND WAS RECEIVED AND THE MOTION DIED.

KEN PHIPPEN MOTIONED TO RECOMMEND THE CITY COUNCIL NOT APPROVE THE RE-ZONE OF THE WILLIAM FOX PROPERTY LOCATED AT 1957 NORTH 2000 WEST FROM THE R-1-15 ZONE TO THE C-2 COMMERCIAL ZONE. JOE MARKLAND SECONDED THE MOTION, ALL VOTING AYE WITH THE EXCEPTION OF TED BLACK. MOTION PASSES.

#7 – Motion – Recommend approval of a conditional use permit for construction office for B & K Fox Contractors located at 1957 North 2000 West – Bill Fox

Ted Black stated he feels this public hearing is null and void due to improper noticing.

TED BLACK MOTIONED TO TABLE RECOMMENDATION OF APPROVAL OF A CONDITIONAL USE PERMIT FOR A CONSTRUCTION OFFICE FOR B & K FOX CONTRACTORS LOCATED AT 1957 NORTH 2000 WEST. KEN PHIPPEN SECONDED THE MOTION, ALL VOTING AYE.

#8 – Motion – Site Plan Approval of B & K Contractors construction office located at 1957 North 2000 West – Bill Fox

KEN PHIPPEN MOTIONED TO TABLE SITE PLAN APPROVAL OF B & K CONTRACTORS CONSTRUCTION OFFICE LOCATED AT 1957 NORTH 2000 WEST. JOE MARKLAND SECONDED THE MOTION, ALL VOTING AYE.

9 – Motion – Recommend approval to vacate an easement in McCrady Subdivision #2 – Andy McCrady

KEN PHIPPEN MOTIONED TO RECOMMEND APPROVAL TO VACATE AN EASEMENT IN THE MCCRADY SUBDIVISION #2. BONNIE BEAL SECONDED THE MOTION, ALL VOTING AYE.

#10 – Motion – Preliminary Approval of the Hales Estates Subdivision located at approximately 2400 West 2400 North – Jim Flint

Jim Flint was present seeking preliminary approval of the Hales Estates Subdivision. John Stewart stated the main issue in the public hearing was drain water. Dean Ayala from Jones and Associates discussed what would be required to properly drain this area. Lou Best confirmed that the irrigation company would be responsible for the drainage. Mr. Ayala stated yes. Jim Flint addressed the items from Jones & Associates review. John Stewart asked if they had agreed to do the stubbed road to the east. Mr. Flint stated what they do show a stubbed road in the southeast corner.

TED BLACK MOTIONED TO RECOMMEND PRELIMINARY APPROVAL OF THE HALES ESTATES SUBDIVISION LOCATED AT APPROXIMATELY 2400 WEST 2400 NORTH. PHIL OWEN SECONDED THE MOTION, ALL VOTING AYE.

#11 – Motion – Site Plan Approval of Farr West Motors located at 1025 North 2010 West – Joe O’Keefe

Joe O’Keefe was present seeking site plan approval of Farr West Motors. John stated he and Sean Lambert have been out to the site. John stated the small building will only be used as an office, not for public use. John stated they will be building an office in the shop. John stated one of the main issues is that the Planning Commission needs to set a limit on vehicles. Mr. O’Keefe stated this site plan shows room for 40 cars. He stated there is roughly a quarter of an acre. He stated the most cars he has had on this property is 43 cars. He stated he feels 40 cars would still look professional and not like a junkyard. John Stewart stated 3 stalls would need to be dedicated to customer parking. Mr. O’Keefe stated the stalls wouldn’t necessarily be painted. John Stewart stated the 3 customer parking stalls will need to be painted. Ken asked about garbage. Mr. O’Keefe stated they just use a regular garbage can, not a dumpster. Ted Black asked about painting vehicles. Mr. O’Keefe stated he is working on a grant to get a paint booth right now due to changes in state regulations. Ted confirmed there will be no painting until the proper equipment is acquired. Mr. O’Keefe stated he will have his plans reviewed by the Fire Marshal. Ken Phippen asked about fencing between commercial and residential. Mr. O’Keefe stated he is surrounded by commercial property.

JOE MARKLAND MOTIONED TO GRANT SITE PLAN APPROVAL OF FARR WEST MOTORS LOCATED AT 1025 NORTH 2010 WEST WITH A LIMIT OF 40 VEHICLES, INCLUDING 3 DEDICATED CUSTOMER PARKING STALLS. TED BLACK SECONDED THE MOTION, ALL VOTING AYE.

#12 – Motion – Set a Public Hearing for March 12, 2015 to consider the request of a conditional use permit for Questar Gas Company regulator system located at 3178 North Pelican Drive – Doug Rogers

Doug Rogers was present for Questar Gas Company. Mr. Rogers stated due to the growth in the area, they need an additional regulator system to ensure residents get the proper pressure. John Stewart asked if the facility generates any noise. Mr. Rogers stated, worst case scenario, there may be a blowout valve that may cause some noise. John Stewart asked Mr. Rogers to get with the City Engineer to address some questions he has. Ryan Shaw confirmed that UDOT would not allow access on SR 126. Mr. Rogers stated they are already trying to clean up the accesses on that road and will not allow an access.

TED BLACK MOTIONED TO SET A PUBLIC HEARING FOR MARCH 12, 2015 TO CONSIDER THE REQUEST OF A CONDITIONAL USE PERMIT FOR QUESTAR GAS COMPANY REGULATOR SYSTEM LOCATED AT 3178 NORTH PELICAN DRIVE. PHIL OWEN SECONDED THE MOTION, ALL VOTING AYE.

#13 – Discussion/Action - Conditional use permit request for Brent Davis for a meat slaughtering and cutting business located at approximately 3746 North Higley Road – Brent Davis

Brent Davis was present and has some new ideas he would like to present in another public hearing that would hopefully satisfy the concerned neighbors. Ted Black stated he doesn’t understand why we would be holding another public hearing since there was no negative feedback from the first one. John Stewart stated Mr. Davis would like the opportunity to address the concerns of the citizens. Ryan Shaw stated he feels one of the reasons this was sent back is because there are some fundamental issues that need to be addressed. John stated he disagrees with Mr. Shaw and has researched what an agricultural

commercial building is. Mr. Shaw stated he is regulated by the department of agriculture and involves livestock. He stated his concern is that it leaves the City vulnerable for litigation. John Stewart asked if Ryan was saying the City should not hold another public hearing because this is a dead issue. Ryan Shaw stated that is correct. Joe Markland asked about getting an additional legal opinion. Ryan stated he suggested that in his letter and welcomes it. Ken Phippen stated he personally believes this is not the proper location for this business.

TED BLACK MOTIONED TO RECOMMEND THE CITY COUNCIL NOT ISSUE A CONDITIONAL USE PERMIT FOR BRENT DAVIS FOR A MEAT SLAUGHTERING AND CUTTING BUSINESS LOCATED AT APPROXIMATELY 3746 NORTH HIGLEY ROAD DUE TO THIS NOT BEING AN APPROPRIATE USE IN A C-2 ZONE. KEN PHIPPEN SECONDED THE MOTION, ALL VOTING AYE.

#14 – Report on Assignments

Ken Phippen reported he is working on the accessory building ordinance and they will discuss it at further length in a work session.

Bonnie Beal stated she will take the fence ordinance.

John Stewart reported the City received \$250,000 for the new park in the form of a R.A.M.P. grant. He stated they will be going for another \$195,000 next Thursday. He also reported they have been to the State looking for another \$250,000.

#15 – Adjournment

AT 9:52 P.M., TED BLACK MOTIONED TO ADJOURN THE MEETING. PHIL OWEN SECONDED THE MOTION, ALL VOTING AYE.

Andrea Ortgiesen, Clerk

John Stewart, Chairman

Date Approved:_____