Planning Commission Chair:	*Zeke Swander*
Planning Commission Vice-Chair:	*Michelle Roberts*
Commissioners:	*Todd Burton*
	Scott Dixon
	Glen Woolsey
Secretary:	*Amanda Shipley*
City Council Representative:	*Greg Johnson*

UINTAH CITY

PLANNING COMMISSION MEETING
Tuesday, July 28, 2015
7:00 PM

2191 East 6550 South – Uintah, Utah 84405 *(801) 479-4130 Fax: (801)476-7269*

Meeting Minutes

Meeting Called to Order: Zeke Swander called the meeting to order at 7:00 p.m.
Pledge of Allegiance: Led by Glen Woolsey.
Attendees: Zeke Swander, Michelle Roberts, Todd Burton, Greg Johnson, Gordon Cutler, James Osgood, Robert & Kim Gleave, Jim Morkin, Brandy Durrant, Robert Hodwood, Gloria Harger, Fred Reid, Heather McCullough, Jolene Johnson, James Johnson, Joe Florence, Harold & Karma Unander, Nathan Kimball, Kevin Gronau, Janice Bechel, Michelle & Russell Vest, Fran Koppus, Tony & Kathleen Catallo, Lee Brown, Brad Sneddon, John Traxler, Kim Rindlisbacher, Jason Thompson, Nick Thompson, Braiden Rindlisbacher, Rocky Crofts, Doug Crofts, Rubert & Gloria Funk, Elaine Kendell, Pamela Thompson, Joe Nix, Marilyn Pearson, Tim Petty, Alise Sonognini, Lori Woolsey, Dave & Rollane Shurtleff, Sue Bybee and Amanda Shipley.
Declaration of Conflicts of Interest: None

Agenda Items:

1. **Public Comment (2 minutes per person)** *(recording: 00:01:05)
   - There were none.

2. **Approval of minutes for the Planning Commission work session and meeting held June 23, 2015.**
   Presenter: Zeke Swander *(recording: 00:02:05)
   - Zeke Swander asked if there were any questions or issues with the minutes.
   - Michelle Roberts stated she did not see any issues.
   - Michelle Roberts made a motion to approve the Work Session and Planning Commission meeting minutes for June 23, 2015 as written.
   - Seconded by Todd Burton.
   - All in favor, motion passed.

**********OPEN PUBLIC HEARING**********

3. **Discussion on a final subdivision plat for Bruce & Susan Bybee and David & Camille Tesch, Scenic Development; located at approximately 6750 S. 2275 E. Uintah.**
   Presenters: Scenic Development *(recording: 00:03:04)
   - Todd Burton made a motion to close the planning commission meeting and open the public hearing for discussion on a final subdivision plat for Bruce & Susan Bybee and David & Camille Tesch, Scenic Development; located at approximately 6750 S. 2275 E. Uintah.
   - Seconded by Michelle Roberts.
   - All in favor, motion passed.
   - Zeke Swander asked for any public comment.
   - There were none.
   - Glen Woolsey made a motion to close the Public Hearing and open the Planning Commission meeting.
   - Seconded by Michelle Roberts.
   - All in favor, motion passed.

**********CLOSE PUBLIC HEARING**********

4. **Discussion/action on a final subdivision plat for Bruce & Susan Bybee and David & Camille Tesch, Scenic Development; located at approximately 6750 S. 2275 E., Uintah.**
   Presenters: Scenic Development *(recording: 00:05:28)

- Zeke Swander explained the City Engineer, Matt Hartvigsen requested the sewer line continue through lot A to Highway 89. There were also storm drain issues and he requested all the notes from March be completed.
- Jason Thompson, Scenic Development's Engineer, stated he would like to explore alternative options to collect storm water with the City. Scenic Development would like to use sumps to put the water back into the ground as opposed to collecting.
- Kim Rindlisbacher stated what Jason is describing they have been doing in several cities. He was wondering if the City would be open to exploring other options, he is open to either one; the cost is about the same.
- Zeke Swander stated we are only allowed to approve what is in our ordinances right now. We would have to change the ordinance and send it to the City Council for approval.
- Kim Rindlisbacher decided to go forward with what is in the ordinance now.
- Jason Thompson stated regarding the sewer line, they have provided the easement.
- Kim Rindlisbacher stated it is an additional expense.
- Michelle Roberts stated the line will have to extend to Highway 89. If you do not plan on extending the line to Highway 89, it will have to be stated on the plat that it will be the buyer's responsibility.
- Zeke Swander also stated the plans need to be reviewed by the County Recorder's Office prior to final approval by the City Council.
- Michelle Roberts made a motion to recommend a final subdivision plat for Bruce & Susan Bybee and David & Camille Tesch, Scenic Development, located at approximately 6750 S. 2275 E., Uintah with the following conditions to be met prior to meeting with the City Council:
    - Plans must be reviewed at the County Recorder's Office.
    - The plat must show the sewer line that needs to be ran to Highway 89 on lot A is the buyer's responsibility.
    - Current storm water ordinance will have to be adhered to.
- Seconded by Glen Woolsey.
- All in favor, motion passed.

**********OPEN PUBLIC HEARING**********

5. **Discussion on an application for change of zoning for Daniel & Gloria Harger; located at 2580 E. 6550 S., Uintah.**
   Presenters: Daniel & Gloria Harger *(recording: 00:26:21)
   - Glen Woolsey made a motion to close the Planning Commission meeting and open the Public Hearing for an application for change of zoning for Daniel & Gloria Harger; located at 2580 E. 6550 S., Uintah.
   - Seconded by Todd Burton.
   - All in favor, motion passed.
   - Janice Bechel commented that she lives on 6550 S. and is concerned with heavy and wide equipment driving on the road. We will have to do something regarding parking on both sides of the street for shade; she can barely get her car through.
   - Glen Woolsey made a motion to close the public hearing and re-open the planning commission meeting.
   - Seconded by Todd Burton.
   - All in favor, motion passed.

**********CLOSE PUBIC HEARING**********

6. **Discussion/action on an application for change of zoning for Daniel & Gloria Harger; located at 2580 E. 6550 S., Uintah**
   Presenters: Daniel & Gloria Harger
   *(recording: 00:29:04)
   - Gloria Harger and Joe Nix present at meeting.
   - Zeke Swander explained Gloria Harger was at the last Planning Commission meeting and wanted to run a commercial business out of their home. After discussing what they

would like to do with the property, it was decided the best option for them would be a change of zoning.

- Michelle Roberts asked Gloria Harger and Joe Nix for a summary of their business for those not present at the last meeting.
- Gloria Harger explained they run a railroad maintenance and construction business, they have been in business since 2007. They do not own a lot of trucks and equipment. They do not have big trucks, maybe a diesel and a back hoe but no semi-trucks.
- Michelle Roberts asked how many employees would attend the meetings.
- Joe Nix answered around ten employees.
- Zeke Swander asked about parking.
- Joe Nix explained this is a family business, they have a fenced in playground for employee's children to play and they will have five to ten asphalt parking stalls in the front of the property. The trailers and material will be stored in the back of the building.
- Todd Burton asked how much equipment they will be storing.
- Joe Nix stated they have six fleet trucks, they may store four to six at a time. Employees usually take them home.
- Glen Woolsey asked about future growth and expansion.
- Gloria Harger stated they would like to continue to expand and grow and in the future if they grow too big, they will find another location to run the business.
- Glen Woolsey stated he is not overly concerned with the present but with the future. The traffic will still have to go through a residential area.
- Zeke stated there is commercial property around them; he thought it would make sense.
- Michelle Roberts made a motion to recommend approval of a change of zoning for Daniel & Gloria Harger, located at 2580 E. 6550 S., Uintah to the City Council.
- Seconded by Glen Woolsey.
- All in favor, motion passed.

**********OPEN PUBLIC HEARING**********

7. **Discussion on a preliminary and final subdivision plat for Keith Vanderhout, Cottonwood Estates; located at approximately 975 E. 6600 S., Uintah.**
   Presenter: Keith Vanderhout *(recording: 00:41:40)
   - Michelle Roberts made a motion to close the Planning Commission meeting and open the Public hearing for a discussion on a preliminary and final subdivision plat for Keith Vanderhout, Cottonwood Estates; located at approximately 975 E. 6600 S., Uintah.
   - Seconded by Todd Burton.
   - All in favor, motion passed.
   - Jim Morkin stated he has no objection to the expansion; he has an objection to taking out the storm water permeable ground. Back in 1986, George Burbage measured and at the time, Cottonwood Estates had enough area not to require an expensive storm water filtration system. During the 1986 flood, Mr. Morkin was able to document many things; he got the county to fix what may happen next. The Core of Engineers provided criteria to create our own storm water permeable ground, if this is developed a good are of that ground is gone. South Weber's plans were shut down within one hundred feet of the river. Mr. Morkin is tickled to live at Cottonwood Estates but how are we going to resolve the storm water filtration system issue. If this issue could be solved, he would be fine with the development. Mr. Morkin is not fine with putting us in danger. Contact Daren Rassmusen, he knows more about the river than anyone else.
   - Fred Reid stated he is in the new area built by the Knudson's and the new street going south; the east side is higher than the west and all the water goes to the west. There is one drain and it is twenty to forty feet from his house and it does not handle high amounts of rain. If two new homes are put in there will have to be another drain. Six to seven years ago when we had a high water table, the water was coming out of the drains. The second issue is if they are not going to put new homes in the lots, they need to be conducive to what is there. If they are bringing in doublewides, they should match the

age of the other homes. A few of us have invested a lot of money to get into our trailers, if they are bringing in trailers from other parks, I will not be a happy camper.

- James Johnson stated his biggest concern is they are taking out a beautiful section the general public and residents of the trailer park use as a park. We will be losing trees and grass and it will lower the property values. Therefore it will be a financial impact to those living there. If we take out the park and put in trailers, we will look like every other trailer park. Does Uintah want that?
- Heather McCullough stated this is where her scenic view is, it is a pace where everyone goes to party, kids play, trailer park residents have parties, and it is our beautiful park.
- Jolene Johnson stated this area does flood; she has to open the drain gate to help the water. They are not supposed to have their friend's park on the road and if they do, vehicles get towed. They gave us that area to park and if they develop it, there will be no place to park.
- Tony Catallo stated he moved in twenty-two years ago and with the change of ownership, changes will happen. Whenever his friends come, they find the area charming. We have people leaving because they are angry, the new trailers look funky. We value the area, it has always been a retirement community and when kids come to visit their parents their cars are being towed. This is outrageous and he will hate to see where more changes will take us. The area east of their property, the water is seeping up. He is concerned about flooding and the aesthetic nature.
- Jim Morkin came back up to the podium and stated the Federal Government take water samples east of Highway 89 and then at the Uintah bridge, if it is clean at Highway 89 and dirty at the bridge, the City will pay for it.
- Hal Unander stated he has lived in Cottonwood Estates since 1977 and has loved it, it has been great. When the 1986 flood happened, the water was up to the second step of his home. They took care of the issue and it has worked out great. Once ownership changed hands, he has not liked some of the changes but believes everything will work out in the long run.
- Heather McCullough gave a letter from Barbara Sibert which was read out loud by Todd Burton. Barbara stated the open area has been used for many parties, weddings and reunions. It is a popular place where a lot of people have used as a background for family, graduation and prom pictures because of its beautiful trees and large grass area. To be truthful this is the only park area we have and now you want to take it away from us and for what, two more homes? I already have very low water pressure. Included in the area is the parking area where our guests are supposed to park if they are staying overnight. What will become of this? We received letters that we can no longer park our motor homes, boats, trailers, etc. in our driveway. It seems to me we are renting our space and that includes the driveway, should we not be able to park our stuff of any kind as we need it? We cannot park on the road or we will get towed away. This happened to my daughter, costing us $300.00 to get the car out of impound. I also understand there has been four more since then. We have been a resident of this nice little community for thirty five years and have enjoyed every bit of it, but lately it has become a not so pleasant place. When Silver Kings took over Cottonwood Estates, we feel like you want us to be a tight run park, when all we want is to be a small community in the state of Utah. Please take into concern some of our feelings, as we are all good renters that would like our community to stay as it is.
- Fred Reid came back to the podium and stated internal things the park is doing have nothing to do with building homes. It is not the Planning Commissions concern, it is internal. Cars should not be parked on the street because the fire fighters cannot get through to fight fires.
- Glen Woolsey made a motion to close the Public Hearing and open the Planning Commission meeting.
- Seconded by Michelle Roberts.
- All in favor, motion passed.

**********CLOSE PUBLIC HEARING**********

8. **Discussion/action on a preliminary and final subdivision plat for Keith Vanderhout, Cottonwood Estates; located at approximately 975 E. 6600 S., Uintah.**
   Presenter: Keith Vanderhout *(recording: 01:07:32)
   - Zeke Swander explained this issue is being tabled. Things have not been done; there will not be a recommendation for approval. Their plan is to put a total of ten new mobile homes in the park, two at the end of the park, two as you come in and six in the "park" area. Our onsite meeting was held at the park area. The concerns brought up at the onsite meeting are the same concerns you have addressed. We wanted to make sure you had the opportunity to voice your concerns.
   - Michelle Roberts made a motion to table the discussion/action on a preliminary and final subdivision plat for Keith Vanderhout, Cottonwood estates; located at approximately 975 E. 6600 S., Uintah for August 25, 2015.
   - Seconded by Todd Burton.
   - All in favor, motion passed.

**********OPEN PUBLIC HEARING**********

9. **Discussion on a preliminary subdivision plat for Teena Crofts Trust, Douglas Crofts, Trustee; located at 6778 S. 2125 E., Uintah.**
   Presenter: Douglas Crofts *(recording: 01:07:32)
   - Michelle Roberts made a motion to close the planning commission meeting and open the public hearing for a discussion on a preliminary subdivision plat for Teena Crofts Trust, Douglas Crofts, Trustee; located at 6778 S. 2125 E., Uintah.
   - Seconded by Glen Woolsey.
   - All in favor, motion passed.
   - Zeke Swander asked for any public comment.
   - There was none.
   - Glen Woolsey made a motion to close the public hearing and open the planning commission meeting.
   - Seconded by Michelle Roberts.
   - All in favor, motion passed.

**********CLOSE PUBLIC HEARING**********

10. **Discussion/action on a preliminary subdivision plat for Teena Crofts Trust, Douglas Crofts, Trustee; located at 6778 S. 2125 E., Uintah.**
    Presenter: Douglas Crofts *(recording: 01:11:05)
    - Douglas Crofts stated he lives in Roy but owns several acres in Uintah and this is the piece in between. This lot meets the criteria for a flag lot.
    - Michelle Roberts stated the residential standard is eighty feet.
    - Douglas Crofts responded the staff ends and the flag portion commences at the extension of the front line.
    - Zeke Swander stated the Commission went to the City Engineer and Building Inspector, and we had them review the plans and they are saying he does not meet the flag lot criteria.
    - Zeke Swander stated we tried to straighten this up during the on-site meeting.
    - Douglas Crofts stated you wanted me to go to the adjoining property owner and ask for land to acquire enough to meet the 80 foot frontage. The property owner is unwilling to sell and that is why we have asked for a flag lot. It is a buildable lot, a nice lot and I would think Uintah City would like a home on it instead of a patch of weeds.
    - Glen Woolsey stated what is holding it up is interpretation; we can only do what it says in black and white.
    - Douglas Crofts requested a signed letter from the City stating what criteria he does not meet.
    - Todd Burton would like to meet with the City Engineer to get a better understanding of his concerns.

- Michelle Roberts asked Mr. Crofts to take a moment to understand our position; we ask for expert advice and look at the ordinance ourselves. If our experts are saying it does not meet requirements we are apprehensive and I am going to do more research.
- Todd Burton stated we do need to reengage with our engineer to understand his concerns better. We do owe Mr. Crofts feedback on what criteria it does not meet.
- Michelle Roberts stated we need to table this matter and speak with our engineer, building inspector and attorney. We all need to have a meeting.
- Michelle Roberts made a motion to table the preliminary subdivision plat for Teena Crofts Trust, Douglas Crofts, Trustee; located at 6778 S. 2125 E., Uintah until further review.
- Seconded by Todd Burton.
- All in favor, motion passed.

**********OPEN PUBLIC HEARING**********

11. **Discussion on a preliminary and final subdivision plat for Robert Gleave, Gleave Subdivision; located at 6494 S. 1725 E., Uintah.**
    Presenter: Robert Gleave *(recording: 01:34:39)
    - Glen Woolsey made a motion to close the Planning Commission meeting and open the Public Hearing for a discussion on a preliminary and final subdivision plat for Robert Gleave, Gleave Subdivision; located at 6494 S. 1725 E., Uintah.
    - Seconded by Todd Burton.
    - All in favor, motion passed.
    - Gloria Funk stated she is not concerned with the subdivision, just the roads and the amount of traffic this will create on the roads.
    - Marilyn Pearson stated her concern is the width of 1725 East, you can barely fit two cars going opposite ways, and increasing traffic is a hazard. If there is a delivery truck you cannot pass, you have to wait. The increase in traffic needs to be discussed.
    - Todd Burton made a motion to close the Public Hearing and open the Planning Commission meeting.
    - Seconded by Glen Woolsey.
    - All in favor, motion passed.

**********CLOSE PUBLIC HEARING**********

12. **Discussion/action on a preliminary and final subdivision plat for Robert Gleave, Gleave Subdivision; located at 6494 S. 1725 E., Uintah.**
    Presenter: Robert Gleave *(recording: 01:38:09)
    - Robert Gleave stated he has added the request for the easement on the road which would bring the road really close to the existing home. He has heard there are no current plans in the near future to widen the road but the easement is there if ever needed.
    - Todd Burton asked about secondary water.
    - Robert Gleave stated there are easements for secondary water; there was not a formal easement for the canal, so he created one.
    - Zeke Swander asked about utilities.
    - Robert Gleave stated the gas will have to be piped into the lots. He will make each of the property buyers be responsible for getting gas.
    - Todd Burton asked about the percolation test.
    - Robert Gleave stated it has not been done yet.
    - Glen Woolsey stated it will have to be done prior to the final approval.
    - Michelle Roberts made a motion to approve the preliminary plat for Robert Gleave, Gleave Subdivision; located at 6494 S. 1725 E., Uintah, with the following condition:
      - It must be stated on the plat that it is the buyer's responsibility to obtain utilities.

      The final approval will be tabled due to the percolation test not being completed.
    - Seconded by Todd Burton.
    - All in favor, motion passed.

**********OPEN PUBLIC HEARING**********

13. **Discussion on a change of Title 9, Chapter 2, Section 11-Development Standards regarding Cul-de-sacs.**

Presenter: Michelle Roberts *(recording: 01:48:26)

- Glen Woolsey made a motion to close the planning commission meeting and open the public hearing on the discussion on a change of Title 9, Chapter 2, Section 11-Development Standards regarding cul-de sacs.
- Seconded by Michelle Roberts.
- All in favor, motion passed.
- Zeke Swander asked for public comments.
- There were none.
- Glen Woolsey made a motion to close the Public Hearing and open the Planning Commission meeting.
- Seconded by Todd Burton.
- All in favor, motion passed.

**********CLOSE PUBLIC HEARING**********

14. **Discussion/action on a change of Title 9, Chapter 2, Section 11-Development Standards regarding Cul-de-sacs.**

Presenter: Michelle Roberts *(recording: 01:49:48)

- Michelle Roberts stated we had discussed this in a work session a few months ago and in our ordinance there was a discrepancy, it stated two different lengths in two areas and it needed to be fixed. The commission decided to take the length completely out of the ordinance and leave the decision on how long the cul-de-sac should be up to the professionals.
- Michelle Roberts made a motion to recommend the change of Title 9, Chapter 2, Section 11-Development Standards regarding cul-de-sacs to the City Council.
- Seconded by Todd Burton.
- All in favor, motion passed.

**********OPEN PUBLIC HEARING**********

15. **Discussion on proposed changes of Title 9, Chapter 13 regarding Conditional Use Permits.**

Presenter: Michelle Roberts *(recording: 01:52:05)

- Todd Burton made a motion to close the planning commission meeting and open the public hearing for the discussion on proposed changes of Title 9, Chapter 14 regarding Conditional Use Permits.
- Seconded by Michelle Roberts.
- All in favor, motion passed.
- Marilyn Pearson commented conditional use permits should be based on zoning. There will be very few conditional use permits if it goes by zoning, just the exceptions to the rule.
- Glen Woolsey made a motion to close the Public Hearing and open the Planning Commission meeting.
- Seconded by Michelle Roberts.
- All in favor, motion passed.

**********CLOSE PUBLIC HEARING**********

16. **Discussion/action on proposed changes of Title 9, Chapter 13 regarding Conditional Use Permits.**

Presenter: Michelle Roberts *(recording: 01:53:52)

- Michelle Roberts stated while looking at the conditional use permits, we reviewed the information from the Utah Leagues of Cities and Towns and found out that conditional use permits are not necessary, they are frowned upon. We had a couple work sessions and decided to no longer require conditional use permits for commercial, agricultural, non-profit organizations and kennels. There is a difference of opinion between the Planning Commission and City Council. When Michelle sent the ordinance out to the Planning Commission and City Council, she received three responses: Gordon Cutler had nothing to add, Mayor Flitton and Don Pearson's comments were given to the Commission tonight.

- Todd Burton questioned the five year review date on daycares.
- Zeke Swander stated they are reviewed yearly by the state.
- Michelle Roberts stated five years has been less time than the prior Commissions were doing. We have just finished reviewing all the conditional use permits and some were years past the date they were to be reviewed.
- Zeke Swander stated regarding the City Council's comments that a City Council member helped us put the ordinance together; we can go back and forth on verbiage forever. Send the ordinance to the City Council as it is, if it comes back, we will fix it.
- Glen Woolsey agreed with Zeke Swander and told Michelle Roberts she did a great job and put in a lot of hard work.
- Todd Burton agreed he appreciates Michelle Roberts's efforts. He is neutral on whether to incorporate changes or not.
- Glen Woolsey made a motion to recommend approval to the City Council of the proposed changes of Title 9, Chapter 13 regarding Conditional Use Permits.
- Seconded by Todd Burton.
- All in favor, motion passed.

17. Commissioner's Responsibility reports and follow-up from previous meeting.

- **CUP's- Michelle Roberts:** Michelle did not have any other reports.
- **Commercial Building- Scott Dixon:** Scott was excused from the meeting.
- **Training- Glen Woolsey-** Glen stated we had a very informative meeting.
- **Nuisance- Todd Burton-** Todd reported he had received a complaint on too many large animals. This went back and forth, Greg Johnson did additional research and concluded each lot is separate and you cannot add adjoining lots together. The person in violation was very understanding.
    - Todd also reported on a weed issue with a lot on 6900 S., it was an extreme fire hazard. A letter was sent and the issue has been taken care of.
    - The final thing Todd reported on is one year ago a marine repair business was to be closed. As a neighbor he still sees boats being brought into the garage. Todd will make a complaint as a citizen; it appears they are doing business without a license.

18. Meeting Adjourned

- Michelle Roberts made a motion to adjourn the Planning Commission meeting for July 28th, 2015 at 9:12 p.m.
- Seconded by Glen Woolsey.
- All in favor, motion passed.

APPROVED by the Planning Commission this 25th **day of** Aug. **, 2015.**

Zeke Swander by LS — 8/25/15

Planning Commission Chair — **Date**