

MINUTES OF THE GRANTSVILLE CITY PLANNING COMMISSION HELD 01/09/2020.

The meeting was held in the Grantsville City Council Chambers at 429 East Main Street in Grantsville, Utah. Those present were Commission Chairman Jaime Topham, Commission Member Gary Pinkham, Commission Member Jacob Linares, and Commission Member Brian Pattee. Absent tonight was Commission Member Erik Stromberg. Also present were Zoning Administrator Kristy Clark, Attorney Coombs, Shay Stark with Aqua Engineering, Fire Marshal Brad Clayton, Craig Ratcliffe, Dana Lee, Annette Haynes, Shannon Fowles, Alexis Leonelli, Shanz Leonelli, Karen Watson, Guy Haskell, and Matt Holste.

CALL TO ORDER AND PLEDGE OF ALLEGIANCE PUBLIC HEARINGS:

- a. Proposed Commercial Conditional Use Application for Alexis Leonelli and Karen Watson to own and operate a Reception Center located at 82 South West Street located in the CS zone.**

Chairman Jaime Topham opened the public hearing at 7:00 p.m. and called for comments.

With no additional comments offered, Chairman Jaime Topham closed the public hearing at 7:00 p.m.

- b. Proposed Conditional Use Application for an Accessory Building/Dwelling for Craig Ratcliffe located at 473 North Hale Street located in the A-10 zone.**

Chairman Jaime Topham opened the public hearing at 7:01 p.m. and called for comments.

Dana Lee stated to the Commission: I live at 325 North Hale Street. And it's not so much that I have an issue with what he's doing. He's my neighbor, and I enjoy seeing what he's building. But I would like to just state for the record, that I received this notice on January 2nd for this hearing today, which, I mean, the project is almost fully built. If you are seeking public comment, maybe we should've received notice before it even got started. I just wanted to bring that to your attention. Thank you.

Mike Johnson stated to the Commission: I just want to comment that I'm in favor of this structure, accessory building. He does a first class job, and I think it enhances my property value.

Craig Ratcliffe stated to the Commission: I'm in favor of this, obviously. This is mine. I appreciate both of my neighbor's comments, but I would like to say just a couple things. It's approximately 15 acres that I've owned for 15 years. I'm a lifelong resident of Grantsville. I served on this board quite a few years ago for about seven

years. So I fully understand the impact of being a good neighbor, and I'd just like to say I think I'm a steward of the community. Everything I'm doing within my property is related to agricultural. I know that some people may not interpret that. But between trees and landscaping, and improvements that I've made, irrigation, fencing, this building's really just probably the capstone of that to help me to maintain this property. It's not easy in today's world, from a cost standpoint to do that. I'm not building a place to rent out. It's purely for my family and my friends to use relative to agriculture. So thank you.

With no additional comments offered, Chairman Jaime Topham closed the public hearing at 7:05 p.m.

- c. Proposed Rezone of 23.82 acres for Kolten Kinsman and Ernie Beacham located at approximately 600 South Quirk Street to go from a RR-1 zone to a R-1-21 zone.**

Chairman Jaime Topham opened the public hearing at 7:05 p.m. and called for comments.

With no additional comments offered, Chairman Jaime Topham closed the public hearing at 7:05 p.m.

- d. Proposed Final Plat Amendment for Mustang Ridge Subdivision, Phase 1 to reconfigure five (5) lots into four (4). Property is located at 650 East Main Street in the R-1-12 zone.**

Chairman Jaime Topham opened the public hearing at 7:05 p.m. and called for comments.

With no additional comments offered, Chairman Jaime Topham closed the public hearing at 7:06 p.m.

CHAIRMAN JAIME TOPHAM OFFICIALLY CALLED THE MEETING TO ORDER AT 7:06 P.M.

- 1. Election of a Chairman to serve for one year starting January 2020.**

Jacob made the motion to elect Jaime Topham to serve as the Planning Commission Chair for one year starting February 2020. Gary seconded the motion. All voted in favor and the motion carried unanimously.

- 2. Election of a Vice Chairman to serve for one year starting January 2020.**

Gary made the motion to elect Jacob Linares to serve as the Planning Commission Vice Chair for one year starting February 2020. Brian seconded the motion. All voted in

favor and the motion carried unanimously.

3. Discussion of a Concept Plan for Shannon Fowles for property located at 200 North SR 138 in the MD zone.

Shannon Fowles was present and stated to the Commission: I purchased this 8-acre piece of property in December from the Didericksen's. It's off of State Highway 138. Currently there is a metal shop and Goff Firewood on the property. I own two businesses, Right Way Concrete Material and Copperhill's Concrete that is currently in Tooele. I'm wanting to have a landscape-type yard where I would have bark, mulch, and gravel products. I also currently have a small U-cart plant. It's a portable concrete plant that is used for small jobs. So anyone can come in and get a trailer that holds one to two yards of concrete. I get everyone from cities that just have a small project like around a sewer lid or homeowners that want to do a patio or something like that. I started the business because I saw the need for landscaping materials for the normal person. So I want to bring the products to a site, and I have submitted to you pictures of what we've done in Tooele, so if you have small projects you have access to landscape materials and concrete materials in smaller quantities so there is no waste. As a contractor, I see lots of waste. Attorney Coombs stated: I am a little concerned about the zoning for this. It's zoned as an MD. And looking under the manufacturing tab in the packet, or in our zoning for concrete manufacturing, I don't know if it would fall under that. It's not permitted under that. Rock, sand, and gravel storage and distribution. It's not permitted under that either. It might be more appropriate under an MG zone; I just raise that for the council's attention. Jaime stated: I was looking under our miscellaneous; we have contractor's yard office with outdoor storage. We also have an equipment rental that both of those uses would fit into that property. And you're basically renting the trailer out with product inside of it. I don't know what the definition of an equipment rental is, but concrete mixing trucks, trailers kind of seems like renting equipment to me. These are permitted uses under the code and you wouldn't need commission approval. The commission agreed that this falls under Retail Sales and Services in the Land Use and Development Code under Chapter 16.8 and is a permitted use.

4. Consideration to approve the Conditional Use Application for an Accessory Building/Dwelling for Craig Ratcliffe located at 473 North Hale Street located in the A-10 zone.

Craig Ratcliffe was present for this item. Gary stated: Our ordinance is a little bit weird in the way it's worded. It is for the additional use, or the additional residence, you need 10 additional acres for the second dwelling or for each additional dwelling. However, that comment applies to the A-10 designation, the RR-5, the RR 2-5, and the RR-1. So, legally, if you were in the RR-1 zone, you would only need 11 acres to be compliant with the code. In the RR-2.5 you only need 13.5 acres to be legal. So it seems the way this has been written it's probably something we need to look at because basically large parcel homeowners or people in the old barrier are being penalized for

something that the other zones aren't required to do. Craig Ratcliffe stated: If I looked at the code book, under table 14.1, if I just broadly read that, the first says: "accessory buildings and uses incidental to the permanent Ag uses" which I would argue everything I'm doing is that, under A, which is agriculture, which is permitted. And then the second use, same thing: "customary buildings incidental." Again, my position is this is a permitted use. It's not a conditional. I believe some of the comments earlier from when I was going through the permitting process were of the opinion that this was, if you go down the table there, an "accessory farm employee housing." I do not have farm employees, and if I remember right, we actually introduced this when I was on this commission. We came up with some ratio for when people put in a goat farm, a chicken farm, a pig farm, and they actually had employees. You needed something to cover those types of situations like the chicken farm in Erda, so you didn't go and construct 100 houses for 100 employees. I am absolutely not an industrial farm. This is a private use, and again, I would argue this to be a permitted use. Gary stated: As far as an accessory building, you're right. But, when you put a residential unit inside of it, I think you're changing the use. Craig Ratcliffe stated: I wouldn't call this a residence. This isn't meant for being a residence. I said these are ancillary uses to agriculture. A kitchen. You're working on the farm. You go make a sandwich. A bathroom. You know, there's a shop. They're no different than the shop itself. You're working on the farm; you're going to work in the shop. I've got a compressor room. These are ancillary uses. I am not putting in a residence that needs an address, all those things that go with the residence. Gary asked: How are you handling sewer and water? Craig Ratcliffe answered: I've already got a permit for sewer, which is on the septic from the county. I already had water. I just subbed off from my existing water. I had all the utilities there, no different than hooking them to a shop, when you put it in. There are a lot of these uses around town. I happen to be one of the few guys that is following the rules and standing here in front of you telling you what I am doing. I could have built it, put a loft in it, come back later, added bedrooms. I didn't. I wanted to be upfront and show you what I was doing. Jaime stated: Actually, based on the designs that you submitted to us, this doesn't look like it's something you're going to rent out. It looks like it's a work zone for a person in their home. Your office space above your garage. You can have a kitchen. A lot of office areas have a kitchen. An Ag office. It looks like, actually, a really nice man cave. Craig Ratcliffe stated: I don't know about that. It's all business there. But, again, I can tell you I'm a proponent of agriculture. I'm the lesser of two evils. I'm not plopping in houses per square inch. I'm going to maintain this. I bought this place as a generational deal. And I have been a proponent of that area down there with a few others in preserving it. Again, this is just going to help me do that. I have no intention of making it a rental unit. It's, again, for just family and friends. There will be zero impact to the area other than during the course of building. Obviously, there are concrete trucks coming. There'll be no additional traffic. Visually, I've attempted to make it earth tones to blend in. I've been very respectful where I place trees and buildings so people don't lose their view. I've tried to really conform to the area. Gary stated: Regardless of what you call it, I see a residential unit here. I mean, you've got laundry, you've got a kitchen, you've got bathrooms. Granted, you call it an Ag office and a storage room, but I see a residential unit. My point is just because you're in the A-10, if you were in the smaller zones, you'd be legal to do this. And it seems a little unreasonable for us to deny you if your neighbors could legally do it. Personally, what

you're doing, with the neighbor's comments, and things, I would not have a problem with you getting our permission to do this. Jaime stated: I think that is his point, though, is he doesn't have to. It's permitted. That's the question. Do we believe that it falls under the employee housing section, or do we believe it falls under the accessory building? Gary stated: If it doesn't fall under employee housing, it's a secondary residence. It's a two-story house with a garage on the main floor and living quarters above. Craig Ratcliffe stated: With all due respect, anyone could do that with any structure they have. It's nomenclature, and I appreciate your position, but clearly from a zoning perspective, it's not determined as such. I proposed it. I've shown it, and I've told you what the use will be for it. It is not a residence. It doesn't have a different address. It's attached to a current area. And again, if I just read blatantly the code, it says right here: "accessory building use is incidental." It goes on to say that you cannot put a dwelling that will keep animals. The code went to determine specifically that. It didn't say if you occupy it. I mean, if the code didn't want you to do it, it would have said that. The only other mention of that is at the end of this employee housing, and clearly by definition, I don't have employees. So I can't have employee housing. Jaime asked Attorney Coombs: Is there anything you can help shed light on as to whether this falls under accessory buildings and uses, or if it falls under accessory farm? I understand what you just said about the employee housing. Potentially, in the future, you could if you chose to. Attorney Coombs responded: I believe this qualifies as an accessory building. I think the only question is what will the use of the accessory building be? Ultimately it's up to the commission to decide what they believe the ultimate use of this will be. I can see the point that there's a lot here that can easily be used as a residence by someone, but that certainly isn't dispositive. So whatever the commission decides, just make sure to state it on the record of what your understanding of the use is, so we have it. And if in the future we need to address it we can. Gary asked: So if we approve this as an accessory building, we can add the condition that it not be used or converted any time in the future for residential use? Jaime stated: But what if we determine that this is a permitted use? We can't put conditions on a permitted use. I think to move forward, we need to decide if legally it falls under the accessory buildings, but not accessory dwelling. And perhaps we need to take a look at the code, and if you can do something in a smaller area that you can't do in a larger area, then we need to look at that and readdress that. Brian Pattee stated: I would agree with that. I think there are issues with the code. It's been brought up, but I think for the sake of moving forward, we should accept him on his face value of what he's saying it is at this point. And he is right because anyone can change anything down the road. One day it's a man's shop, and the next the owner is living in it. Jaime stated: My thought process is what we need to do is to make a motion that we make an informal finding that with what he has presented to us, and based on what he has stated, it is an accessory building, which falls under a permitted use. And that would be how it would have to be stated, is an informal finding.

Jaime made the motion that we make an informal finding that this falls under a Permitted Use for an Accessory Building for Craig Ratcliffe located at 473 North Hale Street located in the A-10 zone. Jacob seconded the motion. All voted in favor and the motion carried unanimously.

5. Consideration to recommend approval of the Commercial Conditional Use Application for Alexis Leonelli and Karen Watson to own and operate a Reception Center located at 82 South West Street located in the CS zone.

Alexis Leonelli was present for this agenda item. Jaime stated: I really like this idea. What a great use for that beautiful place. Gary asked the Fire Marshal, Brad Clayton: What are the capacity limits on 2500 square feet? Brad stated: So there are several things that are causing the fire department's concern that need to be addressed. First is that we're taking a residential property and converting it into an A1 or an Assembly One Property. At that point, we need to determine the occupancy load, and at 2500 square feet, if it was non-fixed seating and tables, it would be about 166, which would require the doors to swing outward, exit signs, lighting, and emergency lighting. No obstructions. We'd have to look up the width and the number of exits based on the occupancy load, the fire extinguishers, and fire protection plans. Are you going to use the kitchen on this? Alexis stated: We will have a prep kitchen for prep only. Brad stated: Based on the size, it probably would not require sprinklers or alarms. We'd need to inspect electrical as far as access to the points and the use of extension cords. They're temporary power, not permanent power. The address needs to be posted. Is there a safety and evacuation plan? Is there any hazmat on the premises? Are there any combustible decorations? Alexis asked: Do I need to know the answer to all those questions right now? Brad stated: No, I need to come and do an inspection when you're ready. Alexis stated: I would love that. Gary asked: Would this require periodic inspections? Brad answered: Yes, just like with any other business. Gary stated: Depending on the events she's dealing with, she may or may not have the place decked out. And so one inspection may show an empty room, and the next one may be crepe paper. Brad mentioned: You can't have more than 50% of the walls covered with flammables. Alexis stated: I know a little bit from working at the high school about some of the things like that. I know we need to have two exits. We were planning on only allowing 75 guests with each event. If we can work out a day and time for an inspection, I think that would be fantastic. I am absolutely open to making sure that we have everything in line so that we can make this place a possibility. Gary said: The only other question I have is on how you plan on doing parking. Alexis stated: I spoke with UDOT, and we initially wanted to enter from Main Street, but Main Street is designated as a category five highway. And so they look for the least impact access zone. So they wanted us to enter from West Street, which there's already a driveway on West Street. They told us we needed 495 feet from the corner. So we will create an entrance right next to the current driveway off of West Street. We will have to take down a tree, a lilac bush, and then it would be a very large double access point. They would come in and park in the field. We had one person who was a little bit worried about parking that would be on West and Apple Street. There will be no parking there, so it shouldn't obstruct any roadway. Gary asked: How would you improve the field to be a parking lot? Alexis stated: We were going to fence certain areas, and, of course, the part that is nearest the residence we would mark for ADA and van use. We're going to put in solar powered lights out there so people can see. Gary asked: What about the surfacing? Alexis stated: We want to keep it grass, which we will mow and maintain. Gary stated:

I have a concern on how that would hold up if we have some inclement weather, getting people in and out of there and tracking mud out onto the street. Not having some sort of a gravel surface in there. I think you'll need to look into the parking issue there with regards to legal requirements as well as environmental requirements. You don't want to get 100 vehicles out there in a rainstorm, and then have to bring a wrecker in and drag it back out on the street. Shane Watson stated: I've got to recuse myself from voting and commenting because she's my sister, but I've farmed this property for the last 15, 20 years. It's very solid structure. It hasn't been plowed in 10 years. The water that has been placed on it has been agricultural and will continue to be the same. So I don't think we're going to have any runoff issues or anything like that. Nothing's going to change in terms of the way the water's being applied to it other than I think as you have events, you'll probably dry, so instead of watering it like you would agricultural. You've got an event coming, you probably wouldn't water it. It's mostly turned to grass now. The areas that would be considered ADA have got to be hard-surfaced to meet ADA requirements. I think some gray chips at the driveways to keep mud from coming in and out would be a good idea. Jaime stated: If we considered approving the conditional use permit, it would need to be conditioned on meeting all of the fire code, all of the fire marshal's concerns. Is there anyone else with concerns? Attorney Coombs asked: I just have a question on the lighting that'll be in the parking lot. You're going to be adding lighting there. Is there going to be any way to mitigate the way, how that's going to affect the people across the street, or anybody in the neighborhood? Alexis stated: I provided a picture of what we are proposing. They're solar lights. They are about waist-high. They would be installed in several areas in the parking lot, if you look at your site map. So everyone should be able to see where they are going. They won't change the view too much, and they wouldn't be obstructive. Jaime asked: Can you turn off the solar lights when there isn't an event happening or will they just always come on? Alexis stated: I haven't purchased one yet because I didn't want to purchase it if I didn't get approved. So, I can't tell you yes or no, but I would imagine that they would just come on. I will check into that since I hadn't even thought of that. Shane Watson stated: I'm sure they have a switch.

Jaime made the motion to approve the Commercial Conditional Use Application for Alexis Leonelli and Karen Watson to own and operate a Reception Center located at 82 South West Street located in the CS zone, with the condition that all ADA and all fire codes are complied with before operation. Gary seconded the motion. Shane Watson abstained. All voted in favor and the motion carried unanimously.

6. Consideration to recommend approval of the Final Plat Amendment for Mustang Ridge Subdivision, Phase 1 to reconfigure five (5) lots into four (4). Property is located at 650 East Main Street in the R-1-12 zone.

Matt Holste with GTM Builders was present for this item. Matt Holste stated to the Commission: We are making the lots bigger so we can fit within the setbacks. Gary Pinkham asked: How will this affect the utilities that have already been installed? Will they have to dig up the road for any reason? Matt Holste stated: No, we should be fine

on both. Brain Pattee stated: So now you are going to have an extra stub for sewer and water. What is going to happen to them? Matt Holste stated that they would be capped off. Gary Pinkham stated that he didn't have any issues with this and that he liked the idea of bigger lots. He also stated that GTM should reach out to Public Works to help with the location of the utilities.

Gary made the motion to recommend approval of the Final Plat Amendment for Mustang Ridge Subdivision, Phase 1 to reconfigure five (5) lots into four (4). Property is located at 650 East Main Street in the R-1-12 zone. Brian seconded the motion. All voted in favor and the motion carried unanimously.

7. Consideration to approve the Preliminary Plat for Deseret Highlands Investments, LLC and Guy Haskell on the Highlands Subdivision Phase 2 at approximately 750 North Highway 138 consisting of twenty-five (25) lots in the RM-7 zone.

Guy Haskell was present for this item and stated to the Commission: I'm hoping I've got you everything you need and I am here to answer any questions. Gary stated: Talking with Shay, he indicated that he has been working with you quite a bit in the last few days, and that he feels that the issues on storm water and sewer have been ironed out. Guy Haskell stated: Yes, we were trying to get everything ironed out before this meeting, and I think we accomplished that. Gary stated: There was one thing that I spotted, and it has to do with the location of the storm water boxes that require the large spouts. Shay will get with you on that. We need to add a couple. Guy Haskell stated: I'm meeting with the engineer in the morning. Shay said: I'll send you an email in the morning. Gary stated: I have one more comment. The combo boxes along the highway are not at the required depth and there are no snouts. You will need to make sure that you fix them. Jaime asked Brad Clayton: On your letter from December 26, 2019, you stated that the right of ways are narrower than what's currently approved, and that there are minor adjustments that need to be made to face the curb widths on all streets marked as X1 on page C400. Has that been adjusted or does it still need to be adjusted? Brad Clayton stated: As long as they are compliant with what the code was, my understanding was 38. That's why I put that note in there.

Jaime made the motion to approve the Preliminary Plat for Deseret Highlands Investments, LLC and Guy Haskell on the Highlands Subdivision Phase 2 at approximately 750 North Highway 138 consisting of twenty-five (25) lots in the RM-7 zone, with the condition that the outstanding drainage issues are worked out and fixed with an engineer. Gary seconded the motion. All voted in favor and the motion carried unanimously.

8. Consideration to approve the meeting minutes for the previous P&Z Meeting that was held December 12, 2019.

Jacob made the motion to approve the meeting minutes for the previous P&Z Meeting that was held December 12, 2019. Gary seconded the motion. Shane Watson abstained.

APPROVED P&Z MEETING MINUTES

2/13/20

All voted in favor and the motion carried unanimously.

9. Report from City Council Liaison.

- 10. Jaime made the motion to adjourn the meeting at 8:01 p.m. Gary seconded the motion. All voted in favor and the motion carried unanimously.**

Kristy Clark
Zoning Administrator