

TOQUERVILLE CITY
PLANNING COMMISSION MEETING MINUTES
February 10, 2021 at 6:00 pm
212 N. Toquer Blvd, Toquerville Utah



Present: Chairman Dan Catlin (via Youtube), Commissioners: Greg Turner, Joey Campbell, Jason Grygla, Gary Tomsik; Alternate Planning Commissioner: Cathleen Lee. Staff: Zoning Official Mike Vercimak, Recorder Ruth Evans, City Council Liaison Gary Chaves.

A. CALL TO ORDER:

Commissioner Campbell called the meeting to order at 6:00 p.m. Commissioner Turner led the Pledge of Allegiance. Commissioner Turner disclosed a conflict with the renewal of his conditional use permit up for annual renewal tonight.

B. REVIEW OF MINUTES:

Review and possible approval of Planning Commission meeting minutes from January 13, 2021.

Commissioner Greg Turner moved to accept the meeting minutes from January 13, 2021. Commissioner Gary Tomsik seconded the motion. Motion unanimously carried 5-0. Greg Turner – aye, Jason Grygla – aye, Gary Tomsik – aye, Joey Campbell – aye, Cathleen Lee – aye.

C. PUBLIC FORUM:

Comments from public and public requests for future agenda items.

Resident Lynn Chamberlain commented that the public process is working well. Staff takes the applications, and it goes through the proper process including hearing public opinion. The Mayor invited everyone in attendance to voice their opinions and be heard.

Resident Duff Olsen voiced concerns over Toquerville growing too much from a small farm town. Mr. Olsen also had concerns over the City Council lying and telling the residents that the bypass road has been coming for over 40 years and it is not here yet. The citizens do not trust what the City is telling them. There is supposed to be a moratorium on building out on Westfield Road, but they are still building. The people do not trust the City.

Resident Amy Erickson agrees that the reasons they moved here are being taken away. Our quiet small city is being taken away a little at a time. The citizens don't have any control. It has already been decided. People with money and power are deciding everything. It is sad and heartbreaking to see all the development. We were sold on a small town and unfortunately now we may have to move. There are also concerns about noise control, dust control, and living in a perpetual construction nightmare. Perhaps someone will find a turtle while building.

Resident Anita Eaton commented that the Mayor's comments are interesting. The bypass road has been in the planning stages for a very long time and it is a reality. The residents would know that if they would attend the City Council meetings. We all chose to live here. Unless your home was an original pioneer home, then you are a new build. We are all new residents to this town. Development brings needed infrastructure, schools, churches, police, fire, and businesses. The Planning Commission has the responsibility to abide by the ordinances and make the right recommendations to the City Council.



Resident Sandy Cordova appreciates Anita Eaton's comments and is okay with growth if it is done correctly. Ms. Cordova read a letter from her mother Linda Olds. (see attached)

Resident Joel Jeppson expressed appreciation for the Mayor's invitation to use the public forum to make comments and appreciates all that has been said. There is a tremendous amount of new traffic on Westfield Road and a tremendous amount of apathy for the current residents. Please don't turn that road into another Las Vegas dragstrip. The intersections are a joke, and the traffic is not stopping at the stop signs. There are many who are new to the City but also have ancestors who settled here. The residents do appreciate the responses from the Sheriff and the Fire Department. Please be aware of the increased traffic coming in. Let contractors come but they need to follow the rules.

Resident Jessica Russo expressed concerns about over development but trusts the Planning Commission to do the right thing for Toquerville. Infrastructure needs to happen first. Growth needs to happen at a healthy pace. There are concerns about water for new developments. There is already low pressure at many areas. There needs to be a secondary access in and out of the Westfield area. There are concerns about emergency access to the people in that area.

Resident Tiger MacFarlane wondered if a study of Westfield Road traffic has ever been done and if not, it should be done.

Zoning Official Mike Vercimak commented that the reason the subdivision was delayed was because their traffic study was not complete.

Resident Gene Wilder commented that his family has had property here since the 1860's and loves the warm friendly feeling and pioneer character of this small town. Mr. Wilder is interested in preserving that and opposes overbuilding and overwhelming the infrastructure. Traffic and overcrowding will destroy Toquerville's character.

Resident Gary Chaves wished to thank the Mayor for encouraging the citizens to express their opinions. Every comment is heard by the Planning Commission and the City Council and discussed on a regular basis and will continue to be discussed. Citizens are encouraged to come to the City Council meetings and be more involved and aware of things going on in the City.

Resident Chris Lundell had questions about the ingress and egress from the Fire Department and if the bypass road will solve that problem. The traffic problem is not solved yet and who knows what would happen in an emergency.

Zoning Official Mike Vercimak commented that two engineer firms are working on the bypass road. Some alignment issues are being worked out and all properties will have ample utilities. The subdivision that was rescheduled for March will provide a secondary access out of Westfields area.

Resident Royce Gubler commented that there is talk of a water shortage yet building continues. Which means someone is lying to the residents. What is the limit on cities getting water?

Commissioner Lee commented that as Toquerville citizens, we are all concerned about the same thing. Providing arbitrary concerns is fine but providing concrete and specific information would be better and more helpful for the Planning Commission to consider. Bring research and specific information to help us make more informed decisions. Please give valuable feedback and come to the meetings prepared.



D. REPORTS:

There were no reports from any of the Planning Commissioners.

Zoning Official Mike Vercimak did not have anything to report.

City Council/Planning Commission Liaison Gary Chaves did not have anything to report.

E. PUBLIC HEARING:

Limit three (3) minutes per person; please address the microphone and state full name and address.

1. Public input is sought on a nightly rental application submitted by Tyler Whiting for a nightly rental located at 110 S. Toquer Blvd. Tax ID # T-151. Zoning is R-1-12.

Commissioner Campbell read the staff comments aloud to provide more information on the conditions of the application.

Resident Anita Eaton commented that it is exciting for a historic building to be used for this purpose, although there are concerns over parking. This property sits on a blind corner and there needs to be adequate off-street parking for guests. On-street parking is a serious problem in some areas of town and if that is violated then all on-street parking could be revoked for everyone.

Resident Jessica Russo commented that the percentage of the home being used for the nightly rental should be specified.

Resident Tyler Whiting commented that he owns the winery and will restore the building to historical accuracy. The basement will be used for the nightly rental, which is roughly 700 sq. feet. The parking plan is to have an area that is all off-street parking for tenants. There are also four additional spots for family and friends so parking will not be an issue.

2. Public input is sought on Ordinance 2021.XX 10-15C MPDO density bonus. An ordinance amending density bonus calculations definitions and basis for calculations.

There were no public comments.

3. Public input is sought on a preliminary plat application submitted by SRC Land Holdings, LLC for a 90 residential lot subdivision within four phases. Tax ID # T-3-1-11-341. Zoning is R-1-12.

Zoning Official Mike Vercimak reminded the public that there will be no public comments heard on this application tonight and that it has been rescheduled for March.

F. BUSINESS ITEM(S):

1. Annual renewal of a conditional use permit for a pet crematorium located at 490 S Westfield Rd. Applicant Angel Hutchings.

The Commissioners discussed this permit was up for renewal last month and discussed the concerns brought forth regarding bad odors coming from the burners and the hours of operation. Mr. Hutchings spoke for his wife Angel and commented that new burners have been purchased this year which will greatly reduce odors. The Commission discussed optimal burn times and hours of operation which will least disturb the neighbors. Mayor Chamberlain



commented that businesses should not be limited to certain hours. They should be allowed to operate during all non-quiet hours.

Commissioner Jason Grygla moved to approve the annual renewal of the pet crematorium with the hours of operation being modified to 8:00 a.m. to 9:00 p.m. Commissioner Gary Tomsik seconded the motion. Motion unanimously carried 5-0. Greg Turner – aye, Jason Grygla – aye, Gary Tomsik – aye, Joey Campbell – aye, Cathleen Lee – aye.

2. Annual renewal of a home occupation permit for a home office located at 855 South Peachtree Dr. Applicant Adam Jowers.

The Commissioners discussed this applicant has not renewed their 2021 business license as of the date of this meeting.

Commissioner Greg Turner moved to approve the annual renewal of a home occupation permit for a home office for Adam Jowers contingent upon the applicant renewing their 2021 City business license. Commissioner Greg Turner seconded the motion. Motion unanimously carried 5-0. Greg Turner – aye, Jason Grygla – aye, Gary Tomsik – aye, Joey Campbell – aye, Cathleen Lee – aye.

3. Annual renewal of a conditional use permit for the assembly and sales of powered parachute crafts located at 290 South Ash Creek Dr. Applicant Stacey and Anita Eaton.

Commissioner Jason Grygla moved to approve the annual renewal of Stacey and Anita Eaton's conditional use permit. Commissioner Greg Turner seconded the motion. Motion unanimously carried 5-0. Greg Turner – aye, Jason Grygla – aye, Gary Tomsik – aye, Joey Campbell – aye, Cathleen Lee – aye.

4. Annual renewal of a conditional use permit for commercial livestock operations located at 1091 S Toquer Blvd. Applicant Steve and Cindi Gilbert.

Commissioner Greg Turner moved to approve the annual renewal of Steve and Cindi Gilbert's conditional use permit. Commissioner Cathleen Lee seconded the motion. Motion unanimously carried 5-0. Greg Turner – aye, Jason Grygla – aye, Gary Tomsik – aye, Joey Campbell – aye, Cathleen Lee – aye.

5. Annual renewal of a livestock conditional use permit for the keeping of chickens located at 1632 S Ash Creek Dr. Applicant Donna DuCrest.

Commissioner Greg Turner moved to approve the annual renewal of Donna DuCrest's livestock conditional use permit. Commissioner Jason Grygla seconded the motion. Motion unanimously carried 5-0. Greg Turner – aye, Jason Grygla – aye, Gary Tomsik – aye, Joey Campbell – aye, Cathleen Lee – aye.

6. Annual renewal of a conditional use permit for a bed and breakfast located at 945 S Westfield Rd. Applicant Ernest and Rebecca Olsen.

Commissioner Jason Grygla moved to approve the annual renewal of Ernest and Rebecca Olsen's conditional use permit. Commissioner Cathleen Lee seconded the motion. Motion unanimously carried 5-0. Greg Turner – aye, Jason Grygla – aye, Gary Tomsik – aye, Joey Campbell – aye, Cathleen Lee – aye.



7. Annual renewal of a home occupation permit for a home office located at 460 N Toquer Blvd. Applicant Heather North.

Commissioner Jason Grygla moved to approve the annual renewal of Heather North's home occupation permit. Commissioner Greg Turner seconded the motion. Motion unanimously carried 5-0. Greg Turner – aye, Jason Grygla – aye, Gary Tomsik – aye, Joey Campbell – aye, Cathleen Lee – aye.

8. Annual renewal of a home occupation permit for a custom gun production shop located at 152 W Sunset Dr. Applicant Justin Sip.

Commissioner Greg Turner moved to approve the annual renewal of Justin Sip's home occupation permit. Commissioner Cathleen Lee seconded the motion. Motion unanimously carried 5-0. Greg Turner – aye, Jason Grygla – aye, Gary Tomsik – aye, Joey Campbell – aye, Cathleen Lee – aye.

9. Annual renewal of a conditional use permit for a construction business located at 47 S Ash Creek Dr. Applicant Lynn Olds.

Councilman Chaves commented that he has notified Lynn Olds of several complaints of vehicles on his property. The Commissioners discussed the recent complaint of large trucks and trailers being parked on residential streets. This applicant has had complaints of this same thing in years past but has always resolved the complaints immediately.

Commissioner Greg Turner moved to approve the annual renewal of Lynn Olds' conditional use permit contingent upon the applicant renewing their 2021 City business license. Commissioner Jason Grygla seconded the motion. Motion unanimously carried 5-0. Greg Turner – aye, Jason Grygla – aye, Gary Tomsik – aye, Joey Campbell – aye, Cathleen Lee – aye.

10. Annual renewal of a livestock conditional use permit for the keeping of chickens located at 1520 S Cane Circle. Applicant David Missal.

Commissioner Greg Turner moved to approve the annual renewal of David Missal's livestock conditional use permit. Commissioner Jason Grygla seconded the motion. Motion unanimously carried 5-0. Greg Turner – aye, Jason Grygla – aye, Gary Tomsik – aye, Joey Campbell – aye, Cathleen Lee – aye.

11. Annual renewal of a conditional use permit for a nightly rental located at 216 Mountain Charm Rd. Applicant Gary Chaves.

Commissioner Greg Turner moved to approve the annual renewal of Gary Chaves' nightly rental permit. Commissioner Gary Tomsik seconded the motion. Motion unanimously carried 5-0. Greg Turner – aye, Jason Grygla – aye, Gary Tomsik – aye, Joey Campbell – aye, Cathleen Lee – aye.

12. Annual renewal of a nightly rental permit for a nightly rental located at 203 N Ash Creek Dr. Applicant Wayne and Caleen Olsen.



The Commissioners discussed this applicant has not renewed their 2021 business license as of the date of this meeting.

Commissioner Greg Turner moved to approve the annual renewal of a nightly rental permit for Wayne and Caleen Olsen contingent upon the applicant renewing their 2021 City business license. Commissioner Jason Grygla seconded the motion. Motion unanimously carried 5-0. Greg Turner – aye, Jason Grygla – aye, Gary Tomsik – aye, Joey Campbell – aye, Cathleen Lee – aye.

13. Annual renewal of a conditional use permit for meat cutting services located at 590 S Toquer Blvd. Applicant Randy Pearson.
14. Annual renewal of a conditional use permit for a bed and breakfast located at 325 W Old Church Rd. Applicant Mark Fahrenkamp.

Councilman Chaves commented that there may be complaints about the manner and sounds of how the animals are slaughtered. The Commissioners discussed the nuisance ordinance regarding slaughterhouses and if there are regulations related to public health. There are no formal complaints on file for either business.

Commissioner Gary Tomsik moved to approve the annual renewal of Randy Pearson's conditional use permit and the annual renewal of Mark Fahrenkamp's conditional use permit. Commissioner Jason Grygla seconded the motion. Motion unanimously carried 5-0. Greg Turner – aye, Jason Grygla – aye, Gary Tomsik – aye, Joey Campbell – aye, Cathleen Lee – aye.

15. Annual renewal of a conditional use permit for a bed and breakfast located at 263 N Toquer Blvd. Applicant Greg and Jodi Turner.

Commissioner Jason Grygla moved to approve the annual renewal of Greg and Jodi Turner's conditional use permit. Commissioner Cathleen Lee seconded the motion. Motion carried 4-1. Greg Turner – abstain, Jason Grygla – aye, Gary Tomsik – aye, Joey Campbell – aye, Cathleen Lee – aye.

16. Discussion and possible recommendation of a nightly rental application submitted by Tyler Whiting for a nightly rental located at 110 S. Toquer Blvd. Tax ID # T-151. Zoning is R-1-12.

The Commissioners discussed the parking options and concerns and the historical zone and restoration to the building and felt confident the applicant will restore the building properly and be subject to the parking conditions.

Commissioner Greg Turner moved to approve the nightly rental application submitted by Tyler Whiting subject to staff recommendations. Commissioner Cathleen Lee seconded the motion. Motion unanimously carried 5-0. Greg Turner – aye, Jason Grygla – aye, Gary Tomsik – aye, Joey Campbell – aye, Cathleen Lee – aye.

17. Discussion and possible recommendation on Ordinance 2021.XX 10-15C MPDO density bonus. An ordinance amending density bonus calculations, definitions and basis for calculations.



Commissioner Campbell had some concerns that the original code was not modified correctly and may contain errors. The Commissioners discussed the changes that have been submitted and that a redlined version is needed to properly identify the updates.

Commissioner Greg Turner moved to table Ordinance 2021.XX 10-15C MPDO density bonus. Commissioner Cathleen Lee seconded the motion. Motion unanimously carried 5-0. Greg Turner – aye, Jason Grygla – aye, Gary Tomsik – aye, Joey Campbell – aye, Cathleen Lee – aye

18. Discussion and possible recommendation on a preliminary plat application submitted by SRC Land Holdings, LLC for a 90 residential lot subdivision within four phases. Tax ID # T-3-1-11-341. Zoning is R-1-12.

Commissioner Greg Turner moved to table the preliminary plat application submitted by SRC Land Holdings, LLC. Motion was seconded by Commissioner Jason Grygla. Motion unanimously carried 5-0. Commission Vote: Greg Turner – aye, Jason Grygla – aye, Gary Tomsik – aye, Joey Campbell – aye, Cathleen Lee – aye.

G. DISCUSSION ITEM(S):

1. Discussion on 10-15B Planned Development Overlay Zone.

The Commissioners discussed that Chairman Catlin had a presentation and information regarding this item but since he is not at the meeting in person, he will present it at the next meeting. Zoning Official Mike Vercimak commented that the only thing in the code under the PDO section is a prelude paragraph. The Commissioners need to decide if the city needs a PDO section or if it needs to be stricken altogether.

H. ADJOURN:

Commissioner Jason Grygla moved to adjourn the meeting. Motion was seconded by Commissioner Greg Turner. Motion unanimously carried 5-0. Commission Vote: Greg Turner – aye, Jason Grygla – aye, Gary Tomsik – aye, Joey Campbell – aye, Cathleen Lee – aye.

Commissioner Campbell adjourned the meeting at 7:51 p.m.



Planning Chair – Dan Catlin

3/10/21
Date



City Recorder – Ruth Evans

