

**MINUTES OF A REGULAR MEETING
OF THE EPHRAIM CITY PLANNING COMMISSION
EPHRAIM CITY BUILDING, 5 SOUTH MAIN, EPHRAIM, UTAH
WEDNESDAY APRIL 28, 2021
5:00 PM**

Commission Members Present: Planning Commission Chair Lisa Murray, Stephen Cornelsen and Jan Jonson

Commission Members Present via Phone: Craig Rasmussen

Commission Members Absent: Dennis Nordfelt and Darren Glather

Staff Members Present: Community Development Director Bryan Kimball, City Planner Devan Fowles, Community Development Clerk Megan Spurling

Others Present: Kira Cox

Planning Commission Chair Lisa Murray called the meeting to order at 5:20 p.m.

APPROVAL OF MINUTES

The Commission reviewed the minutes of the March 24th and April 14th Planning Commission meeting.

Planning Commission Member Steve Cornelsen moved to approve the March 24th, 2021 meeting minutes as presented. The motion was seconded by Planning Commission Member Jan Johnson. All were in favor. The motion carried.

Planning Commission Member Jan Johnson moved to approve the April 14th, 2021 meeting minutes as presented. The motion was seconded by Planning Commission Member Steve Cornelsen. All were in favor. The motion carried.

PUBLIC HEARING

**Public Hearing for the purpose of receiving public comment for the following:
Proposed Ephraim Commercial Subdivision Plat Amendment combining lots 5 and 6.**

Devan addressed the commission. The CCR for the subdivision were amended previously. The CCR was amended to allow residential and commercial at the property. This was previously approved by the Planning Commission and City Council. An application for conditional use was submitted for a mixed-use building, however the neighbor to the east called and took them up on the offer to sell that parcel to them. Lot 6 was previously purchased. They pulled their previous application and will be submitting a new one for lot 5 and 6, with another conditional use for a

larger building. Tonight, we are just approving the plat amendment and combining the two lots. The footprint of the lot is the same, they are only taking out the line that separates lots 5 and 6. Steve referred to the picture provided for clarification. The applicant will be coming with the mylar copy of the survey. Devan explained the applicant is still looking at doing commercial on the bottom part of the building and apartments or condos on top. This zone has the highest density allowance, which is R4. The parking and landscaping requirements are what is going to regulate this. The final plans have not been submitted but should be soon.

Planning Commission Member Jan Johnson moved to end public hearing. Planning Commission Member Craig Rasmussen seconded the motion. All were in favor. The motion carried.

BUSINESS

Simon Properties LLC - Proposed Ephraim Commercial Subdivision Plat Amendment combining lots 5 and 6.

No comment.

Planning Commission Member Steve Cornelsen moved to recommend the City Council approve Simon Properties LLC - Proposed Ephraim Commercial Subdivision Plat Amendment combining lots 5 and 6. Planning Commission Member Jan Johnson seconded the motion. All were in favor. The motion carried

Kira Cox - Conditional Use Permit for an in-home preschool located at 983 E. 920 S.

Kira Cox addressed the commission about her desire to teach preschool in her home a couple of days a week. Commission Chair Lisa Murray stated that the biggest concern with this would be increased traffic and parking in the area. Kira explained she has no employees, and it will be 8 students at a time. There will be two sessions a day on Tuesday and Thursday. The applicant lives in a cul-de-sac, so parking and drop off should go relatively smoothly. Preschool hours would be no earlier than 9 am and the latest pickup will be at 2 pm. Steve Cornelsen commented that he lives in a similar situation with a preschool in his neighborhood and it works well.

Lisa asked what the zoning was in the applicant's area. Devan explained that as far as zoning goes, it is municipal and state regulations that need to be followed. The state has a strict requirement when it comes to preschools. There is a checklist of items and that was sent to Kira to review. It was determined she does not need to be licensed with the state where she is not working more than 4 hours at a time, nor is she serving food or changing diapers. Municipal code just requires a conditional use permit and a business license. Up to this point the applicant has applied for the conditional use permit, she is here at the meeting and will proceed to City Council next week. Once approved here in this meeting and in City Council she will then apply for a business license. If she complies with the conditions, she would continue to operate under those. Her zone is an RA. Lisa clarified if she meets the conditions, it could be approved. Devan explained the city can put conditions based on the conditional use checklist. The conditional use checklist is general enough that it encompasses all uses. The use is compatible with surrounding

uses. As an example, one condition that was placed on a prior applicant was concerning traffic and staggering drop off and pick up times. Ephraim City staff feels comfortable with the approval.

Planning Commission Member Craig Rasmussen moved to recommend the City Council approve Kira Cox - Conditional Use Permit for an in-home preschool located at 983 E. 920 S. Planning Commission Member Jan Johnson seconded the motion. All were in favor. The motion carried

Gary Hansen - Conditional Use Permit for an attached accessory dwelling located at 108 W. Center Street.

Devan contacted the applicant today to remind him of the meeting and to gather additional information. We only have the location to look at. It is in the R2 zone, which is acceptable for an accessory dwelling with a conditional use permit. It does need to be owner occupied. Lisa asked if there are any setbacks associated with an accessory dwelling. They are converting an area within his house. Steve expressed the main concern is parking. Devan explained the applicant has a lot of parking, which will meet the requirements. Devan referred to the map to show the commissioners that there is space for parking. Based on the application and everything that has been discussed it does comply with ordinance, if he maintains parking and is owner occupied. Discussion was had about the location of the property. There is no requirement for an independent entrance. Jan spoke about the state not necessarily continuing to have an owner-occupied requirement. Devan explained that the State is trying to make housing a much simpler process. They are running out of space up north. The way to make it easier is to make the cities require less.

Planning Commission Member Steve Cornelsen moved to recommend the City Council approve Gary Hansen - Conditional Use Permit for an attached accessory dwelling located at 108 W. Center Street. Planning Commission Member Jan Johnson seconded the motion. All were in favor. The motion carried

PLANNER'S REPORT

Devan addressed the commission. This whole week we have been trying to get stuff ready for Planning and City Council. We have a lot of applications coming. After the next meeting there will be some decent sized meetings. We will try to make these meetings as smooth as possible. Jan Johnson commented on the price of building right now and that he surprised at the number of things still being built. Looking for structures to go up with different materials since current costs are so high. We have talked to a lot of contractors and you would think things would slow down but things are still moving forward. There are some commercial things coming our way. Simon properties was discussed and their commercial projects coming in. There is also some commercial development from Comino Verde. An application has not been received yet but once they have

completed phase one and two of the subdivision, it is anticipated that they will begin submitting applications for commercial projects. Final approval on second phase from City Council tonight.

Well tests came back, and it should be online any time. Lisa asked how many wells we have. Devan informed the commission that on the west side there are two. There is also the Rex's well, it is not running yet as we are waiting on things from the core of engineers. When you drill a well, state law has specific requirements that must be followed to minimize potential contamination. Rex's well is an agricultural well and right now it does not meet their specific requirements. We are trying to get the core of engineers to approve its use as is to help avoid having to delay bringing it online any further. If they do approve it to come online without going through the process of retrofitting the well to a typical drinking water well, they normally require a buffer around it to help minimize potential contamination. Once approved it is just a matter of tapping it into our system and we will have a lot more capacity.

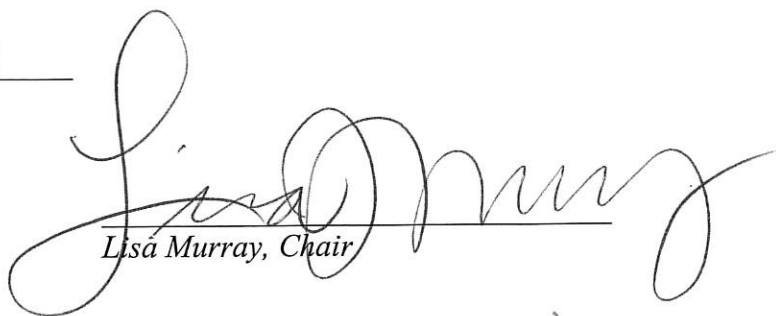
Jan asked about pushing water up to his subdivision, Devan has not been a part of that, but he can find out from the public works director. Our next meeting on May 12th. Jan asked about Wesley Thompson from last week and where that was located. Devan informed him it was on 400 E and 200 S. Jan also asked if there were any changes to Antonio's plan. Devan explained that 9 zoning permits were issued, and he has all 9 to start on the south side of the property. Antonio is removing the trailers and replacing them with stick-built structures on 200 North.

Discussion was had about the property on 6th east. There are still some property boundary issues to be resolved with Bailey's. Last time we spoke to Antonio they were waiting on a response from Bailey's to see if they could move forward with a fence line agreement. If he wants to move forward without increasing that boundary line, he may not be able to accomplish what he is looking to do.

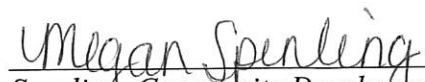
ADJOURNMENT

Planning Commission Member Jan Johnson moved to adjourn the meeting at 5:57 pm. Planning Commission Member Steve Cornelsen seconded the motion. All were in favor. The motion carried.

Minutes approved on: 5/12/21


Lisa Murray, Chair

Attest:


Megan Spurling, Community Development Clerk