

MINUTES OF THE GRANTSVILLE CITY PLANNING COMMISSION HELD 11/04/2021. THE MEETING WAS HELD IN THE GRANTSVILLE CITY HALL AT 429 EAST MAIN STREET AND ON ZOOM.

Commission Members Present: Commission Chair Brian Pattee, Commission Member Gary Pinkham, Commission Member Jaime Topham and Commission Member Erik Stromberg

Commission Members that were present on Zoom:

Commission Members that were absent: Commission Member John Limburg

Appointed Officers and Employees Present: City Attorney Brett Coombs; City Recorder Braydee Baugh; City Engineer Dan England; City Council Liaison Darrin Rowberry, Grantsville Fire, Jason Smith.

Appointed Officers and Employees that were present on Zoom: Zoning Administrator, Kristy Clark

Citizens and Guests Present: Sean Perkins, Doug Farley, Sparkle Echeverria, Nestor Echeverria, Jim and Andrea Smith, Janet Fawson, Summer Nielsen, Ben and Kara Allen, Tyson Erickson, and Barry Bunderson.

**THE REGULAR MEETING WAS OFFICIALLY CALLED TO ORDER BY
COMMISSION CHAIR, BRIAN PATTEE AT 7:00 P.M.**

PLEDGE OF ALLEGIANCE

PUBLIC HEARINGS:

- a. Proposed Preliminary Plat for Janet Fawson for the creation of two (2) lots in The Meadows at Pheasant Hollow Subdivision located at approximately 306 N Race Street in the RR-1 zone.**

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

With no comments, Chairman Brian Pattee closed the public hearing at 7:01 p.m.

- b. Proposed Home Occupation Conditional Use Permit for Benjamin and Kara Allen to own and operate a Photo Studio and Event Center located at 867 N Hale Street in the RR-5 zone.**

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

With no additional comments, Chairman Brian Pattee closed the public hearing at 7:09 p.m.

- c. **Proposed Home Occupation Conditional Use Permit for Summer Nielsen to own and operate a Health and Body Wellness business located at 435 S Trejo Ridge Rd in the R-1-21 zone.**

Chairman Brian Pattee opened the public hearing at 7:09 p.m. and called for comments.

With no comments, Chairman Brian Pattee closed the public hearing at 7:10 p.m.

- d. **Proposed Commercial Conditional Use Permit for Sparkle Echeverria to own and operate a Dog Grooming business located at 822 E Main Street, Unit 13 in the CD zone.**

Chairman Brian Pattee opened the public hearing at 7:10 p.m. and called for comments.

With no comments, Chairman Brian Pattee closed the public hearing at 7:10 p.m.

- e. **Proposed Final Plat for the Romney Development for the creation of one (1) lot in the Lakeview Business Park Phase 2 located at approximately 242 N Sheep Lane in the MG zone.**

Chairman Brian Pattee opened the public hearing at 7:10 p.m. and called for comments.

With no comments, Chairman Brian Pattee closed the public hearing at 7:11 p.m.

COMMISSION CHAIR BRIAN PATTEE OFFICIALLY CALLED THE MEETING TO ORDER AT 7:14 P.M.

1. **Consideration to approve the Home Occupation Conditional Use Permit for Benjamin and Kara Allen to own and operate a Photo Studio and Event Center located at 867 N Hale Street in the RR-5 zone.**

Ben and Kara Allen were present for this agenda item and stated to the Commission:

My name is Ben Allen. We built the barn for my wife's online business. She needed somewhere to setup multiple mock parties to post online. We've also host some family reunions and family parties but when COVID hit, we had a lot of people come to us and ask to rent it out. It's been mostly for Weddings but we've had a few dances. The FFA and the Cheerleaders have held some meeting here also. We're not trying to be a nuisance; we're trying to be benefit to the community.

Kara Allen stated, I just want to say a few things in regards to the complaints that have been made by our friends and neighbors. I don't want to get emotional, but it's just hard because we have been very communicative with our neighbors from the get-go. Even the first time that somebody wanted to have a party there, it was because prom was canceled. I had a wedding that I had set-up and photographed so it was already decorated. It was just two couples that came to dance and celebrate prom. I went and let my neighbors know. We've been very straight forward and tried to combat any concerns. It's hard because we don't hear

all the concerns. We did get the call once saying that the music was too loud. And we hurried and turned it down. Anytime we have gotten complaints, we've tried to rectify them. We don't want to rent out the barn every night. We want our privacy; we want that country feel. But if someone wants to have a wedding there we want to be able to accommodate them. So whatever we need to do to be able to continue to rent it out would be great.

Jaime Topham asked, is the building insulated?

Kara Allen answered, yes all but the roof. We just got a bid to have the roof insulated. We're hoping that will cut down on the noise.

Erik Stromberg asked, so you've not been permitted to be doing any of the businesses up to this point?

Kara Allen answered, that's where we are confused. We didn't know that we were in violation. I've had my online business registered with the State and we meet with the Mayor and asked him what we need to do and he asked if we were licensed. We told him through the State. Everything that we have been doing has went through that online business. So we thought that we had done everything that we needed to do.

Erik Stromberg stated, there's a huge difference between a photo studio and a reception center. I attended an event there over a year ago, you're not meeting fire code at all. Not even close. There's a lot that's going to have to be done if we move this forward. You're going to have to meet the fire code. That may take you some time and then you'll have to come back.

Jason Smith, Grantsville City Fire Chief stated, it is going to have to meet an A-3 Occupancy. There's five pages of requirements that they will need to meet.

Gary Pinkham stated, there's a group of things I think would need to be addressed before I would be willing to go forward.

Erik Stromberg stated, my recommendation would be to table this, have you work with the fire marshal and decide what is going to be required. You say you're willing to do whatever, but you don't know what that is. If you're talking \$30-\$40,000 worth of infrastructure that has to go in, maybe you still are, but maybe you say, "Hold on, we don't want to spend that. You may want to re-evaluate this whole scenario." I would suggest, you figure that out. You can get a plan in place and then you can either come back and say, "Yes, we're willing to do this, and we are applying for a conditional use permit for a reception center." And we have all the information we need to make the decision. Or you say, "We don't want to do reception center, we don't want to meet those requirements. We truly just want to do a photo studio."

Ben Allen stated, I think that is a great idea.

Erik Stromberg asked, I have one more question. If we table this do, we have some direction for them? Obviously they've been operating out of compliance so what are they allowed to do in the meantime?

Attorney Coombs answered, until the Fire Marshall has approved the facility, the facility should not be used as an event center.

Erik made the motion to table the Home Occupation Conditional Use Permit for Benjamin and Kara Allen to own and operate a Photo Studio and Event Center located at 867 N Hale Street in the RR-5 zone until they can work with the fire marshal and come back with a plan to go forward. Jaime seconded the motion. All voted in favor. Motion carried unanimously.

2. Consideration to approve the Home Occupation Conditional Use Permit for Summer Nielsen to own and operate a Health and Body Wellness business located at 435 S Trejo Ridge Rd in the R-1-21 zone.

Summer Nielsen was present for this agenda item and stated to the Commission: I am a massage therapist, and I am just opening a massage practice out of my home. I gave you all that information there. Any questions for me?

Garry Pinkham stated, you mentioned that you've got some products you're storing what are those?

Summer Nielsen answered, I have disinfectants, essential oils, organic lotion, and gel.

Gary Pinkham asked, what kind of quantities are you storing?

Summer Nielsen answered, I usually keep about three gallons of gel and lotion on hand, and they're refrigerated for lasting, the same thing about a gallon of cleaner. I asked if they needed me to provide that label for you if you need it, but that's about it, just general sanitation things.

Jaime Topham asked, with the limited retail, it says lotions, oils, gift cards, how much of the lotions and oils, and where do you store them?

Summer Nielsen answered, right now, I just have probably a dozen of them that I order just as a display and then as they're requested, I order them.

Gary Pinkham asked the Fire Marshall, Jason Smith, is there anything you need to look into on this?

Jason Smith answered, not for the amounts that she's talking about, no.

Jaime made the motion to approve the Home Occupation Conditional Use Permit for Summer Nielsen to own and operate a Health and Body Wellness business located at 435 S Trejo Ridge Rd in the R-1-21 zone. Erik seconded the motion. All voted in favor. Motion carried unanimously.

3. Consideration to approve the Commercial Conditional Use Permit for Sparkle Echeverria to own and operate a Dog Grooming business located at 822 E Main Street, Unit 13 in the CD zone.

Sparkle Echeverria was present for this agenda item and stated to the Commission:
I'm just going to make dogs beautiful if there's a demand for it.

Attorney Coombs asked, can I ask a question for the noise? How many dogs will be contained in there at a time?

Sparkle Echeverria answered, right now, I'm the only one working the business, and I may have a helper like twice a week. So, there won't be very many because I'm only one person. So, at first, it'll be two to three dogs a day and we'll be done, period. We'll work on a pickup schedule, so I don't anticipate having more than three dogs in the building at a time. That's all I have equipment for, and I would be surprised to even have that many at this point.

Attorney Coombs asked, is there a place for the dogs to go out if they need to relieve themselves or anything like that?

Sparkle Echeverria answered, we just ask them to do it prior to coming.

Attorney Coombs asked, so you anticipate just having the dogs for a short amount of time?

Sparkle Echeverria answered, right. I would do the groom from straight through.

Jaime Topham asked, would you have them pick up a dog before you have another come or do you have the other few there at a time?

Sparkle Echeverria answered, no more than two. It'd overlap at the end possibly, but as fast as I can have them out is the best.

Jaime Topham asked, so your unit is between the Chinese restaurant and the hair salon. Are you going to do anything about any sound barrier?

Sparkle Echeverria answered, The Chinese restaurant, has their storage next to my unit and then the kitchen and then where their clientele is. I've spoken to Angela, who owns the salon. She didn't express any concern. I said, "If there is a problem, let me know, and we

can put insulation in the wall." We're putting it in the back corner, the kennels where we would put a dog.

Jaime Topham stated, according to your drawing your kennels would be against the wall of the restaurant, where their storage room is?

Sparkle Echeverria answered, right. As I get to know my clientele, the plan is to schedule the noisy dogs in the morning so that it won't disrupt the neighbors. After you have one dog and they're noisy, you'll know they're noisy the next time, so that's why we have a 7:00 am because I thought if we have the noisy ones in the morning and nobody's in their spaces.

Attorney Coombs asked, Mr. Chair, if this is approved, would it be possible to set a review in six months just so we can see if there's any concerns about the noise?

Brian Pattee answered, absolutely. I think that's a good idea, just in case.

Jaime made the motion to approve the Commercial Conditional Use Permit for Sparkle Echeverria to own and operate a Dog Grooming business located at 822 E Main Street, Unit 13 in the CD zone. With the condition that we'll come back for a review in six months. Gary seconded the motion. All voted in favor. Motion carried unanimously.

4. Consideration to recommend approval of a Preliminary Plat for Janet Fawson for the creation of two (2) lots in The Meadows at Pheasant Hollow Subdivision located at approximately 306 N Race Street in the RR-1 zone.

Janet Fawson and Barry Bunderson were present for this agenda item and stated to the Commission: I'm Barry Bunderson. I'm here to represent Janet. They're just trying to separate the home that was built on the fourth lot of a minor subdivision and create a separate lot that will remain undeveloped at this time.

Dan England asked, did you see Shay's memo? He put together some suggestions, that if they develop the property, dedication of right-a-way and improvements would be required at that time.

Barry Bunderson stated, we would probably discuss deferring the improvements with the city council.

Jaime Topham asked, would we need to incorporate Shay's memo in our motion or just mention that we reviewed Shay's memo?

Attorney Coombs answered, you can incorporate it if you would like to specifically make sure that that's part of your recommendation of the city council.

Barry Bunderson asked, you're saying if that lot two develops further, then there's something in the development agreement that ties improvements to that development?

Jaime Topham answered, yes, Shay states, the following terms are recommended upon development of lot number two. A street right of way shall be dedicated along the north boundary with the full width of the arterial per the current street master plan. Also, half width right of way for Clay Street shall be dedicated along the south property boundary line of lot one and two for the current transportation master plan. The city council allows the postponement of improvements along the perimeter of lot one. The property owner shall complete half width improvement of Booth Street and Clay Street, including but not limited to pavement, parade, storm, water improvements, curb and gutter, sidewalk and when requested in writing by the city. If the improvements are not postponed by city council, the engineering will need to be completed and approved by city staff before the plat will be recorded. That's his development agreement recommendation.

Erik made the motion to recommend approval the Preliminary Plat for Janet Fawson for the creation of two (2) lots in The Meadows at Pheasant Hollow Subdivision located at approximately 306 N Race Street in the RR-1 zone. With the condition that the memo from Aqua be included in the Development agreement as part of this motion. Gary seconded the motion. All voted in favor. Motion carried unanimously.

5. Consideration to recommend approval of a Final Plat for Janet Fawson for the creation of two (2) lots in The Meadows at Pheasant Hollow Subdivision located at approximately 306 N Race Street in the RR-1 zone.

Janet Fawson and Barry Bunderson were present for this agenda item:

No additional comments were given by the Commission for the recommendation to approve the final plat.

Erik made the motion to recommend approval of the Final Plat for Janet Fawson for the creation of two (2) lots in The Meadows at Pheasant Hollow Subdivision located at approximately 306 N Race Street in the RR-1 zone. With the condition that the memo from Aqua be included in the Development Agreement as part of this motion. Gary seconded the motion. All voted in favor. Motion carried unanimously.

6. Consideration to recommend approval of a Final Plat for Romney Development for the creation of one (1) lot in the Lakeview Business Park Phase 2 located at approximately 242 N Sheep Lane in the MG zone.

Josh Romney was present for this agenda item and stated to the Commission: I'm Josh Romney from the Romney Group. I appreciate your time tonight. We are working on this plat for a potential user that we're very excited about. We do not have a signed lease at this point. We're probably 70 to 80% certain we're going to get this lease signed. One of the

issues we have, the platting process in Grantsville is actually quite long, so it's put us in a bit of a bind that we actually have to start doing this before we even have a signed lease so that we can meet the timeframe that they have. They have a very accelerated timeframe, so they want to get constructing this winter. So, part of doing that would be getting the plat approved now. We'll know within the next 10 days or so if they're going to sign that lease. If they don't sign the lease, then we won't execute this plat. We'll come back to the drawing board and start over. But this is just getting the process started so we can have the public approval, have reviews made and get this going as quickly as possible.

Braydee Baugh stated, Kristy Clark wants to remind you that the acreage has changed from what is in your packets.

Jeremy Hanson stated, it was changed from 87 acres to 60.27 acres not including the road.

Gary Pinkham asked, so this potential client would take the whole parcel?

Josh Romney answered, they would take the whole parcel. It'd be one building of about 600,000 square feet. This would be a big win for Grantsville if we can land this user. So, we're pushing hard. We think there's a really good chance.

Jaime made the motion to recommend approval of the Final Plat for Romney Development for the creation of one (1) lot in the Lakeview Business Park Phase 2 located at approximately 242 N Sheep Lane in the MG zone. Gary seconded the motion. All voted in favor. Motion carried unanimously.

7. Consideration to recommend approval of a Final Plat for 359 Investors and Sean Perkins for the creation of twenty-six (26) lots in the Anderson Farms Subdivision in the R-1-21 zone.

Sean Perkins was present for this agenda item and stated to the Commission: I'm Sean Perkins. This is the final phase of the Anderson Farms development. I think we've been over every issue we could think with this development and the surrounding subdivisions and future development in regards to the roads and everything. We're looking to just move forward with it at this point.

Gary Pinkham stated, they've done everything required.

Dan England stated, their engineer did a great job really. I made it hard for him too, but he did great.

Brian Pattee stated, So the city engineer's happy, Gary's happy. Any further questions?

Gary made the motion to recommend approval of the Final Plat for 359 Investors and Sean Perkins for the creation of twenty-six (26) lots in the Anderson Farms Subdivision

in the R-1-21 zone. Jaime seconded the motion. All voted in favor. Motion carried unanimously.

- 8. Consideration to approve the meeting minutes for the previous P&Z Meeting that was held September 16, 2021.**

Erik made the motion to approve the meeting minutes for the previous P&Z Meeting that was held September 16, 2021. Jaime seconded the motion. All voted in favor and the motion carried unanimously.

- 9. Consideration to approve the meeting minutes for the previous P&Z Meeting that was held October 7, 2021.**

Gary made the motion to table the meeting minutes for the previous P&Z Meeting that was held October 7, 2021. Erik seconded the motion. All voted in favor and the motion carried unanimously.

- 10. Consideration to approve the meeting minutes for the previous P&Z Meeting that was held October 21, 2021.**

Erik made the motion to approve the meeting minutes for the previous P&Z Meeting that was held October 21, 2021. With the correction to move Jaime from absent to attended on Zoom. Gary seconded the motion. All voted in favor and the motion carried unanimously.

- 11. Report from City Council Liaison Darrin Rowberry. There were no comments from Council Liaison.**

- 12. Adjourn. Gary made the motion to adjourn the meeting. John seconded the motion. The meeting was adjourned at 8:20 pm.**

Kristy Clark
Zoning Administrator