

MINUTES OF THE GRANTSVILLE CITY PLANNING COMMISSION HELD 02/03/2022. 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 John Limburg

Commission Members that were present on Zoom: Commission Member Erik Stromberg

Commission Members that were absent:

Appointed Officers and Employees Present: Zoning Administrator, Kristy Clark; Grantsville City Attorney, Brett Coombs; City Engineer Dan England

Appointed Officers and Employees that were present on Zoom or Absent:

Citizens and Guests Present: Sean Perkins, Breck Russell, Monte and Crystal Sides

**THE REGULAR MEETING WAS OFFICIALLY CALLED TO ORDER BY
COMMISSION CHAIR, BRIAN PATTEE AT 7:06 P.M.**

PLEDGE OF ALLEGIANCE

PUBLIC HEARINGS:

- a. Proposed Preliminary Plan for Iconic Development, LLC. on the Blue Spruce Subdivision located approximately at 620 South Quirk Street for the creation of thirteen (13) ½ acre lots in the R-1-21 zone.**

Chairman Brian Pattee opened the public hearing at 7:06 p.m. and called for comments.

Chairman Brian Pattee read into the record an email that submitted on Thursday, February 3, 2022, that stated to the Commission: To the Planning and Zoning Commission, I am writing concerning the Blue Spruce Subdivision. I have a few concerns. I am a property owner living in this area. When we bought our house, it was zoned RR-1. Which means everything in that area must be 1 acre or larger. I understand that property owners have rights. I am not sure where mine went. I researched what would be in that area before I purchased my land and built. I was fine with 1 acre lots behind me because I completed my research on the area. When they changed the general plan, I went to the meetings and voiced my concerns. It was still changed to half acre lots. My request is that the Planning and Zoning Commission consider properties that were built and in place prior to the general plan change. I think the new properties abutting to the existing properties should match the prior zoning map. Anything beyond that, the people will know what will surround them. It is their due diligence to research their property. I also have a concern

regarding the cul-de-sac that is aimed in the back yards of multiple people. We do not want every car that comes into that area to shine their lights in our windows as they circle around it. I ask that an 8-foot privacy fence be implemented around the entire subdivision to cut down on the light exposure as well as the dust during the building process. This area is hit hard with wind, and we have had building supplies and plastic sheeting end up in our yard from homes in South Willow Estates. I also, in the future, will have two large animals. I am concerned that with this many homes it will bring more complaints regarding the animals. For this reason, the one-acre lot abutting our lot, as well as the fence will help with this buffer. As a lifelong resident of Grantsville, I know the excitement of a new area and a new home. We built our final home in this area of town for the view of the mountain ranges, the absolute dark at night to see the stars, open fields to see animals or the cutting of hay and the amazing quiet in the early morning hours. It is peaceful here. It is an amazing area. I just want it to stay that way. I want others to be able to enjoy it just as I do. I just ask that you take into consideration what is already there. Take into consideration who will be your new neighbors, who have been there for 10 plus years. Thank you for considering my concerns.

No additional comments were offered, Chairman Brian Pattee closed the public hearing at 7:09 p.m.

b. Proposed Home Occupation Conditional Use Permit for Alisa Niesporek to own and operate a hair salon out of her home located at 259 South Cooley Street in the RM-7 zone.

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

No additional comments were offered, Chairman Brian Pattee closed the public hearing at 7:10 p.m.

COMMISSION CHAIR BRIAN PATTEE OFFICIALLY CALLED THE MEETING TO ORDER AT 7:10 P.M.

1. Consideration to approve the Home Occupation Conditional Use Permit for Alisa Niesporek to own and operate a hair salon out of her home located at 259 South Cooley Street in the RM-7 zone.

Alisa Niesporek was present for this agenda item on Zoom: I'm a new mom. We bought my grandparents' house. My grandparents lived here, and my grandma operated her salon since the eighties in the same location. So, I'm just wanting to reopen that and just be at home with my baby and work when I need to.

Jaime made a motion to approve the Home Occupation Conditional Use Permit for Alisa Niesporek to own and operate a hair salon out of her home located at 259 South Cooley Street in the RM-7 zone. John seconded the motion. All voted in favor and the motion carried unanimously.

2. Consideration to recommend approval of the Preliminary Plan for Iconic Development, LLC. on the Blue Spruce Subdivision located approximately at 620 South Quirk Street for the creation of thirteen (13) ½ acre lots in the R-1-21 zone.

Sean Perkins was present for this agenda item:

Attorney Coombs stated to the Commission, I would like to let you know about an issue with one of the lots in the subdivision. Lot 201 currently has a residence and a dance studio, and this is the lot that is being subdivided as part of this development. There's a couple of concerns that I need to bring up before you make a decision tonight. The first one is the owner of that dance studio was in violation of city ordinance. They didn't have a business license from 2018. They did end up paying that on 1/20/2022. The other issue is recently they started advertising online that they are going to be operating an event center out of the dance studio. As a venue for weddings and other types of gatherings and bringing people in there with tables and chairs and so on and so forth. As part of the subdivision review process, I think it's important to know that if that's one of the lots in this subdivision, we need to make sure that the public is protected.

Gary Pinkham stated, they'll have to bring that through for conditional use permit. So that can be reviewed, and conditions required at that time. So, it shouldn't impact the subdivision issues at this time.

Attorney Coombs added, I agree with that. I just felt like it's something that needs to be brought forward and needs to be addressed as we're just finding out about it.

Gary Pinkham asked, it appears the easement along the north boundaries has been vacated. Is that true?

Sean Perkins answered, yes. The City Engineer, Dan England would like it removed.

Gary Pinkham stated, I looked over Aqua's memo and I agree that for the preliminary aspect of this application, I think we've got everything we need. There will be some engineering issues that will need to be addressed for the final. But we're good to move them forward for preliminary at this time.

Jaime Topham asked, So what about the person's concern about privacy fencing? Are you fencing this subdivision?

Sean Perkins answered, there has been no plans to fence the subdivision at this point, it hasn't been brought to our attention until now. It's something we can look into though.

Brian Pattee asked, Dan, do you or staff have any other concerns at all or public works, fire?

Dan England answered, not with the preliminary plans. There'll be some things that we're still going to work out with the final plans as they come through to make sure that things are there. As far as the preliminary side of things, I would like to your input as far as the dance studio in the corner. My thought is that I'd like to have the traffic from the business, go off to Williams Lane instead of straight out onto Quirk, the original house plan for his house when he set it up, had a parking area and it did go straight out to Quirk. And so, at that time it was allowed to go forward that direction. But now with Quirk getting busier, the subdivision that's going to become more of a collector than a restraint. More of the traffic, if they come off of Williams and then come on that way, it would prevent that driveway being like a hundred feet away from the intersection.

Gary Pinkham stated, Once the street's built that driveway is inside our 60-foot setback for driveways. I suspect the storm bricks are H20 rated. So, the opportunity to bring a driveway off of Williams is there for us. I think we need to look at that way.

Brian Pattee asked, is that something we could address with the conditional use for the dance studio?

Jaime Topham answered, I think we have to address it up before then? Wouldn't we need to address it during the subdivision process because it is going to be a part of it. Whether they come and get a conditional use permit to do their new wedding venue, they are still going to be a part of that subdivision. So, we need to talk to them about them moving the driveway from Quirk Street to Williams Lane, right.

Ernie Beacham stated, I'm the current owner of that lot and was the original owner of the lot. The specific reason I come to the meeting because that's how it was approved and permitted from the city initially and understand the traffic is going to increase there and I'm okay trying to make sure that the traffic is safe especially with kids coming in and out of there. But if we're going to put it back onto Williams, I would like to be able to have an entrance at one location of the parking lot and a way for people to come back out. Because if you really take a close look at what's there, if you try and shove, them back out the same entrance, then you're going to have a problem there. So, if you're going to consider trying to put the traffic back onto Williams Lane and then back onto to Quirk, and I don't really see the big benefit of that, to be honest with you, maybe you guys can explain it to me a little further if you guys have some ideas, but I don't really see the big benefit of shoving them back onto Williams and back onto Quirk. So, I don't know if someone can explain that to me.

Gary Pinkham stated, that's kind of the question I have is right now what he's been approved, basically. I think, it would be better if a driveway could come off of Williams, but you have what you have, and he is approved for that. If it's feasible and work we'd like it to be considered. But again, since the driveways are already permitted, I don't know that we can.

Ernie Beacham asked, if you want it back on the Williams, what's your idea for back onto Williams?

Dan England answered, the way you had it previously approved was a driveway entrance and then parking offside. So, you could still come off to the north from the building side of the parking and go out. If you're looking for another one to come off other direction, you'll probably end up losing a couple parking stalls. So, you want to come that way. Those cars can use that area that is the driveway right now. If you block it off at the back of the sidewalk, you can use that as a hammer head basically to pull out.

Ernie Beacham asked, are you wanting one driveway that's an entrance and exit or are you going to allow the cars to pull through towards the back of the parking lot and then come back out on another driveway further east, because if you shove them back out just one, you're going to have a bigger problem is my point.

Dan England asked, so what you're hoping for is kind of like a circular driveway. You want two driveways coming onto Williams Lane, is that correct?

Ernie Beacham answered, I just want it to make sense and be safe. I don't think that having one entrance and exit is going to be the ideal situation. Cause you'll have different periods of time where you'll have traffic coming through there. And if you have them coming back through past each other with the distances that are over there, it's not going to be very safe.

Gary Pinkham stated, I'm thinking is if we were to designate the northly driveway as an entrance and then loop out the south driveway. That would put the traffic entering back onto Quirk further from the intersection, it could help our traffic issue. You got plenty of room in front of the dance studio too, to do something either way.

Ernie Beacham stated, I'm just saying, you know, that's the way it was approved. And I don't want to, I don't want to bottleneck it down to one entrance and exit. So, I'd like to keep that into consideration for what moving forward.

Erik Stromberg asked, just one question, just for clarification at the end of Williams Lane is there a hammer head there off the property?

Sean Perkins answered, yes, there is.

Jaime Topham asked, have you talked to the property owners?

Sean Perkins answered, we have had an agreement written but it hasn't been signed yet.

Erik Stromberg stated, you're going off property, you don't have an agreement, I don't see how we can come close to approving this when you don't meet the requirement, you don't have a turnaround.

Gary Pinkham asked, how close are you to having that paperwork complete?

Sean Perkins answered, we just got them written up. We've been in contact with Perryland, which is supposed to be meeting and signing them. Once again, they are involved with the easement we're removing on our property as well.

Dan England asked, if this doesn't go through, you can't get the easement last minute for whatever reason, if he's willing to make that temporary turnaround at the end of that instead, which will not change the lots and the general plan for our preliminary layout, would that be acceptable?

Erik Stromberg answered, they could do that, but then the preliminary that we have in front of us, isn't accurate.

Gary Pinkham asked, do you think you'd have them signed in two weeks?

Sean Perkins answered, yes.

Gary made a motion to table the Preliminary Plan for Iconic Development, LLC. on the Blue Spruce Subdivision located approximately at 620 South Quirk Street for the creation of thirteen (13) ½ acre lots in the R-1-21 zone. Jaime seconded the motion. All voted in favor and the motion carried unanimously.

3. Consideration to approve the meeting minutes for the previous P&Z Meeting that was held January 20, 2022.

Gary made the motion to approve the meeting minutes for the previous P&Z Meeting that was held January 20, 2022. Jaime seconded the motion. John and Erik abstained. All voted in favor. Motion carried unanimously.

4. Report from City Council Liaison, Mayor Neil Critchlow. The Mayor and Commission had a lot of discussion on giving the public more notice of the projects that are coming in for consideration. The Mayor stated that he would like to slow the process down a little bit and give more time for the public to see the plans. The Mayor asked the Commission to consider a process where once it's been through staff review the project then gets put onto an agenda for discussion and then the next month, public hearing and then two weeks later consideration.

5. Adjourn. Gary made the motion to adjourn the meeting. Jaime seconded the motion. The meeting was adjourned at 8:42 pm.

Kristy Clark
Zoning Administrator