

**Genola Town
Planning Commission Meeting Minutes
December 1, 2022**

Planning Commission Present: Chairman John Rosenberger, Commissioners: Avery Fitzgerald, Norm Beagley, Tami Balzly, Brent Carter, Bruce Nieveen, Daron Hughes

Staff Present: City Recorder Lucinda Thomas, Deputy Clerk Nicole Preston, City Attorney Josh Nielsen

Public Present: Chase Bennett, Necia Bennett, Rich Dresden, David Fenn, Mark Andrus, Ryan Hoyer, Makae Fowers, Walker Fowers, Jose Salas, Daren Oberg, Eldon Greenwood

1. Chairman John Rosenberger called the meeting to order at 7:00 pm.

- a. **Opening prayer was given by Daron Hughes**
- b. **Pledge of Allegiance led by Commissioner Norm Beagley**
- c. **Public Forum** – There was no one signed up for the public forum.

AGENDA ITEMS:

2. Approval of the Planning Commission meeting minutes from November 3, 2022.

- a. Commissioner Avery Fitzgerald made a **Motion** to approve the minutes for November 3, 2022. Vice-Chairman Tami Balzly **Second** and the motion **Passed** all in favor.
 - i. John Rosenberger – yes
 - ii. Tami Balzly – yes
 - iii. Avery Fitzgerald – yes
 - iv. Norm Beagley – yes
 - v. Brent Carter – yes
 - vi. Daron Hughes - yes
 - vii. Bruce Nieveen - yes

3. Planning Commission Chairman Report – Chairman Rosenberger reported that the council approved the application for TAG, but we are just waiting to see if we get the TAG grant.

4. Public Hearing – The purpose of this hearing is to consider a proposed zone change petition from A-1 Agricultural to C-1 Commercial Zone for the property owned by Alan Riley Parcel #51.413.0004 and 29.035.0134 located at approximately 742 E Center Street in Genola

- a. Chairman John Rosenberger made a motion to open the public hearing. Vice-Chair Tami Balzly **Second** and the motion **Passed** all in favor.
 - i. John Rosenberger – yes
 - ii. Tami Balzly – yes
 - iii. Avery Fitzgerald – yes
 - iv. Norm Beagley – yes
 - v. Brent Carter – yes

- vi. Daron Hughes - yes
- vii. Bruce Nieveen - yes

- b. Rich Dresden – stated that he lives directly west of this proposed zone change but that this is not something that he wants next door. He continued that he moved to avoid all the commercial and the coinciding traffic. He also wants the planning commission to not recommend it because it doesn't match the future map. He doesn't want commercial next to him as he feels that it would degrade his property values.
- c. Daren Oberg – He doesn't want this agenda item to be pushed through quickly he wanted to make sure that this had adequate discussion. He is nervous about having a proposed gas station at the five points intersection as everyone knows how dangerous it already can be, and he believes that adding a proposed gas station could make that even more dangerous.
- d. Eldon Greenwood – he mentioned that this is planned for residential and would like to see the city follow the plan that they would like. He also has concerns where this proposed zone change is two parcels that would then equal 5 acres, but where there is a pond on one of the parcels, he questions whether they should be allowed.
- e. Ryan Hoyer – He is frustrated that another commercial property would go close to where he is. He is already next to Spanish Fork Metals and feels like that is already a huge problem. He understands that when he bought his home, he knew it was there so he can't complain about it, but he doesn't want something else that would bring in more noise pollution.
- f. Commissioner Norm Beagley made a **Motion** to close the public hearing. Commissioner Brent Carter **Second** and the motion **Passed** all in favor.
 - i. John Rosenberger – yes
 - ii. Tami Balzly – yes
 - iii. Avery Fitzgerald – yes
 - iv. Norm Beagley – yes
 - v. Brent Carter – yes
 - vi. Daron Hughes - yes
 - vii. Bruce Nieveen - yes

5. Discussion and possible action on a proposed zone change from A-1 Agricultural to C-1 Commercial Zone for the property owned by Alan Riley Parcel #51.413.0004 and #29.035.0134 located at approximately 742 E Center Street.

- a. Mr. Riley was not in attendance and not available to answer any questions. It was clarified that on the application that the purpose for this zone change request was to put in a self-serve gas pump. It was questioned whether if one of the parcels could be rezoned anyways because of a pond and the easements that may be in place to the pond. They also didn't know if it was legal where this was two parcels, and you must have 5 acres for commercial. Mr. Nielsen the Town Attorney clarified that because the two parcels are contiguous that it was legal. It was clarified that the pond was not owned by strawberry highline, but it is the pond company and others who were in attendance claimed that there was an easement on that property. The commission members had concerns that it

95 doesn't fit the general plan and that it is at the 5 corners intersection that they
96 feel is a dangerous intersection and would rather have that intersection
97 replanned out to a safer plan before any other changes happen to the
98 surrounding area. Each of the commissioners were given a chance to speak
99 and several of the members recommended that there was a motion to deny as it
100 doesn't fit the towns general plan, they didn't like that it was right at the 5
101 corners intersection, and the petitioner wasn't at the meeting to answer
102 questions. They feel like 5 acres is large for a gas pump and they want to know
103 more about what the plans would be for the remaining acreage.

- 104 b. Commissioner Norm Beagley made a **Motion** to recommend Denying a zone
105 change to C-1 Commercial to the property owned by Alan Riley parcel
106 #51.413.0004 and #29.035.0134. Commissioner Avery Fitzgerald **Second** and
107 the motion **Passed** all in favor.

- 108 i. John Rosenberger – yes
109 ii. Tami Balzly – yes
110 iii. Avery Fitzgerald – yes
111 iv. Norm Beagley – yes
112 v. Brent Carter – yes
113 vi. Daron Hughes - yes
114 vii. Bruce Nieveen - yes
115

116 **6. Discussion and possible action on a site plan for a new home for Chase Bennett**
117 **located at approximately 412 W 600 S in the F. Mecham Subdivision Plat F Lot 6**
118 **Parcel #39.366.0006**

- 119 a. A clarification was made that the reason the planning commission was seeing
120 this site plan again (from last month) was in speaking with the town attorney,
121 and Mayor. It was determined that the commission couldn't hold the Bennett's
122 to having the proposed 400 West Road on their site plan and the road wasn't
123 required with subdivision. They have now resubmitted their site plan and are
124 asking for the planning commission approval.
- 125 b. The planning commission went through the site plan checklist and found it to
126 meet all specification with the exception that they clarify if the gables of the
127 home are closer than the porch. The commission just want to make sure that it
128 meets the 35-foot setback.
- 129 c. Commissioner Norm Beagley made a **Motion** to approve the site plan the site
130 plan for a new home located at approximately 412 W 600 S in the F. Mecham
131 Subdivision Plat F Lot 6 Parcel #39.366.0006 with the contingency that they add
132 the measure of the gable to the property line. Vice-Chair Tami Balzly **Second**
133 and the motion **Passed** all in favor.

- 134 i. John Rosenberger – yes
135 ii. Tami Balzly – yes
136 iii. Avery Fitzgerald – yes
137 iv. Norm Beagley – yes
138 v. Brent Carter – yes
139 vi. Daron Hughes - yes
140 vii. Bruce Nieveen - yes
141

142 **7. Discussion and possible action on an accessory building for Chase Bennett**
143 **located at approximately 412 W 600 S in the F., Mecham Subdivision Plat F Lot 6**
144 **Parcel #39.366.0006.**

- 145 a. The Commission went through the site plan checklist and found the site plan to
146 meet all requirements.
- 147 b. Chairman John Rosenberger made a Motion to approve the site plan for an
148 accessory building located at approximately 412 W 600 S in the F. Mecham
149 Subdivision Plat F Lot 6 Parcel #39.366.0006. Commissioner Norm Beagley
150 Second and the motion Passed all in favor.
- 151 i. John Rosenberger – yes
152 ii. Tami Balzly – yes
153 iii. Avery Fitzgerald – yes
154 iv. Norm Beagley – yes
155 v. Brent Carter – yes
156 vi. Daron Hughes - yes
157 vii. Bruce Nieveen - yes
158

159 **8. Discussion and possible action on a proposed site plan for an addition to a shop**
160 **for Jose Salas located at 800 E Hwy 6 Parcel #29.036.0042**

- 161 a. The Commission went through the site plan checklist and found that the site
162 plan met all requirements.
- 163 b. Commissioner Brent Carter made a Motion to approve the site plan for a
164 proposed addition to a shop for Jose Salas located at 800 E Hwy 6 Parcel
165 #29.036.0042. Commissioner Norm Beagley Second and the motion Passed all
166 in favor.
- 167 i. John Rosenberger – yes
168 ii. Tami Balzly – yes
169 iii. Avery Fitzgerald – yes
170 iv. Norm Beagley – yes
171 v. Brent Carter – yes
172 vi. Daron Hughes - yes
173 vii. Bruce Nieveen - yes
174

175 **9. Discussion and possible action on a site plan for a new home for Mark and**
176 **Corrine Andrus located at 1933 N Lake Rd Parcel #29.016.0030**

- 177 a. There were several questions on this property including the existing home on
178 the property and whether it would be demolished or not. Mr. Andrus stated that
179 he was demolishing the existing home. There are no easements on this
180 property. It was questioned if this property was part of a legal subdivision. The
181 site plan was also missing the secondary water meter. After much discussion
182 and showing the options available where the commission is assuming that this is
183 not part of a legal subdivision. These options included going through a title
184 company to prove that this lot was in existence as it stands today before 1974;
185 doing a one lot subdivision to make this a legal lot; or remodeling the existing
186 home and not building a new one.
- 187 b. The Commission decided to table this agenda item, until the property owner
188 could determine how the lot came to be.

- 189 c. Commissioner Norm Beagley made a motion to table this agenda item.
190 Chairman John Rosenberger Second and the motion Passed all in favor.
191 i. John Rosenberger – yes
192 ii. Tami Balzly – yes
193 iii. Avery Fitzgerald – yes
194 iv. Norm Beagley – yes
195 v. Brent Carter – yes
196 vi. Daron Hughes - yes
197 vii. Bruce Nieveen - yes
198

199 **10. Discussion and possible action on a new site plan for an accessory building for**
200 **Justin and Rachelle Carter located at 390 S State St. Parcel #29.035.0187**

- 201 a. The commission went through the site plan checklist and found that the site plan
202 was missing the measurements to the buildings that are withing 200 feet of the
203 site plan.
204 b. Vice-Chair Tami Balzly made a **Motion** to approve the site plan with the
205 contingency that they add the measurements to the neighbors home and add
206 the measurement to the shed. Chairman John Rosenberger **Second** and the
207 motion **Passed** all in favor.
208 i. John Rosenberger – yes
209 ii. Tami Balzly – yes
210 iii. Avery Fitzgerald – yes
211 iv. Norm Beagley – yes
212 v. Brent Carter – yes
213 vi. Daron Hughes - yes
214 vii. Bruce Nieveen - yes
215

216 **11. Discussion and possible action on an amendment to the developmental**
217 **standards ordinance #22-07**

- 218 a. City Attorney Josh Nielsen went through the proposed changes to the
219 developmental standards which included
220 i. The changes to the Secondary water requirements for subdivision
221 including that they need to have adequate secondary, and serviceable
222 via strawberry highline or they would need to bring water to the town to
223 make up for the extra culinary water used.
224 ii. He explained that the council was concerned that these requirements
225 might contradict the existing cross connection ordinance, so the council
226 asked him to review the ordinance and then bring it back to the planning
227 commission. Mr. Nielsen recommended that the planning commission
228 recommend this draft as it has not changed since the last time that the
229 planning commission had recommended it to the council.
230 iii. Commissioner Norm Beagley made a Motion to recommend the
231 developmental Standards Ordinance to the Town Council. Vice-Chair
232 Tami Balzly Second and the motion Passed all in favor.
233 1. John Rosenberger – yes
234 2. Tami Balzly – yes
235 3. Avery Fitzgerald – yes

- 4. Norm Beagley – yes
- 5. Brent Carter – yes
- 6. Daron Hughes - yes
- 7. Bruce Nieveen - yes

12. Discussion and possible action on a subdivision ordinance amendment

Ordinance #22-08

- a. City Attorney Josh Nielsen discussed the changes including the changes with the secondary water.
- b. The discussed a proposed change by Mayor Larson where he would like to have the developers submit a signed plat map with the strawberry highline approval letter to guarantee that the proposed plat map that the developers are bringing match the proposed plat map that Strawberry Highline approved. The Commission decided to include the language to say that the plat map must be signed and notarized with the approval letter from strawberry highline and in the case the planning commission or town council doesn't approve the proposed site plan it will be the developer's responsibility to get a new letter and notarized site plan.
- c. Commissioner Norm Beagley made a **Motion** to recommend the amendment to the subdivision ordinance with the language added that the developer must get a signed and notarized set of plans in addition to the signed letter from Strawberry Highline. Chairman John Rosenberger **Second** and the motion **Passed** all in favor.
 - i. John Rosenberger – yes
 - ii. Tami Balzly – yes
 - iii. Avery Fitzgerald – yes
 - iv. Norm Beagley – yes
 - v. Brent Carter – yes
 - vi. Daron Hughes - yes
 - vii. Bruce Nieveen - yes

13. Commission Comments –

- a. The commission agreed that the date of January 23rd would be an acceptable day for an appreciation dinner.

14. Motion to Adjourn

- a. Chairman John Rosenberger made a **Motion** to adjourn. Commissioner Norm Beagley **Second** the motion and the motion **Passed** all in favor. The meeting was adjourned at 8:19 pm.

Minutes prepared by Deputy Clerk Nicole Preston

Approved on: 01/05/2022

To see signed copy please visit the town office
Lucinda Thomas, City Recorder