

**Genola Town  
Planning Commission Meeting Minutes  
May 10, 2023**

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

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

Public Present: Michael Vail, Rebecca Tasker, Travis Tasker, Ryan Hoyer, Jay Christensen, Kent Argyle, Randall Ercanbrack, Jade Ercanbrack, Ashley Shepherd, Chase Shepherd, Bryan Draper, DeAnn Thomas

**1. Chairman John Rosenberger called the meeting to order at 7:01pm.**

- a. **Opening prayer was given by Vice-Chair Tami Balzly**
- b. **Pledge of allegiance led by Chairman John Rosenberger**
- c. **Public Forum – there was no one signed up.**

**AGENDA ITEMS:**

**2. Approval of the Planning Commission meeting minutes from April 6, 2023.**

- a. Commissioner Avery Fitzgerald made a **Motion** to approve the minutes for April 6, 2023, contingent on the Chairs and his proposed changes. Vice- Chair Tami Balzly **Second** and the motion **Passed** all in favor.
  - i. John Rosenberger – yes
  - ii. Tami Balzly - yes
  - iii. Norm Beagley – yes
  - iv. Brent Carter – yes
  - v. Daron Hughes – absent
  - vi. Avery Fitzgerald – yes
  - vii. Bruce Nieveen - yes

**3. Planning Commission Chairman Report – he stated that there was nothing to report at this time.**

**4. Public Hearing on a proposed rezone petition from A-1 to R-1 Residential.**

- a. **The purpose of this public hearing is to consider a proposed zone change petition from A-1 agricultural to R-1 Residential for the property owned by Randal Ercanbrack Parcel #29.036.0120 located at approximately 225 S 800 E.**
- b. Commissioner Avery Fitzgerald made a **Motion** to open the public hearing. Commissioner Brent Carter **Second** and the motion **Passed** all in favor.
  - i. John Rosenberger – yes
  - ii. Tami Balzly - yes

- 48                   iii. Norm Beagley – yes  
49                   iv. Brent Carter – yes  
50                   v. Daron Hughes – absent  
51                   vi. Avery Fitzgerald – yes  
52                   vii. Bruce Nieveen – yes  
53       c. Chairman John Rosenberger made a **Motion** to close the public hearing.  
54       Commission Norm Beagley **Second** and the motion **Passed** all in favor.  
55                   i. John Rosenberger – yes  
56                   ii. Tami Balzly - yes  
57                   iii. Norm Beagley – yes  
58                   iv. Brent Carter – yes  
59                   v. Daron Hughes – absent  
60                   vi. Avery Fitzgerald – yes  
61                   vii. Bruce Nieveen - yes  
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63       **5. Discussion and possible action on a requested rezone by Randall Ercanbrack**  
64       **located at approximately 225 S 800 E Parcel #29.036.0120**

- 65       a. Mr. Ercanbrack was available for comment. He gave a brief history of the parcel  
66       he is requesting to zone change. He stated that he purchased a portion of the  
67       Chaffin Ranch and he is going to eventually do a 1 lot subdivision and is  
68       requesting a change to R-1. He stated that he has no intention to develop the  
69       land however he does want the change for the eventual use after he is gone.  
70       He is planning on tearing down the existing homes and build a fresh home. He  
71       stated that there is already two hydrants already an existing around the property  
72       and the portion that he purchased a portion of the Chaffin ranch that is below  
73       the canal but with a small portion that is above. Ms. Balzly asked for clarification  
74       on what portion he purchased. He stated that another buyer purchased the top  
75       half that doesn't have the orchards or the water rights etc. and that he  
76       purchased. This division was done during the sale and not as a subdivision with  
77       the town, and he understands that he will need to eventually do a 1 lot  
78       subdivision to make his lot a legal conforming lot. Commissioner Beagley stated  
79       that he had a concern to rezone this whole parcel as some of it is above the  
80       canal and it cannot be serviced by the towns current water system and the area  
81       above the canal can't be served for secondary water and he has real concerns  
82       about people using their culinary water to water their lawns etc. Mr. Ercanbrack  
83       stated that he is simply trying to create a buffer where the other parcel of land  
84       couldn't be turned into I-3 zone, its not what he wants being built right next door  
85       to him. They talked about the need for the subdivision to happen congruently  
86       and that they could possibly work together to record a development agreement  
87       that would state that even though this particular parcel could possibly be zone r-  
88       1 that the land that is not currently able to be developed with the current water  
89       system or that is unable to be served by Strawberry Highline because it is above  
90       the canal would not be allowed to be developed. Mr. Beagley stated that he  
91       isn't against the zone change he just wants to make sure that the town doesn't  
92       get put into a position where years down the road the town is pushed into a  
93       corner. They decided to table this issue so the attorneys can meet and work on  
94       a development agreement.

- b. Chairman John Rosenberger made a **Motion** to table this discussion item until next month. Commissioner Avery Fitzgerald **Second** and the motion **Passed** all in favor.

- i. John Rosenberger – yes
- ii. Tami Balzly - yes
- iii. Norm Beagley – yes
- iv. Brent Carter – yes
- v. Daron Hughes – absent
- vi. Avery Fitzgerald – yes
- vii. Bruce Nieveen – yes

**6. Discussion and possible action on a proposed site plan for an accessory building for Chase and Ashley Shepherd located at 675 S Main St. in the Shepherd L Subdivision Plat A Lot 1 Parcel #66.213.0001**

- a. The commission went through the site plan checklist and found that the site plan met all the requirements.
- b. Commissioner Avery Fitzgerald made a **Motion** to approve the site plan for Chase and Ashley Shepherd located at 6785 S main St. in shepherd L Subdivision Plat A Lot 1 Parcel #66.213.0001. Commissioner Norm Beagley **Second** and the motion **Passed** all in favor.

- i. John Rosenberger – yes
- ii. Tami Balzly - yes
- iii. Norm Beagley – yes
- iv. Brent Carter – yes
- v. Daron Hughes – absent
- vi. Avery Fitzgerald – yes
- vii. Bruce Nieveen - yes

**7. Discussion and possible action on a proposed site plan for James Jacobs for an awning addition located at 1555 N Main in the View West Estates Plat B Lot 1 Parcel #54.239.0004**

- a. The commission went through the site plan checklist and found that it met all requirements.
- b. Commissioner Norm Beagley made a **Motion** to approve the site plan Commissioner Brent Carter **Second** and the motion **Passed** all in favor.

- i. John Rosenberger – yes
- ii. Tami Balzly - yes
- iii. Norm Beagley – yes
- iv. Brent Carter – yes
- v. Daron Hughes – absent
- vi. Avery Fitzgerald – yes
- vii. Bruce Nieveen – yes

**8. Discussion and possible action on a proposed site plan for a barn for Spencer Taylor Located at 889 S Anna Ekins Lane in the Ekins Subdivision Plat C Lot 17 Parcel #38.305.0017**

- 141 a. The commission went through the site plan and found that the site plan was  
142 missing a couple of items including the clarification of the side set back as it was  
143 hard to read and need the next door neighbors dimensions.  
144 b. Vice-Chair Tami Balzly made a **Motion** to approve the site plan contingent on  
145 the applicant clarifying the side set back and the dimensions to the homes on  
146 both sides be added. Chairman John Rosenberger **Second** and the motion  
147 **Passed** all in favor.  
148 i. John Rosenberger – yes  
149 ii. Tami Balzly - yes  
150 iii. Norm Beagley – yes  
151 iv. Brent Carter – yes  
152 v. Daron Hughes – absent  
153 vi. Avery Fitzgerald – yes  
154 vii. Bruce Nieveen – yes  
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156 **9. Discussion and possible action on a site plan for a proposed shop for Linda and**  
157 **James Hurt located at 11116 Anna Ekins Memorial Lane Located in the Ekins**  
158 **subdivision Plat C Lot 27 Parcel #38.305.0027**

- 159 a. The commission went through the site plan and found that it was missing the  
160 scale and the proposed utilities to the proposed building.  
161 b. Vice-Chair Tami Balzly made a **Motion** to approve the site plan contingent upon  
162 adding the scale and verifying the utilities to the proposed building. Chairman  
163 John Rosenberger **Second** and the motion **Passed** all in favor.  
164 i. John Rosenberger – yes  
165 ii. Tami Balzly - yes  
166 iii. Norm Beagley – yes  
167 iv. Brent Carter – yes  
168 v. Daron Hughes – absent  
169 vi. Avery Fitzgerald – yes  
170 vii. Bruce Nieveen – yes  
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172 **10. Discussion and possible action on a proposed subdivision for Blaine Kenison**  
173 **Kenison Estates located at approximately 722 W 2400 N parcel #29.006.0027**

- 174 a. The Commission went through the preliminary plat checklist and found that the  
175 site plan met all the requirements and all the missing requirements that were  
176 pointed out at the last meeting had been fixed.  
177 b. Vice-Chair Tami Balzly made a **Motion** to recommend to the Town Council the  
178 proposed subdivision for Blaine Kenision, Kenision Estates located at  
179 approximately 722 W 2400 N Parcel #29.006.0027. Chairman John  
180 Rosenberger **Second** and the motion **Passed** all in favor.  
181 i. John Rosenberger – yes  
182 ii. Tami Balzly - yes  
183 iii. Norm Beagley – yes  
184 iv. Brent Carter – absent  
185 v. Daron Hughes – yes  
186 vi. Avery Fitzgerald – yes  
187 vii. Bruce Nieveen - yes

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189 **11. Discussion and possible action on an amended plat for Genola Farms Plat B-2 of**  
190 **Lot 9 and 10 Parcel # 40.589.0010, 40.589.0009 29.030.0139 located at**  
191 **approximately 441 N 700 E**

- 192 a. The commission went through the final plat checklist and that the mylar met all  
193 requirements.  
194 b. Commissioner Norm Beagley made a **Motion** to approve the final plat.  
195 Chairman John Rosenberger **Second** and the motion **Passed** all in favor.  
196 i. John Rosenberger – yes  
197 ii. Tami Balzly - yes  
198 iii. Norm Beagley – yes  
199 iv. Brent Carter – absent  
200 v. Daron Hughes – yes  
201 vi. Avery Fitzgerald – yes  
202 vii. Bruce Nieveen – yes  
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204 **12. Discussion and possible action on a proposed preliminary plat with Travis Tasker**  
205 **for Sidney Arden Flats subdivision a 1 lot subdivision located at 164 East Center**  
206 **St. Parcel #29.035.0141**

- 207 a. It was explained that this was a lot that was created but didn't go through the  
208 subdivision process. He is doing a 1 lot subdivision to make his parcel legal  
209 with the town and ready for a building permit.  
210 b. The commission went through the checklist for the vicinity plan and found that it  
211 met all requirements.  
212 c. Commissioner Norm Beagley made a **Motion** to approve the vicinity map for the  
213 Sidney Arden flats subdivision. Commissioner Avery Fitzgerald **Second** and the  
214 motion **Passed** all in favor.  
215 i. John Rosenberger – yes  
216 ii. Tami Balzly - yes  
217 iii. Norm Beagley – yes  
218 iv. Brent Carter – absent  
219 v. Daron Hughes – yes  
220 vi. Avery Fitzgerald – yes  
221 vii. Bruce Nieveen – yes  
222 d. the Commission then went through the checklist for the preliminary plat. They  
223 found that this plat was missing  
224 i. letter approval from the County for subdivision feasibility, but we do  
225 have an email for it.  
226 ii. the letter from strawberry highline, they don't meet until May 17<sup>th</sup>.  
227 iii. Names and addresses of the property owners  
228 iv. There is the road dedication that is on the back of his property for 200  
229 South, they discussed the problems with that as it is not accessible and if  
230 the town just gets that dedicated now then they are the responsible  
231 property owners. They saw this as a possible issue with this proposal.  
232 Mr. tasker stated that he has it drawn both ways, if the town wants to  
233 wait until later when the land developed into smaller parcels where this 1  
234 lot is 12 acres.

- v. Clearly mark the secondary water lines
    - vi. Add a secondary water meter
  - e. Vice-Chair Tami Balzly made a **Motion** to recommend to the town council the preliminary plat with the contingencies, that they get the county letter, the strawberry highline letter, add the property owners name and address, clearly mark the secondary water lines, and secondary water meters. Commissioner Norm Beagley **Second** the motion and the motion **Passed** all in favor.
    - i. John Rosenberger – yes
    - ii. Tami Balzly - yes
    - iii. Norm Beagley – yes
    - iv. Brent Carter – absent
    - v. Daron Hughes – yes
    - vi. Avery Fitzgerald – yes
    - vii. Bruce Nieveen – yes

### 13. Discussion on the future road map

- a. City Attorney Josh Nielsen clarified from Councilmember Neil Brown that the grant application wasn't actually for the road map but it was for engineering of the roads, and the council would request that the commission not put off addressing this issue any longer. This is part of a general plan, and so there will need to be public hearings etc. Commissioner Norm Beagley asked for a copy of the hand drawn map the public works director Chris Steele started to put together. He stated that he has some software that he can put that into a more organized plan and that would be a good starting place for the commission. They will discuss this more at the next meeting.

### 14. Discussion on the subdivision ordinance and changes required from the most recent legislative session.

- a. City Attorney Josh Nielsen stated that during this last legislative session the legislature passed some laws that will dramatically impact our subdivision ordinance and asked the commission members to read through the proposed changes and then they can discuss it more in depth next month. He explained that these changes will need to be in place by December 2024.

### 15. Discussion on updating the commercial zoning ordinance

- a. Mr Nielsen stated that he hadn't prepared anything for the commission to discuss this month as there were other more pressing issues.

### 16. Commission Comments

- a. **Bruce Nieveen** – wondered about if we have ever looked at adding storm drain and the town keeps growing and there are more roads that are putting in.
- b. They discussed a possible work around for the proposed Sidney arden flats subdivision would be to have the 1 lot only be 5 acres and the remaining be listed as future development and that would prevent the need for the 200 south road and dilemma of who needs to own it and develop it etc. The commission thought this was a good option to propose to Mr. Tasker.

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- Minutes prepared by Deputy Clerk Nicole Preston

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