



Planning Commission Minutes

7 October 2021

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Present: Angie Zetterquist, Chris Harrild, Tim Watkins, Brady Christensen, Chris Sands, Melinda Lee, Phillip Olsen, Nolan Gunnell, John Luthy, Matt Phillips

Start Time: 05:30:00

Christensen called the meeting to order and **Gunnell** gave the opening remarks.

05:32:00

Agenda

Lee motioned to accept the agenda with the removal of item #10; **Olsen** seconded; **Passed 4, 0.**

05:33:00

Minutes

Olsen motioned to approve the minutes from September 2021; **Lee** seconded; **Passed 4, 0.**

05:33:00

Consent Item

Zetterquist reviewed and addressed the comments received for items #1 and #2 and stated both items meet the requirements for the consent agenda.

Harrild reviewed access to the subdivisions.

#1 Tom Pitcher Lot Split Subdivision 2nd Amendment

#2 Birch Hollow Subdivision 1st Amendment

#3 Maple Fields Subdivision 3rd Amendment

Sands motioned to approve the consent agenda based on the findings and conclusions as written; **Olsen** seconded; **Passed 4, 0.**

05:37:00

Regular Action Items

#4 Cherry Peak Ski Area Conditional Use Permit 3rd Amendment

Zetterquist reviewed the staff report for the Cherry Peak Ski Area Conditional Use Permit.

Lee motioned to approve the Cherry Peak Ski Area Conditional Use Permit 3rd amendment with the findings of facts, conditions, and conclusions as written; **Olsen** seconded; **Passed 4, 0.**

05:41:00

#5 Fritz Tower Conditional Use Permit

Zetterquist reviewed the staff report for the Fritz Tower Conditional Use Permit.

Staff and **Commissioners** discussed what a zoning clearance means.

Olsen motioned to approve the Fritz Tower Conditional Use Permit with the findings of facts, conditions, and conclusions as written; Lee seconded; Passed 4, 0.

05:46:00

#6 West Edge Estates Conditional Use Permit

Watkins reviewed the staff report for the West Edge Estates Conditional Use Permit.

Staff and **Commissioners** discussed the approval from the Army Corps of Engineers and the wetlands, conditions #2 and #3, and the zoning of the surrounding land.

Lee asked about fencing.

Justin Robinson responded the property is completely fenced.

Staff and **Commission** discussed future development of the road, and changing condition #3e to include the word “substantially completed”.

Sands disclosed he has and has had several business dealings with Mr. Robinson and will abstain from voting.

Lee motioned to approve the West Edge Estates Conditional Use Permit with the amendment to condition #3e; Olsen seconded; Passed 3, 0. (Sands abstained)

6:05:00

#7 Valley View Self Storage Conditional Use Permit

Watkins reviewed the staff report for the Valley View Self Storage Conditional Use Permit (CUP).

Staff and **Commissioners** discussed contact with UDOT, sensitive lands, fencing, and setbacks and right of ways.

Nathan Daugs commented on UDOT’s plans for the road.

Lee asked about fencing.

Mr. Daugs stated the entire property will be fenced.

Sands asked about the first phase.

Mr. Daugs commented on what buildings are included in the first phase, the plans for the second phase in two to five years, and the buried water storage tank for fire suppression.

Sands commented that the stream could be moved.

Mr. Daugs stated there are possibly looking into that with UDOT.

Olsen asked about the stream.

Mr. Daugs responded that the stream didn't flow this year.

Harrild commented that a below ground tank does meet the requirements for a building which is affected by the setback requirements.

Mr. Daugs stated once the tank is buried his understanding is there should be no issue with water quality for the stream.

Staff and **Commission** discussed the buried water tank and the stream.

Mr. Daugs asked if the state okayed the tank, does that meet the setback requirements and water quality for the stream.

Watkins commented on gradng, drainage, and water quality.

Gunnell asked about the 50 foot setback for quality or flood issues.

Harrild responded it's not for flooding.

Commissioners discussed water quality, setbacks, and the buildings.

Lance Anderson commented on the grading, drainage, and storm water pollution prevention.

Staff and **Commissioners** discussed the 50 foot setback requirement.

Olsen asked where the stream ends.

Mr. Daugs stated Cutler Reservoir on really wet years.

Staff and **Commissioners** discussed the possibility of a berm and adjusting the 50 foot setback in the conditions.

Mr. Daugs asked about having some flexibility in the conditions to allow the County Engineer to sign off.

Sands asked about unpaved storage projects in Cache County.

Mr. Daugs stated gravel does not count as density but pavement does and asked about parking requirements.

Lee asked about a car parking perpendicular and if someone could still get behind it.

Mr. Daugs responded they should be as long as a big truck and trailer wasn't parked diagonally.

Watkins commented on the parking requirements.

Commissioners discussed condition #25.

Staff and **Commissioners** discussed the setbacks and how to word the condition regarding setbacks and berms.

*Lee motioned to approve the Valley View Self Storage Units Conditional Use Permit with the stated conditions and conclusions and the addition of a condition that if determined to adequately protect the natural water way from pollutants the 50 foot setback may be adjusted to accommodate the above ground structures with approval from the State and County for that adjustment; **Olsen** seconded; **Passed 3, 1** (**Sands** voted nay).*

6:47:00

#8 Carlson Soccer Conditional Use Permit

Watkins reviewed the staff report for the Carlson Soccer Conditional Use Permit.

Staff and **Commissioners** discussed fencing.

Keith Mickle commented representing Wayne Mickle. There are no complaints with the use but concerns with bored children clogging canals, kids accessing the fields, trash blowing into fields, and the need for good fencing.

Lance Anderson commented on drainage and storms, and parking.

Lee asked about access from 4200 North.

Anderson commented that an encroachment permit is going to be sought for equipment access on 4200.

Christensen asked if the road was wide enough.

Anderson commented that Matt Phillips says it's fine to access the field from 4200 North with equipment but not parking and explained what they would like to do for parking around the field.

Watkins stated that parking spaces cannot be in the setback and access needs to be from 200 West.

Sands asked about fencing.

Anderson commented on fencing.

Morgan Carlson commented on fencing and trash.

Olsen asked about families bringing other children, not players, and trash into the facility.

Mr. Carlson stated the proposal is fine.

Christensen asked about the encroachment permit and getting equipment on and off the fields on 4200 North.

Mr. Carlson stated yes, that permit is needed.

Harrild explained that the CUP runs with the property, not the owner of the property.

Christensen asked about fencing.

Mr. Carlson commented there is no access for the north side but a fence will be there anyways to help keep balls in the property and the 4200 North access will be a private access for the field only.

Commissioners discussed fencing.

Anderson asked if the fence had to be chain link or could they use netting.

Christensen commented that for longevity, maintenance, etc. chain link seems to be the best choice.

07:15:00

5 min break

07:20:00

Staff and **Commissioners** discussed screening and fencing and wording for the condition requiring fencing.

Luthy commented that chain link fence or fencing/screening of a similar nature approved by county staff be used for the wording.

Anderson responded that would be fine.

Mr. Mickle commented he just wants something that a pocket knife can't cut through and is durable like a chain link fence.

Staff and **Commission** discussed the wording for the fence condition.

Anderson stated he would like flexibility so that if there is a better product out there than chain link fence they can use it.

Lee disclosed that she works for Hyde Park and wrote the letter granting permission for the applicant to use 200 West.

Staff and **Commission** discussed if an encroachment permit was needed.

Olsen motioned to approve the Carlson Soccer Conditional Use Permit with the addition of a condition number 7 for a minimum 6-foot tall permanent chain link fence or similar screening must be placed and maintained on the west and south side of the property. The fencing must be approved by the Development Services Director; **Sands** seconded; **Passed 4, 0.**

07:40:00

#9 Butcher Shop Conditional Use Permit

Zetterquist reviewed the staff report.

Staff and **Commission** discussed combining the land so there are 2 parcels, distance between the driveways, and there has been no public comment.

Forrest Olsen asked about condition #6 and whether he could install the required road safety signage.

Christensen stated no, it's a liability issue.

Mr. Olsen commented on how signage is located near the road and stated he received a different answer from Logan Environmental about collecting offal.

Harrild stated "private" could be taken out of the condition referencing a "refuse company" in general.

Olsen asked if Mr. Olsen was going to process 1200 animals a year.

Mr. Olsen stated no, in a year he is thinking 200-300 animals units.

William Jensen commented he owns the land and he wants to be able to stay in the ranching business there. Someday he would like to be able to sell the 2 acres to Forrest.

Staff and **Commission** discussed the split parcel issue and after recombining the parcels a one lot subdivision could possibly be done to make that happen.

Mr. Olsen commented on the split parcel issue.

08:03:00

Sands motioned to extend the meeting for 30 minutes; Lee seconded; Passed 4, 0.

Sands motioned to approve the Butcher Shop Conditional Use Permit based on the 16 conditions and 3 conclusions as amended; Olsen seconded; Passed 4, 0.

08:05:00

#10 Hollow Ridge RV Campground Conditional Use Permit

Removed at the request of the applicant.

#11 Holyoak Airport Conditional Use Permit

Harrild reviewed the staff report for the Holyoak Airport Conditional Use Permit.

Joe Chambers commented that notice was received only two days ago by the property owner and he feels like it is improper for staff to continue the report on this item because due process hasn't been done.

Luthy asked about the information submitted by a 3rd party.

Mr. Chambers stated he has concerns beyond the home also.

Luthy commented that issues beyond the home won't be discussed tonight. The issue before the commission tonight is the new structure in the runway area and the implications from that; no action is expected tonight.

Mr. Chambers stated he disagrees with the information being given tonight because there has only been two days since notice was received and he has not been given time to research and respond. The item should be continued until November 6 for complete due process to happen.

Harrild stated that public notice requirements for revocation of a conditional use permit requires a 30 day notice to the property owner but it is correct that the staff report was only released 2 days ago.

Staff and **Commission** discussed proceeding with a discussion or continue the item to avoid a procedural conflict.

08:22:00

Sands motioned to recommend continuing the Holyoak Conditional Use Permit for up to 90 days; *Lee* seconded; *Passed 4, 0.*

08:23:00

Adjourned