

Three public hearings and the regular meeting of the Farr West Planning Commission was held on Thursday, August 8, 2013 at 7:00p.m. at the City Hall. Commission members present were John Stewart, Bill Malone, Matt Gwynn, Joe Markland, Bonnie Beal, Milt Austin, and Ken Phippen. Phil Owen was excused. City Council members present were Mayor Lee Dickemore, Paul Dinsdale, Tom Burkland, Boyd Ferrin, Tim Shupe, and Ava Painter. Staff present was Andrea Ortgiesen. Visitors present: see attached list.

Chairman John Stewart called the meeting to order. Matt Gwynn led in the Pledge of Allegiance. Bill Malone offered a prayer.

First Public Hearing as Advertised – Discuss and/or act upon the intent of the Legislative body to consider the request for a conditional use permit for the LDS Seminary Building located near the new Wahlquist Jr. High School

Brian Bott was present and explained they intend to build a 2 classroom Seminary building to be located across the street from the Junior High. He stated the construction will be typical to what you've seen in the area. Lou Best asked if they are using 2 lots from the original subdivision. Mr. Bott stated it's actually a single lot, lot 186, and he is not aware of any changes to the plat. Tim Shupe asked what the square footage of the building is. Mr. Bott stated there are 2 classrooms and a couple offices in about 2,000 square feet. Bonnie Beal asked about the sycamore trees on the plan. Mr. Bott stated he can certainly talk to the landscape architect about it. Tim Shupe asked about vehicular traffic. Mr. Bott stated there will be 2 teachers and a part-time secretary. He stated there could be parent traffic from time to time.

Second Public Hearing as Advertised – discuss and/or act upon the intent of the Legislative body to consider the request for re-zone of a portion of the Kent Malan Property located at 2214 North 2000 West, Parcel Number 19-040-0001, from the R-1-15 Zone to C-2 Commercial Zone

John Stewart stated there is a lot of storage on this property that the Planning Commission feels it needs to be in a C-2 Zone. Jim Flint stated there will be a lot line adjustment and a re-zone of the new parcel. He stated the fence will be modified to fence the additional area. Jerry Ellis stated he lives across the street and is concerned with the dust created from the business. He stated he is upset that the City is not enforcing the dust control. John Stewart stated he will speak to Sean Lambert about it. Mr. Ellis stated Sean is not doing anything about it. Mike Grange asked if the re-zone conforms with what the City Council and Planning Commission wants. John Stewart stated yes, they just need to address some of the issues. Mike Beal stated he got a letter stating he can only water his grass on Monday and Friday due to water restrictions and stated Mr. Wilkes is going to be under the same restrictions and shouldn't waste water just to keep dust down.

Third Public Hearing as Advertised – Discuss and/or act upon the intent of the Legislative body to consider the amendments to the Planning Commission Ordinance

John Stewart stated the major changes were to the process in which to select the Planning Commission Members which includes a selection committee. He stated the Planning Commission elected to go with a Vice-Chair and that was never in the ordinance. He also stated the alternate members didn't have a set term, so that has been added. Lou Best stated he thinks this is a good ordinance and complimented Ken Phippen on making the documents available to the public.

#1 – Motion – Close Public Hearings and Proceed with Regular Meeting

BILL MALONE MOTIONED TO CLOSE THE PUBLIC HEARING AND PROCEED WITH THE REGULAR MEETING. MATT GWYNN SECONDED THE MOTION, ALL VOTING AYE.

#2 – Follow-up and Approval of Minutes dated July 11, 2013

KEN PHIPPEN MOTIONED TO APPROVE THE MINUTES DATED JULY 11, 2013. BILL MALONE SECONDED THE MOTION, ALL VOTING AYE.

#3 – Report from City Council

Boyd Ferrin was present and reported the City Council has not met since the last Planning Commission meeting.

#4 – Discussion/Action – Consideration of Conditional Use Permit for LDS Seminary Building near the new Wahlquist Jr. High School

Brian Bott was present seeking approval of a Conditional Use Permit for the LDS Seminary building near the new Wahlquist Jr. High School. Bill Malone asked if there will be a fence. Mr. Bott stated there will be a 6 foot vinyl fence. Ken Phippen stated the setback on the front, southeast corner doesn't indicate a measurement. Mr. Bott stated it was taken off when other items were added, but it does meet the required setbacks. Joe Markland asked about lighting in the parking lot. He asked if it is security lighting that will be on all night. Mr. Bott stated not usually, he stated it is an 18 foot pole that shines down and comes on with a photo cell and turns off with a timer. He stated if there are security problems, it may be left on longer.

KEN PHIPPEN MOTIONED TO RECOMMEND APPROVAL OF CONDITIONAL USE PERMIT FOR THE LDS SEMINARY BUILDING NEAR THE NEW WAHLQUIST JR. HIGH SCHOOL. JOE MARKLAND SECONDED THE MOTION, ALL VOTING AYE.

#5 – Motion – Site plan approval of LDS Seminary Building located at 2444 West 2625 North – Bott Pantone Architects

Mike Grange asked if there was a concern with traffic not being able to see pedestrians crossing on a curve. Bill stated no, the speed limit should be 15 mph. John Stewart stated the original idea was to use the Stake Center, so this is a much better idea. Lou Best asked about the alignment of the cross walk. Mr. Bott stated it is right between 2 driveways of the school. Mike Grange pointed out that this is where Bonnie's concern with the trees comes into play. Mr. Bott stated he will have to talk to the landscape architect. He stated he understands the concern and it will be addressed. Matt Gwynn stated looking at the site plan, it appears the setback on the southeast corner does comply with the ordinance. Ken asked if this will be one of the first buildings out there. Mr. Bott stated he is not sure what the timing is on the homes. Joe Markland asked where the kids will be coming out of the school. Mr. Bott stated there are 2 doors directly across from the seminary and one is a little farther up. Matt Gwynn stated there should be an officer or administrator watching this and correcting students if necessary.

KEN PHIPPEN MOTIONED TO GRANT SITE PLAN APPROVAL OF THE LDS SEMINARY BUILDING LOCATED AT 2444 WEST 2625 NORTH CONTINGENT UPON APPROVAL OF THE CONDITIONAL USE PERMIT AND THAT THE LANDSCAPE PLAN IS ADJUSTED TO MAINTAIN ADEQUATE SITE FOR THE CROSSWALK. BONNIE BEAL SECONDED THE MOTION, ALL VOTING AYE.

#6 – Motion – Consideration of a request for re-zone of a portion of the Kent Malan property located at 2214 North 2000 West, parcel number 19-040-0001, from the R-1-15 Zone to the C-2 Commercial Zone

Ken Phippen stated the application references parcel 19-040-0001 and it is his understanding that this will now be part of parcel 19-040-0002. Mr. Flint stated the lot line adjustment will be based on a legal description. Mike Grange asked if Parcel B is remaining residential. Mr. Flint stated yes. Mr. Grange asked if it meets the requirements of its current zone. John Stewart confirmed it does. Ken Phippen stated that this is almost doubling the size of the original site for WISCO, and that he has concerns on how this is going to affect the neighbors. John stated the City is going to have to do a better job at making them control the dust.

BILL MALONE MOTIONED TO RECOMMEND APPROVAL OF THE REQUEST FOR THE REZONE OF A PROTION OF THE KENT MALAN PROPERTY LOCATED AT 2214 NORTH 2000 WEST, PARCEL NUMBER 19-040-0001, FROM THE R-1-15 ZONE TO THE C-2 COMMERCIAL ZONE. BONNIE BEAL SECONDED THE MOTION, ALL VOTING AYE, WITH THE EXCEPTION OF KEN PHIPPEN WHO VOTED NAY. MOTION PASSES.

#7 – Motion – Approval of site plan extension for Wisco, Inc located at 2214 N. 2000 W. – Cory Wilkes

Jim Flint stated the only thing this new property will be used for is inventory storage. John Stewart stated they need a new Site Plan showing the new fencing to include the new area. Jerry

Ellis asked what they are going to have to do on this new area to control dust. John Stewart stated they will need to have road base. Mr. Ellis asked if they have a business license. Mr. Flint stated it was approved by the City Council. Lou Best asked if road base is really going to resolve the issue. Paul Dinsdale stated unlike on a roadway, vehicles will not be driving 30 plus miles per hour on it. John Stewart asked Mr. Wilkes what can be done about this dust concern. Mr. Wilkes stated it is not a constant issue. He stated they are under construction and there will be some dust naturally associated with that. Mr. Wilkes stated he has put rock from the edge of both parcels all the way across the front and it has cut 90% of the problem. He stated it is costing him \$70,000 just to put utilities in and it's hard to keep up with all the requirements right away. He stated in 4-6 weeks there will be no dust issues with the improvements to the property. Mr. Wilkes stated if there is a problem, he would appreciate a phone call. John Stewart stated his problem is that the City has a liability to ensure there isn't a problem. Mr. Wilkes stated he will soon be installing asphalt. Jaime Ellis stated she has lived across from this property all her life and this is the worst it's ever been. John Stewart stated a new Site Plan will need to be provided before this can be approved. He stated the only thing they can do tonight is approve it contingent upon the City receiving the new Site Plan within the next week. Matt Gwynn stated dust control is an issue and needs to be addressed. John Stewart stated he will get with Sean and the property owners and work to resolve this issue. Mr. Flint stated there needs to be some type of tolerance for dust that will be naturally caused due to construction. Mr. Wilkes stated the Health Department was called and they came and monitored the property and said there was not a health issue. Mr. Flint requested a copy of the City's dust control ordinance.

MATT GWYNN MOTIONED TO TABLE APPROVAL OF THE SITE PLAN EXTENSION OF WISCO, INC LOCATED AT 2214 N 2000 W – CORY WILKES UNTIL AN UPDATED SITE PLAN IS PROVIDED. BILL MALONE SECONDED THE MOTION, ALL VOTING AYE.

#8 – Motion – Site plan approval of covered parking at Rocky Mountain Truck Parts located at 3700 North 2000 West – Michael Munsee

John Stewart stated the business wants to put up a pole building and due to an alteration to the original Site Plan, new approval is required. He stated, with the exception of the pole building, nothing is changing. Ken Phippen asked how far it is from the fence. Mr. Munsee stated 6-7 feet. Bill Malone stated the application is not completely filled out and there is no Site Plan provided.

KEN PHIPPEN MOTIONED TO TABLE APPROVAL THE SITE PLAN OF THE COVERED PARKING AT ROCKY MOUNTAIN TRUCK PARTS LOCATED AT 3700 NORTH 2000 WEST. MATT GWYNN SECONDED THE MOTION, ALL VOTING AYE.

#9 – Motion - Approval and recommendation of Planning Commission Ordinance

Matt Gwynn stated the ordinance doesn't indicate how many City Council Members will be included in the interview process. Paul Dinsdale and Tom Burkland stated 3 Council Members at a minimum should be included. John Stewart stated he feels the Ordinance needs to be in line with what is being done currently. Matt Gwynn stated he thinks it should be outlined statutorily. Paul Dinsdale stated Planning Commission is by application and anyone is able to lobby individuals to apply for the position. He stated he feels this is better than what has been done historically. Milt Austin stated he feels the flaw is that the candidates are not aware of how they scored. Ken Phippen stated, in general, he finds it unnerving to change any ordinance to fit what we do, rather than changing it and then doing it.

BILL MALONE MOTIONED TO RECOMMEND APPROVAL OF THE AMENDMENTS TO THE PLANNING COMMISSION ORDINANCE, WITH THE ADDITION OF THE MINIMUM OF 3 COUNCIL MEMBERS IN SECTION 2.12.20(A). JOE MARKLAND SECONDED THE MOTION, WITH BILL MALONE VOTING AYE, KEN PHIPPEN VOTING NAY, JOE MARKLAND VOTING AYE, MATT GWYNN VOTING NAY AND BONNIE BEAL VOTING AYE. MOTION PASSES.

#10 – Motion – Set public hearing for September 12, 2013 to amend the general plan

John Stewart stated the moderate income housing element needs to be updated and the C-3 Zone needs to be added to the General Plan.

MATT GWYNN MOTIONED TO SET A PUBLIC HEARING FOR SEPTEMBER 12, 2013 TO AMEND THE GENERAL PLAN. KEN PHIPPEN SECONDED THE MOTION, ALL VOTING AYE.

#11 – Discussion/Action – Amend the sidewalk ordinance

John Stewart stated at the last City Council meeting, Boyd gave the Planning Commission an assignment to review and update the sidewalk ordinance as needed. John stated the ordinance reads now that the adjacent owner is responsible for 50% of the cost of damage even if they had nothing to do with the damage. John stated he would recommend a change to say they "may" be responsible for 50% of the cost based on the cause of the damage and include the wording "as determined by the City". Matt Gwynn suggested looking at other cities sidewalk ordinances.

#12 – Report on Assignments

Bill Malone stated he is still working on the fencing ordinance.

Ken Phippen stated is working on the landscaping ordinance. Ken stated he is also working on a spread sheet to determine inconsistencies in residential zones. Ken reported on an upgrade to drop box. He will be emailing a new link out to the members.

Matt Gwynn stated he spoke with Nancy from U.D.O.T. about billboards and will continue working on the ordinance.

Bonnie Beal stated she has a couple items to clean up and will work on the general plan issue.

John Stewart stated he has been to a couple pre-construction meetings for the 2700 N sidewalk project. He stated U.D.O.T., Bona Vista and the School District will be putting in money. John stated the Mayor has done a tremendous job getting other people to participate in this project. John also attended a meeting regarding the new Heritage West Subdivision. He stated it will not include any more phases until the regional detention basin issue is resolved. John went over new assignments for the Planning Commission Members. He asked Ken and Joe to work on the residential ordinances and Bonnie to look at the sidewalk ordinance. He stated he feels the Mayor and City is smart enough to determine how repair costs for sidewalks should be assessed. John stated he will work with Bonnie on that.

#13 – Adjournment

AT 8:42 PM, MATT GWYNN MOTIONED TO ADJOURN THE MEETING. KEN PHIPPEN SECONDED THE MOTION, ALL VOTING AYE.

Andrea Ortgiesen, Clerk

John Stewart, Chairman

Date approved: _____