

Public Hearing for the following:

a) Proposed Wagstaff Investments Rezone located at approximately 112 S. State Hwy 112
b) Proposed Conditional Use Permit for RAAAM Dumpster Rentals at 434 S. Madeline Ct.
c) Proposed amendment of Chapter 12 Planned Unit Developments

Action Summary:

#1 Wagstaff Investments Rezone	Recommended for approval.
#2 RAAAM Dumpster Rentals CUP	Permit approval denied with a 90 day allowance for functions to be moved elsewhere.
#3 Amendment of Chapter 12	Recommended for approval, with stated change.
#4 Discuss parks, utilities, amendments with respect to PUDs	Discussed, no further action required.

MINUTES OF THE GRANTSVILLE CITY PLANNING COMMISSION, HELD ON FEBRUARY 15, 2024 AT THE GRANTSVILLE CITY HALL, 429 EAST MAIN STREET, GRANTSVILLE, UTAH AND ON ZOOM. THE MEETING BEGAN AT 7:00 P.M.

Commission Members Present: Chairman John Limburg, Vice Chairman Rick Barchers, Kevin Hall, Derek Dalton, Rob Jaterka.

Appointed Officers and Employees Present: Public Works Deputy Director Christy Montieth, Planning and Zoning Administrator Cavett Eaton, Planning and Zoning Administrative Assistant Jaina Bassett, Aqua Engineering Consultant Shay Stark, City Manager Jesse Wilson, City Council Liaison Rhett Butler, City Councilmember Heidi Hammond, Planning Advisor Gary Pinkham, Fire Chief Jason Smith, Fire Marshal Brad Deleeuw, Mayor Neil Critchlow.

On Zoom: Ensign Engineering Consultant Robert Rousselle

Citizens and Guests Present: Raul Badillo Jr., Ed and Elaine Burrola, Stacy Machiela, Brent Neel.

On Zoom: Several Unknowns

Commission Chair: John Limburg called the meeting to order at 6:58 PM.

PUBLIC NOTICE: The Grantsville City Planning Commission will hold a Regular Meeting at 7:00 p.m. on Thursday, February 15, 2024 at 429 East Main Street, Grantsville, UT 84029. The agenda is as follows:

PLEDGE OF ALLEGIANCE

PUBLIC HEARING

a) PROPOSED WAGSTAFF INVESTMENTS REZONE LOCATED AT APPROXIMATELY 112 S. STATE HWY 112

No comments.

b) PROPOSED CONDITIONAL USE PERMIT FOR RAAAM DUMPSTER RENTALS AT 434 S MADELINE CT

Stacy Machiela was present to express concerns regarding this permit. Miss Machiela is a neighbor of this property, who received the radius report letter. She expressed concerns that this business at the residential property began several months before the application process began, without permits or licenses. She also expressed concerns regarding her property value with a commercial business next door, the gravel being spread, potential hazardous items in the dumpsters, the noise levels, and the equipment visible from her home.

c) PROPOSED AMENDMENT OF CHAPTER 12 PLANNED UNIT DEVELOPMENTS

Ed Burrola was present to express concerns about Planned Unit Developments, if one was proposed near Little Reno. It was clarified that this is a code change only, and no Planned Unit Development is being proposed with this public hearing or the agenda action item. Mr. Burrola stated that if it is a code change only, he does not have any concerns regarding this.

AGENDA:

1. Consideration to recommend approval of Proposed Wagstaff Investments Rezone located at approximately 112 S. State Hwy 112.

Zoning Administrator Cavett Eaton presented this agenda item. He stated that the purpose of this rezone is to match the zoning of the applicant's surrounding lots. He noted that this makes sense and that the Staff is recommending approval of this agenda item.

Brent Neel with Wagstaff Investments was present to answer questions. He clarified that the lots they own next to the lot in question are currently zoned General Commercial, and that is how they are asking to zone this lot as well. Commissioner Kevin Hall noted that in the previous

discussion at a Planning Commission meeting, it was stated that this change is to allow them to come in as needed with the State. Mr. Neel confirmed this.

Chairman John Limburg noted that the Future Land Use map has this area designated as Mixed Use, but that he would rather see it as General Commercial like they are proposing.

Rick Barchers made a motion to recommend approval of the Proposed Wagstaff Investments Rezone located at approximately 112 S. Hwy 112. Derek Dalton seconded the motion. And all in favor? The motion carried unanimously.

2. Consideration to recommend approval of Proposed Conditional Use Permit for RAAAM Dumpster Rentals at 434 S. Madeline Ct.

Zoning Administrator Cavett Eaton presented this agenda item. He noted that this Conditional Use Permit application was received in December 2023. He stated that the Community Development department has experienced a large amount of change and turnover. During this period of turnover, this Conditional Use Permit was approved administratively without completing all proper steps. It was noted that the radius report and other steps were required before approval of this permit, so the approval was rescinded to complete the proper steps. He noted that Mr. Badillo is searching for a different location for his business.

Raul Badillo was present to answer questions. He noted that he does not want conflict with neighbors and will find a new place to store his business equipment if needed. He stated that he currently has six dumpsters and one trailer on his lot, and does not intend to expand this number until he can obtain a commercial piece of land for storage.

Commissioner Derek Dalton asked how often full trailers are stored on the property. Mr. Badillo stated that he works to maintain a clean space and rarely has full trailers on his property. He clarified that he does not haul asbestos or other hazardous materials, and that he cleans the equipment each time before they are stored on the property.

Commissioner Dalton stated that he feels comfortable with this permit, as long as the dumpsters are empty while being stored on the property. Chairman Limburg and Commissioners Barchers, Hall, and Jaterka expressed concerns about this permit and its uses in a residential area.

Chairman Limburg recommended to deny this permit and allow ninety (90) days for the applicant to find a new space to perform his business functions. After this time the business would need to be completely removed from the property.

Kevin Hall made a motion to deny approval of the Proposed Conditional Use Permit for RAAAM Dumpster Rentals at 434 S. Madeline Ct, while allowing ninety days for the applicant to find a new space for his business. Rob Jaterka seconded the

motion. And all in favor? The vote was as follows: John Limburg “Aye”, Rick Barchers “Aye”, Kevin Hall “Aye”, Rob Jaterka “Aye”, Derek Dalton “Nay”. The motion carried.

3. Consideration to recommend approval of Proposed Amendment of Chapter 12 Planned Unit Developments.

Aqua Consultant Shay Stark presented this agenda item. He noted that at the Joint Work Meeting with the City Council on January 31, 2024, there was discussion to modify the Planned Unit Development approval process. It was noted that the purpose of this code amendment is to provide the Planning Commission with the authority to recommend approval of Planned Unit Developments, and to provide the City Council with the authority to make the final decision regarding the approval of Planned Unit Developments.

Vice Chairman Rick Barchers and Chairman Limburg expressed their agreement for this proposed code change. They noted that the questions they often receive when Planned Unit Developments are presented to them, include what the City wants and needs in a development and City amenities. They stated that this is a hard thing for them to address, but would better fit the role of the City Council members.

Vice Chairman Barchers asked for clarification on the State’s stance as to how long a property must remain as moderate income housing, after selling. Mr. Stark clarified that the State code does not provide a clear guideline on this, but that it is under discussion at a legislative level.

Attorney Brett Coombs agreed with Mr. Stark’s analysis of this State code, and noted that the City code could make this a requirement if amended. Mr. Stark noted that the language for deed restriction is in a different chapter of the City code, and that would need to be modified separately from this agenda item.

Mr. Stark noted that a spelling error was identified where “issued” needs to become “issues”. This correction will be made.

Kevin Hall made a motion to recommend approval of the Proposed Amendment of Chapter 12 Planned Unit Developments, with the stated change. Rob Jaterka seconded the motion. And all in favor? The motion carried unanimously.

4. Discussion regarding parks, utilities, and amendments with respect to Planned Unit Developments (PUDs).

Aqua Consultant Shay Stark presented this agenda item. The purpose of this discussion was to provide information to the Planning Commission on the cost of City parks and utilities with

respect to Planned Unit Developments, specifically the benefits provided and the costs incurred when these amenities are offered to the City. He presented the Capital Facilities Plan and noted that this plan addresses the services the City provides, anticipating the future needs of the City. He noted that associated with that is the Impact Fee Plan and Analysis, which determines the impact of adding developments. He noted that the two active Planned Unit Developments were not a part of these plans. He also stated that the Capital Facilities Plan has a section on parks, which is where the information is provided regarding parks.

The cost of parks and utilities were discussed, as shown in the Capital Facilities Plan.

Mr. Stark noted that the maximum acreage for fee-in-lieu is 20 acres. Any development that is over 20 acres is required to provide at least 10 acres of open space to the City.

Chairman Limburg asked who tracks the placement of parks in relation to this plan. Mr. Stark stated that City staff and Planning Commission members are all responsible for being aware of this, and taking it into consideration when developments are proposed. Commission members asked for guidance on how to make sure these parks are placed where planned, when developments come in. Mr. Stark advised that whenever a project comes in, City staff and Planning Commission members should look at the project compared to the General Plan, and work with the developers to find the best fit.

Mr. Stark noted that the areas for the park placement on this plan, were based on the Future Land Use map and potential future zoning. This helped determine which areas would have the higher usage rate of parks, and where the best placement of the parks would be.

This agenda item was educational only, no further action required.

5. Report from City Council liaison Rhett Butler.

City Council liaison Rhett Butler stated that he is working with the City Recorder on the public noticing requested by the Planning Commission. He noted that this process will include amending the Zoning fee schedule to include a fee to charge developers for signage on the property where developments, rezones, and other changes are being proposed.

Chairman Limburg inquired about the Planned Unit Development code that was discussed at the Planning Commission meeting on February 1, 2024. Aqua Consultant Shay Stark stated that the code change was approved by resolution, it was just not posted online at that time. He noted that the documentation supporting its approval was located and the code change was posted to the City website and on the City code. Mr. Stark noted that the attorney for the Highlands MDA was made aware of this.

6. Adjourn

Rick Barchers made a motion to adjourn. Kevin Hall seconded the motion. And all in favor? The motion carried unanimously. The meeting was adjourned at 8:59 PM.