



MINUTES

Oakley City Planning Commission
Meeting
May 3, 2023
Zoom Meeting Platform
6:00 PM

AGENDA

Work Session:

1. **Call the meeting to order**
2. **Discussion/Possible Action:** Oakley City Center conceptual design discussion. Members of development team will be present to discuss future opportunities in City Center.

Regular Session:

1. Approval of Meeting Minutes for 3/1/2023, 3/15/2023, 3/29/2023, and 4/11/2023
2. **Public Comment:** *Public comment is for any matter not on the agenda and not the subject of a pending land use application. If you would like to submit comments to Commission, please email stephanie@oakleycity.com by 5:00 PM on Monday, May 1st.
3. Public Hearing: River Haven Preliminary Plat at approximately 4500 N Millrace Road. Proposed 16 lot subdivision.
4. Discussion/Possible Action: Update to Oakley Diner Sign Application. Removal of west, on-building sign. Addition of lighted menu board.
5. For Discussion: Amending Oakley City Code related to Nightly/Short Term Rentals.
6. Planner Items
7. Adjourn

MINUTES – Work Session

1. Call to order and roll call:

a) Planning Commission: Work Session: Chairman Cliff Goldthorpe; Commission Members: Richard Bliss, Kent Woolstenhulme, Jan Manning, Doug Evans

Absent: Steve Maynes

Regular Session: Chairman Cliff Goldthorpe; Commission Members: Richard Bliss, Kent Woolstenhulme, Jan Manning, Doug Evans, Steve Maynes (zoom)

- b) City Staff: Stephanie Woolstenhulme, City Planner; Tristin Leavitt, City Treasurer
c) Other: Work Session: Kris Longston, Steve Smith, Jason Boal, Dave Giles, Abe Nielsen, Trevor Norris (zoom), Dick Woolstenhulme, Tom Smart, Scott Bates, Kelly Edwards, Jan Perkins
Other: Regular Session: Lorrie Hogan, Kerbee Leavitt, Christy Atkinson, Bret Atkinson, Katelin Gortat, Joanne Aplanalp, Rebecca Roberts, Trish Murphy-Cone, Trevor Williams, Jan Perkins, Amy Regan, Thomas Shultz, Tyrone Gortat, Dick Woolstenhulme, Carol Webb, Norris Webb, Robert Beck, Charles Lawler, Rick Shapiro, Tom Smart, Chris Hanson, Tara Carroll
Zoom: Deb Sheldon, Nanette Bush, Taylor Potts, Martina Nelson, Garcia Eisman, Sonja Ozarslan, Tammy Georgi, Stephanie Hurt, LClawler, Jake Stevens

2. **Discussion/Possible Action:** Oakley City Center conceptual design discussion. Members of development team will be present to discuss future opportunities in City Center.

Kris Longston goes over list items from last meeting of what Planning Commission was wanting to see and presents City Center conceptual design.

General discussion amongst Planning Commission and development team.

Work Session Ended – 4:56 PM

Minutes – Regular Session

1. Approval of Meeting Minutes for 3/1/2023, 3/15/2023, 3/29/2023, and 4/11/2023

Doug Evans makes a motion to approve the minutes for 3/1/2023, 3/15/2023, 3/29/2023, and 4/11/2023.

Jan Manning seconds the motion.

All in favor.

2. **Public Comment:** *Public comment is for any matter not on the agenda and not the subject of a pending land use application.

Carol Webb questions if there is a plan for the city of which she is not aware and if the building moratorium has been lifted. **Doug Evans** responds that on the city website you can view the General Plan, maps, & City Center plan which have all been on there for years.

Planner Stephanie Woolstenhulme responds that the building moratorium is still in effect and will be until the quantity of water we are expecting out of that well is reached.

Katelin Gortat questions if Steve Smith is going to buy up all of Oakley and if the city is going to allow that to happen. **Cliff Goldthorpe** responds that the city has no control over private people selling their property to Mr. Smith.

Patricia Cone questions what the best way is for the public to contribute if you can't speak at the work sessions. **Planner Stephanie Woolstenhulme** responds that on every agenda there is instruction on how to get public comment to the Planning Commission and City

Council for every meeting. You can also subscribe on the Public Noticing Website for Utah to receive notices regarding meetings held within the city.

Norris Webb questions if there has been a change in the Oakley City Vision. **Cliff Goldthorpe** responds no.

Kerbee Leavitt questions if the property across the street from City Hall has been sold. **Cliff Goldthorpe** responds that no city property has been sold.

3. Public Hearing: River Haven Preliminary Plat at approximately 4500 N Millrace Road. Proposed 16 lot subdivision.

Planner Stephanie Woolstenhulme shares the following from the Staff Report:

- Proposal
- Findings of Fact
- Conclusions of Law
- Items of Note
- Items of Consideration/Discussion for Development Agreement

Doug Evans adds that there will not be a storm drain collection system. The storm drain will be infiltration trenches built along all paved spaces so that the water gets into the ground.

Steve Maynes questions if the only ingress and egress is off of Millrace. **Planner Stephanie Woolstenhulme** responds yes and has been approved by the South Summit Fire District. The secondary access was not worth hurting the wetlands for the minimal lots being put in.

Doug Evans questions which lot will have the affordable housing component. **Planner Stephanie Woolstenhulme** responds Lot 107.

Kent Woolstenhulme clarifies for the public that the building envelope is the dotted lines, anything outside of that envelope they can't do anything with.

Chairman Cliff Goldthorpe opens it up to the public for comment.

Lorrie Hoggan— Wants to know why this development does not need an emergency access, does not appreciate people coming to her house and asking to purchase it, concerned about building so close to the river and the swamp lands.

Katelin Gortat— Does not like being solicited to put a road through their property, concerned about how far from her property line the houses will be built. Concerned if the vegetation is ripped out to build homes, what the plan is to revegetate. Thinks the developer will have a lot more support from the community if long term rentals are done rather than nightly rentals.

Trevor Williams — Makes the public aware that he is here to answer any questions and address any concerns that the public might have. Speaks about rights of landowners and that he would like to get through this meeting as respectfully as possible.

Patricia Cone – Would rather have wetlands over another road for emergency access. Plan could be worse, but it is pretty good. Doesn't like that she will be losing her privacy. Concerned with how boardwalk will play out and how people will access the river along their property line. Concerned with lighting, nightly rentals, wildlife, traffic, & if there is any up stream alteration to the river.

Christy Atkinson – Concerned about traffic impact, will the city be making improvements on Millrace Rd, type of lighting in the development and it's effect on her property across the street.

Rick Shapiro– Thanks the Planning Commission for their work, recognizes rights of property owners, echoes Trevor Williams' comments on more civility in these meetings, pros and cons to accessory dwelling units, urges Planning Commission to reject the nightly rentals. Would like City Council to prohibit nightly rentals in our community all together and if the developer wants to earn goodwill with the community this would be a way to do it.

Monte Hurt (zoom)– Directly confronted with Lot 103, biggest concern is nightly rentals and not knowing who your neighbor will be one night to the next, not thrilled with what his view will be going forward.

Carol Webb – Concerned if the noise ordinance will get enforced with this development like it is with the rest of the city.

Dick Woolstenhulme – The city will never be like it was in the 50's, but we are still living ok. If you don't like what is happening, then buy them out.

Tom Schulz – Questions the footprint and the design of the homes and if an HOA will be present. Feels the trail is a big issue and doesn't serve a great deal of usefulness be better off it was was green and landscaped. Is it in their code to have the backs of the homes landscaped and will the code and covenants be made public. Concerned with the impact construction will have on Millrace Road

Amy Reagan – Encourages the Planning Commission to not allow nightly rentals, concerns with ADU's.

Kerbee Atkinson – Concerned with nightly rentals and why it is included and the effect this might have on her water bill, when does the building stop.

JoAnne Aplanalp – For affordability reasons consider longer term rentals rather than nightly rentals.

Chris Hansen – Likes the plan, but would advise the Planning Commission to reject the nightly rentals. Questions how many business licenses are in the city right now for nightly rentals.

Charles Lawler – Is there a taxation of nightly rentals, willing to accept the change, but can we use it as an advantage to the city to help finance infrastructure.

Tyrone Gortat – Has questions where the boardwalk will be placed and if it will be public. Concerns with strangers walking behind their house with their children playing out back. Turned down this trail years ago.

Jan Perkins – Who is responsible for possible flooding of these homes. Has concerns with Cone's and Webb's property and that it is respected. Encourages Trevor Williams to look at pocket neighborhoods and how they are designed. Would like a smaller footprint so people who already live here are impacted as little as possible.

Nanette Bush (zoom) – Wants to know minimum or maximum square footage requirements for the building proposal, nightly rentals are not in the best interest of the community, support of additional affordable housing.

Trevor Williams addresses the questions and concerns of the public.

Chairman Cliff Goldthorpe closes the public hearing.

Doug Evans shares that this property over the years has been down zoned. At one time it was zoned for 75 homes. Under the current code Trevor Williams could have done over 50 homes. Trails came about because he is just trying to comply with the General Plan. Important to all to show the river on the plat. Oakley allows everyone to do an accessory dwelling unit, outside of high density areas, that is 1000 sq feet or less and is connected to your water, power, and gas meter. Planning Commission is trying to figure out nightly rentals. Questions the eastern property line of this subdivision on plat doesn't follow all of the property lines. **Trevor Williams** clarifies that when the survey was done he found that some of the homeowners fences were sitting inside their actual property line.

Richard Bliss shares that the city is paying Summit County for law enforcement.

Kent Woolstenhulme feels that some things were brought up tonight that need addressed by the Planning Commission. Has concerns with the amount of cars that will be added on Millrace Road especially with accessory dwelling units. This project will not hurt your property value, but only increase it. Commends Trevor and his team for what they are putting on the property. Does not believe in nightly rentals. If accessory dwelling units are hooked to your house, it's harder to do a nightly rental than it would be to have an accessory dwelling unit detached. Sees the value in accessory dwelling units, but also sees the value in controlling them.

Jan Manning feels the same way about nightly rentals. We do need some affordable rental units. Accessory dwelling units should be more long-term rentals. Most of everyone she has spoken to is not in favor of nightly rentals.

Steve Maynes feels the discussion has been good. The points that have been brought up are accurate. Is affected by a nightly rental and understands the situation legally regarding them. Appreciates the developers efforts to address nightly rentals.

Chairman Cliff Goldthorpe shares that he does not want anyone to feel like their comments haven't been heard. Does not like nightly rentals. Feels long term rentals are the way to go. Wants to make this work while also addressing everyone's concerns.

Trevor Williams shares that what makes this marketable is the element of nightly rentals. If he can do away with the boardwalk and do a trail along Millrace Road instead, he will be able to market private riverfront properties and do away with nightly rentals. Accessory dwelling units, attached or detached, will stay and help with affordable long-term rentals.

Planning Commission agrees with the changes made by Trevor Williams in the above comment.

General discussion amongst Planning Commission and Trevor Williams.

Doug Evans makes a motion that based on the changes and modifications that they have added to the current list and has already been presented, that those changes be made to the plat and that we turn over this information to our Attorney to draft a Development Agreement so that before the next meeting we get a copy of the revised preliminary plat and the draft Development Agreement for their review and that will be passed on to the City Council.

Richard Bliss seconds the motion.

All in favor.

4. Discussion/Possible Action: Update to Oakley Diner Sign Application. Removal of west, on-building sign. Addition of lighted menu board.

Planner Stephanie Woolstenhulme shares that the Diner is eliminating the building sign on the west side. The only two signs remaining are the north on-building sign and the free-standing sign on SR 32. They bumped the free-standing sign from 12 feet to 14 feet in height. These changes were made to be able to add a menu sign on the back drive-thru for the bottom businesses. It is dimmable and can be shut off after business hours.

Richard Bliss makes a motion to approve the updated signing on SR 32 to a maximum of 14 feet if approved by Rocky Mountain Power and approval of the additional lighted menu board as proposed with the dimmable lighting and within open business hours.

Jan Manning seconds the motion.

All in favor.

5. For Discussion: Amending Oakley City Code related to Nightly/Short Term Rentals.

Planner Stephanie Woolstenhulme shares that she looked at other municipalities at several different locations and what they have in their code that could possibly be put in our code regarding Nightly/Short Term Rentals. The following are some high points:

- Need to be renewed every year – if any complaints, it won't be renewed
- Room & Board Tax – Tax revenue for the city
- If they are outlawed and we don't want any, how do we grandfather in the one's that already exist.

276
277
278
279
280
281
282
283

284
285
286
287
288
289
290
291
292
293
294

General discussion amongst Planning Commission.

Tabled until next meeting.

6. Planner Items

None.

7. Adjourn

Chairman Cliff Goldthorpe makes a motion to adjourn.

Minutes accepted as to form this 2nd day of Aug. 2023.


Cliff Goldthorpe, Chairman
Tristin Leavitt, City Treasurer