



MINUTES

Oakley City Planning Commission
Regular Meeting
April 10, 2025 6:00 p.m.
Zoom Meeting Platform was available

AGENDA

1. Open Meeting.

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 written comments to Commission, please email stephanie@oakleycity.com

2. Possible Action: Approval of meeting minutes from 2.6.2025

3. Action: Plat Amendment Ruby Lane Subdivision. Plat amendment proposes changes to building envelopes of lots 2, 3, and 4.

4. Public Hearing and Possible Action: Conditional Use Permit for multi-unit housing at 40 W Boulderville Rd. Proposed use is 4 housing units in existing "primary building" and 1 housing unit in the existing accessory dwelling. Applicant is Cathy Miller.

5. Possible Action: Zoning Amendments for OT-117, OT-22, OT-31, and OT-25. Proposal to amend zoning of above parcels from residential to commercial. Public Hearing was held September 6, 2023.

6. Action: Re-election of Planning Commission Vice-Chair.

7. Planner Items:

8. Adjourn

MINUTES

1. Call to order and roll call:

- a) Planning Commission: Chairman Richard Bliss; Commission Member: Jan Manning, Kent Woolstenhulme, Cliff Goldthorpe, Doug Evans
Zoom: Steve Maynes
- b) City Staff: Stephanie Woolstenhulme, City Planner; Tristin Leavitt, City Treasurer
- c) Other: Shad Sorenson, Cathy Miller, Nick Tarrant, Rebecca Roberts, Matt Wirthlin
Zoom: Joel Yellowhorse – City Attorney, Tara Carroll

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

None.

2. Possible Action: Approval of meeting minutes from 2.6.2025

Doug Evans mentions a minor typo on line 4, second bullet point. The word “of” needs inserted. **Planner Stephanie Woolstenhulme** fixes the typo.

Doug Evans makes a motion to approve the minutes from 2.6.2025.

Jan Manning seconds the motion.

All in favor.

3. **Action: Plat Amendment Ruby Lane Subdivision.** Plat amendment proposes changes to building envelopes of lots 2, 3, and 4.

Planner Stephanie Woolstenhulme shares the following:

- The original applicant is still the fee title holder on all the properties.
- For a plat amendment to change a building envelope, it does require Planning Commission to be the land use authority for that type of an application.
- Able to forgo a Public Hearing for this because all owners of the properties in the subdivision agreed to this as they are all the same owner. No parcels have been sold.
- This is a formality just to meet City Code on this application
- This does not affect adjacent properties
- Lot 1 & 5 are not changing
- No sensitive land issues

No further discussion.

Cliff Goldthorpe makes a motion to approve the plat amendment for Ruby Lane Subdivision on lots 2, 3, and 4 as proposed.

Kent Woolstenhulme seconds the motion.

All in favor

4. **Public Hearing and Possible Action: Conditional Use Permit for multi-unit housing at 40 W Boulderville Rd.** Proposed use is 4 housing units in existing “primary building” and 1 housing unit in the existing accessory dwelling. Applicant is Cathy Miller.

Planner Stephanie Woolstenhulme shares the following from the Staff Report:

- Proposal
- Findings of Fact
- City Planner Notes
- Possible Conditions of Approval/Conditions to be Mitigated

Discussion amongst Planning Commission regarding the following:

- Fire Department approval
- Up-to-date on inspections
- How the property has been used since the applicant purchased it.
- When a CUP is needed – Difference between a dwelling unit multi-family, accessory dwelling units, and a large home with shared walls
- Renting out rooms to friends/family

Cathy Miller clarifies the following for the Planning Commission:

- The back building is a barn with a garage door – No living quarters, no water, or electricity.
- Front garage is the ADU that is maybe 800 square feet with a community laundry room – nothing structural has been done to it except a new roof, flooring, and cabinets.
- Primary Home: The front of the house is the primary residence. The back is used for rentals.
- The bottom unit was the prior owner's bedroom with a bathroom and a patio. There was a door from the commercial kitchen to this room that she covered with cabinets because there was always a back entrance.
- Upstairs units are a bedroom, bathroom, a living area and a small kitchenette.
- No plans to make this a commercial establishment.
- She called Summit County Health Department and was told she had a 14,000 gallon septic and as long as nothing was added, it was already permitted.
- These would be long-term rentals.

Chairman Richard Bliss opens up the Public Hearing for comment.

No comment.

Chairman Richard Bliss closes the Public Hearing.

City Attorney, **Joel Yellowhorse**, shares that you can make ADA compliant a condition on the permit, however, since it has been grandfathered in and there are no changes being made to the structure, then they don't necessarily have to. In this case, where it is being rented out to the public, he feels it would be good to include as a condition.

Planner Stephanie Woolstenhulme asks the City Attorney for clarification that the property is grandfathered coming in as such, not the use of the property that is grandfathered in. **Joel Yellowhorse** confirms.

Steve Maynes comments that he too feels that there needs to be live-in ownership/management.

Doug Evans shares that in addition to what is already listed on the Staff Report as possible conditions, it should also include the following:

- Needs live in owner/management or family member of the owner

- Needs inspected by building and fire
- Needs designated as long-term rentals

Doug Evans makes a motion to grant the Conditional Use Permit based on the Findings of Fact, Conclusions of Law, and conditions that were just listed and are included in the Staff Report.

Jan Manning seconds the motion.

4 vote in favor, 1 vote against (Kent Woolstenhulme)

Motion passes

5. **Possible Action: Zoning Amendments for OT-117, OT-22, OT-31, and OT-25.** Proposal to amend zoning of above parcels from residential to commercial. Public Hearing was held September 6, 2023.

Planner Stephanie Woolstenhulme presents the following:

- Part of City Center – Related to gas station and proposed restaurant on Millrace
- Discussion and Public Hearing held back in September 2023 – No formal recommendation was made to City Council.
- Application prepares to be amended and come forward again, this is part of the process.
- Differences from what they saw before:
 1. Auto repair no longer part of proposed application across the street – It is only a gas station, C-Store, and car wash.
 2. Zoning amendment has been modified – they are not proposing a zoning change on the back panhandle piece; it will remain agricultural. Only the front side of the property is requesting a zoning change.

Kent Woolstenhulme asks if they will have to amend their application. **Planner Stephanie Woolstenhulme** clarifies that they will be amending their application anyways because it is involving other properties that have been acquired since the original application. This zoning amendment, she expects to be contingent on a Master Plan Development application. Otherwise, it reverts back to original zoning, but it is part of the City Center application and somewhat preliminary to it as well.

Jan Manning asks if Dutch's will remain as just an auto repair shop and not a gas station.

Planner Stephanie Woolstenhulme clarifies that Dutch's will remain as a gas station and an auto repair shop. The sale of land did not occur. Kelly Edwards is still the owner of Dutch's, so he can operate it as he sees fit. Depending on the recommendation made to City Council, there could be gas stations right across from each other.

Steve Maynes shares his concerns on the long term development of down town. If the gas station goes in across the street, Dutch's remains as is, Ken's Kash stays where it is, but eventually gets moved, the entire concept of beautification and modernization of down town Oakley with Dutch's, as it currently exists, at a keystone position for all of that. This should be a major consideration for Planning Commission and what gets recommended to City Council.

Kent Woolstenhulme shares that Dutch's is a big part of City Center Development. If the C-Store goes in across the street, it will most likely run Dutch's out of business. He wants Planning Commission to know that if they give a positive recommendation for the C-Store to go in across the street, they will have a big part in what happens to Dutch's. Also feels that what is proposed across the street is not part of City Center. It is jumping across the street where it is residential and turning it into commercial property. We are trying to have standard homes with accessory dwelling units. The precedence that is being set, is that everyone can come in and add units to their house or all people who are renting to roommates need to come in and get a conditional use permit. Strongly feels that it needs to stay residential and that there are a lot of options that could possibly be approved for living. It is affecting the neighbors more with commercial rather than residential. Also has concerns of the property in the back, that in his eyes, would be wasted and landlocked. SR 32 is already dangerous and if this goes through, it will be more dangerous.

Richard Bliss shares that the property east of 32 is Village Mixed Use. **Kent Woolstenhulme** responds that the only thing they have proposed over there is maybe a unit on the old Wilde property.

Doug Evans feels a big part of the City Center Development is an affordable housing project.

Matt Wirthlin, who represents the property owner/developer of the gas station parcel and the larger City Center proposal, clarifies the following for the Planning Commission:

- There will be some affordable housing/apartments proposed in the Village Mixed Use Center
- Back piece will be handled either by transfer or sold so that it is not landlocked.

Steve Maynes comments that there are a variety of items that he is not understanding enough of in order to make a proper recommendation.

Cliff Goldthorpe shares that he has a problem with approving a zoning change, given the fact that it is not known what is going on in the Master Plan.

Jan Manning comments that the criteria that they use for a rezone are a little subjective. One thing that is troubling is all of the traffic generated 24 hours a day, lighting on all night long for safety reasons, and the impact on the neighbors to the side and back of the property.

Doug Evans proposes that these possible zoning changes be included as part of the Master Plan Development. That way, when the Master Plan Development is approved, the zoning changes are possibly approved with it. This would include all the properties acquired pertaining to the City Center Development, including the property on Millrace Road. Then they can see how it all works together or doesn't work together.

Joel Yellowhorse confirms that this can be done. If the developer puts a proposal together, it can be approved all at one time.

Doug Evans asks what the advantage is of zoning the commercial rather than Village Mixed Use. **Planner Stephanie Woolstenhulme** confirms that the gas station is not allowed in Village Mixed Use.

Joel Yellowhorse confirms that a code change could be part of the Development Agreement and run it through the zoning process.

Doug Evans makes a motion that they defer approval of the zoning changes on proposed parcels until they have a chance to approve a Master Plan Development and a Development Agreement for the entire project including these two parcels, and it also includes the two conditional use permits for Millrace project and this project. This is then presented as a whole to the council.

Cliff Goldthorpe seconds the motion.
All in favor

6. **Action: Re-election of Planning Commission Vice-Chair.**

Kent Woolstenhulme makes a motion to nominate Commission Member **Jan Manning** as Vice-Chair.

Doug Evans seconds the motion.
All in favor

7. **Planner Items:**

None

8. **Adjourn**

Kent Woolstenhulme makes a motion to adjourn.

Minutes accepted as to form this 7 day of May 2025.


Richard Bliss, Vice Chairman


Tristin Leavitt, Oakley City Treasurer