



HOOPER CITY
PLANNING COMMISSION MEETING MINUTES
THURSDAY, NOVEMBER 9, 2023, 7:00PM
COUNCIL CHAMBERS
5580 W. 4600 S.
Hooper, UT 84315

The Hooper City Planning Commission held a work meeting at 6:30pm and their regular meeting at 7pm on November 9, 2023, at the Hooper City Civic Center located at 5580 W. 4600 S, Hooper, UT 84315.

PLANNING COMMISSION MEMBERS PRESENT:

Mary Simpson – Chair
Sheldon Greener – Vice Chair
Amanda Prince
Bryce Widdison
Blake Cevering

CITY STAFF & CITY COUNCIL PRESENT:

Morghan Yeoman – City Recorder
Brandon Richards – City Attorney
Briant Jacobs – City Engineer

COMMISSION MEMBERS EXCUSED:

AUDIENCE PRESENT:

6:30PM WORK MEETING

1. Discussion on Agenda Items

The Planning Commission held a work session where agenda items were discussed.

7:00PM REGULAR MEETING

1. Meeting Called to Order

At 7:00pm Commissioner Simpson called the meeting to order.

2. Opening Ceremony

a. Pledge of Allegiance

Commissioner Prince led in the Pledge of Allegiance.

b. Reverence

Commissioner Widdison offered reverence.

3. Consent Items

- a.
- Motion – Approval of Minutes dated October 12, 2023

**COMMISSIONER GREENER MOTIONED TO
APPROVE THE MINUTES DATED OCTOBER 12,
2023. COMMISSIONER CEVERING SECONDED THE
MOTION. VOTING AS FOLLOWS:**

COMMISSIONER:**GREENER****PRINCE****WIDDISON****CEVERING****MOTION PASSED.****VOTE:****AYE****AYE****AYE****AYE**4. Action Items

- a.
- Conditional Use Permit Request for Bryce Clark for an oversized structure totaling 4,023 sq ft with a height of 30 ft located at 4790 S 5500 W

i. Applicant and/or Staff presentation(s)

Briant Jacobs, our city engineer gave a presentation on where the structure will be located on the property. Explains that the new structure height is 30 ft. instead of 27 ft. Bryce Clark explained that he missed his foundation measurements when filling out the first application in September. Bryce explained that Nate Tolman, the building inspector, caught it and flagged the permit for him to come fix it. Commissioner Greener asked how tall his house was, Bryce confirmed that it is 34 ft.

ii. Enter a public hearing to receive public input on request

Kurt Campbell located at 4904 S 5500 W said that with his understanding that the oversized structure could not get approved until the irrigation issue was figured out. Kurt says that the ditches have failed the last two turns. Commissioner Prince and Greener explained that the conditional use permit was contingent on if they had that resolved. Also mentioned that Bryce Clark has his foundation poured before his permit was approved.

Bryce Clark explained that Nate Tolman let him get the foundations poured. Bryce explained that Nate gave him the approval to continue to pour, will check everything off, but will not pass it off until the permit is

submitted and approved. Bryce also comments on Kurt Campbells concerns for the irrigation. Explaining that they have an Attorney to help with all legal things. Commissioner Prince confirmed that the Planning Commission members did receive the documents from Attorneys.

Dennis Blanchard located at 5362 S 4700 W talked about building code 10-2B-4 and asked about the 25 ft maximum height and explain why Bryce Clark is requesting a 30 ft building. Commissioner Cevering answered his question with code 10-2B-6 section f.

iii. Close the public hearing and proceed with the regular meeting

Commissioner Prince stated that the only thing that has changed was the height, which was the original plan, just did not know. As far as the civil issues, their approval was contingent on his conditional use permit was for the documentation to be given to them.

**COMMISSIONER GREENER MOTIONED TO
APPROVE THE CONDITIONAL USE PERMIT
REQUEST FOR BRYCE CLARK FOR AN OVERSIZED
STRUCTURE TOTALING 4,023 SQ FT WITH A
HEIGHT OF 30 FT LOCATED AT 4790 S 5500 W.
COMMISSIONER PRINCE SECONDED THE
MOTION. VOTING AS FOLLOWS:**

<u>COMMISSIONER:</u>	<u>VOTE:</u>
GREENER	AYE
PRINCE	AYE
WIDDISON	AYE
CEVERING	AYE

MOTION PASSED.

b. Conditional Use Permit Request for Scott Larsen for an oversized structure totaling 2,000 sq ft located at 5409 W 3750 S

i. Applicant and/or Staff presentation(s)

Briant Jacobs, our city engineer gave a presentation on where the structure will be located on the property. Explained that the purpose of the shop is for storage. Commissioner Cevering asked if he was on sewer or septic? Noticed that on his application, it will have plumbing for the structure. Scott Larsen

explained that he got a permit in September to connect the structure to the utilities.

ii. Enter a public hearing to receive public input on request

No public comment

iii. Close the public hearing and proceed with the regular meeting

Commissioner Cevering asked if we had a site plan to make sure that he was following the correct setbacks. Scott explained that he is within the five (5) set back on the back property line. Will also have it lined up with his home.

**COMMISSIONER CEVERING MOTIONED TO APPROVE THE
CONDITIONAL USE PERMIT FOR SCOTT LARSEN FOR AN
OVERSIZED STRUCTURE TOTALING 2,000 SQ FT LOCATED AT
5409 W 3750 S. COMMISSIONER WIDDISON SECONDED THE
MOTION. VOTING AS FOLLOWS:**

<u>COMMISSIONER:</u>	<u>VOTE:</u>
WIDDISON	AYE
GREENER	AYE
PRINCE	AYE
CEVERING	AYE

MOTION PASSED.

c. Rezone request for Still Water Construction located at 5714 W 4200 S.
Requesting to be rezoned from R1 – R .75

i. Applicant and/or Staff presentation(s)

Briant Jacobs, our city engineer gave a presentation. Briant explained that the lot located at 5714 W 4200 S was not zoned correctly for the West View Subdivision. The lot is currently from R1 and rezone from R .75. Briant explained to the Commissioners that the property owners had unused land in the back half of their lot, so they wanted to incorporate it with the subdivision.

Commissioner Greener mentioned that last meeting they were contingent on having him rezone that property prior to moving forward.

- ii. Enter a public hearing to receive public input on request

No public comments.

- iii. Close the public hearing and proceed with the regular meeting

COMMISSIONER PRINCE MOTIONED TO RECOMMEND THE APPROVAL REQUEST FOR THE REZONE REQUEST FOR STILL WATER CONSTRUCTION LOCATED AT 5714 W 4200 S. FROM R1 TO R .75. COMMISSIONER GREENER SECONDED THE MOTION. VOTING AS FOLLOWS:

COMMISSIONER:

WIDDISON

GREENER

PRINCE

CEVERING

MOTION PASSED.

VOTE:

AYE

AYE

AYE

AYE

- d. Preliminary Review of the Perez Subdivision located at 5998 S 5100 W

- i. Applicant and/or Staff presentation(s)

Briant Jacobs, city engineer, gave a presentation. Briant explained that Lot 1 is buildable. It is an R1 zone. Also addressed staff review. Briant mentions that there was non-approved fill from trucks brought onto the property.

Efrain Perez located at 3639 W 4000 S, West Haven. Explained that Hogan Construction is building the new Sunset Junior High School and asked them to bring the dirt to the property located on 5100 W. Will then remove it once they take out the old junior to fill in the hole. Commissioner Simpson asked Efrain that Hogan had told him that they talked with the city. Efrain confirmed yes. Briant Jacobs, our city ~~attorney~~ **engineer**, confirmed that we do not have an agreement with the city.

Efrain Perez also mentions that he has been in contact with the Ordinance Officer, the city, and lawyers. Brandon Richards, our city attorney, says that he did receive some calls, but no agreements were signed. Efrain is confused on why he is being questioned about the dirt

on the land instead of just discussing the subdivision. Commissioner Simpson stated that we want the land to also comply before we approve a subdivision. Commissioner Cevering asked if the land can be notated for non-suitable for future development? Briant confirmed that it does have that notated on the plat. Commissioner Greener asked if Efrain is using the dirt for structural fill. Confirmed no. Briant also asked Efrain to bring in a letter stating that he does not want a fence around the property.

Commissioner Cevering asked Efrain how close the dirt is to the slough? Efrain was unsure of the measurement. Commissioner Cevering feels that it is no issue to have dirt piles on the property if they are at least 100 feet away from the slough. Commissioner Cevering mentioned that it is within 100 feet of the slough, would Hogan be able to move it. Efrain confirmed yes. Commissioner Simpson asked if there are any more trucks bringing dirt to the site, Efrain confirmed no.

Brandon Richards, our city attorney, talks about stock piling on a residential zone with a business license is not allowed. Commissioner Prince confirmed with the commissioners that this is a minor subdivision so it will be recommended for final approval to the City Council.

Commissioner Simpson confirmed with Efrain that the dirt will be there until summer of 2025. Efrain confirmed yes, unless otherwise. He will get something figured out to get it moved. Commissioner Greener asked how quickly it could be moved out of the property, Efrain responded, a couple of weeks. Commissioner Prince feels that this needs to be tabled until the dirt is taken care of. Feels that it would be an easier decision if it was a preliminary approval not a final.

ii. Enter a public hearing to receive public input on request

No public comment.

iii. Close the public hearing and proceed with the regular meeting

Commissioner Cevering commented that it doesn't have an issue with the dirt as long as it is 100 ft of the slough. Commissioner Simpson comments that she wants to make sure it is compliant with the residential zoning.

Commissioner Prince recommends to table until next month if Efrain is willing to talk with Hogan to get the dirt moved. Efrain is concerned with waiting for another month to get the dirt moved due to weather conditions.

COMMISSIONER GREENER MOTIONED TO TABLE THE PEREZ SUBDIVISION LOCATED AT 5998 S 5100 W UNTIL DECEMBER 7, 2023 MEETING TO GET THE DIRT MOVED AND IN COMPLIANCE. COMMISSIONER PRINCE SECONDED THE MOTION. VOTING AS FOLLOWS:

<u>COMMISSIONER:</u>	<u>VOTE:</u>
WIDDISON	AYE
GREENER	AYE
PRINCE	AYE
CEVERING	NAY

MOTION PASSED.

- e. Preliminary Review of the Brooks Estates Subdivision located at 5225 S 4600 W

Briant Jacobs, our city engineer gave the announcement that Brooks Estates Subdivision would like to withdrawal due to not being ready for the meeting. Had to finish some final things for the lift station.

- f. Conditional Use Permit Request for Hooper Water Improvement District for a water well located at 4769 W 5100 S

Briant Jacobs, our city engineer gave a presentation. Explained that they have drilled a test well and now back for the conditional use permit to get drinking water available. Briant explained that in our allowed uses in the residential zone. With the property being in an R1 zone, it is acceptable to have the community water system there, but it does require a conditional use permit. Briant also talked over the property and where the well, pump house, and pond will be located. Commissioner Greener asked if the test well has been done at this location before. Briant confirmed yes. Commissioner Simpson asked how tall the tank will be.

Dan White representing the Water District explained that the tank will be less than 20 feet tall. He mentioned that they will burm up around the tank and landscape the area. Commissioner Greener asked how deep into the ground can it be? Dan explained that it will not be any deeper than the existing grade.

Commissioner Prince commented on their paperwork about the information for the filtration system. If they need one, it will be 20 ft, if not, would it make the building size different? Dan confirmed that it will change the size of the ~~tank~~ well pump filter building if they do need the filtration system. Brandon Richards asked if Dan could speak to the audience about the need for the water well. Dan explained that it would service anyone in the district.

Scott Christiansen, Manager of the Water District talks about the need of the water well. He explains the district is growing and they need to supply for now and the future. Commissioner Prince talks about the current three (3) wells that they have now. Scott explained that they are using 2 wells now. One is located at 4000 south and the one behind Kents Market. He explains that they are at their capacity and need to build a new one for the new growth that is happening. Scott explains that the engineer recommended this site for the water well due to the quality of water.

Scott Christiansen and Dan White explained to the audience and planning commissioners the importance of this site. Commissioner Prince asked how much chlorine would be stored at the site. Dan White commented that there would be 1500 gallons stored. Commissioner Prince also asked how many homes would be serviced with the water well. Dan does not have this information but are planning for the future. Commissioner Simpson asked about West Point City water well if it is abandoned? Dan explained the issue on using that well for future development. Not going to be compatible with the growth. Dan explained that the West Point well would be used as a very last resort, still has good drinking water.

Commissioner Prince mentioned that the water board voted 3-2 on this location. Are you guys more unified on this location? Scott Christiansen mentioned that the water board voted unanimously. And will continue with the second well in 5-6 years. Commissioner Cevering asked how far north does Hooper Water service. Scott stated that they service over into West Haven just about to Dallas Greens. Commissioner Prince mentioned that there was concerned about the contamination with the irrigation water. Dan White tells that there has to be 30 ft of clay, and they exceed the 30 ft. Scott also mentions that they test the sources every year and do a quality test once a month.

Commissioner Prince asked what their plans are to make it aesthetically pleasing for those that have to look at it. Dan and Scott state that it is not their intention to be an eye sore. They will follow ordinances to make it look

pleasing. Commissioner Greener asked what the height is for the pump house would be. Dan states that it would be 23 ft.

ii. Enter a public hearing to receive public input on request

Bruce Taylor located at 4745 W 5100 S is not in favor. Feels that it should be located on 5500 W. Stresses his concern for the cracks on the walls of his home from the banging of construction. Asking for Planning Commission to deny.

Tracy Wallis located at 4718 W 5100 S concerned about the lighting and noise. Also talks about the cracks in her walls in her home from the construction.

Karen Peterson located at 4651 W 5100 S is not in favor. Feels that the water department is taking over. Not happy with the size of the Water Well. Not happy with the 8-foot barb wire fence.

Kathy Taylor located at 4745 W 5100 S asked what happens when the water tank floods? The retention pond will attract mosquitoes. Give her recommendation to have it be built on 5500 w.

Lynette Dunkley located 5070 S 4700 W feels that they should build in an open field. Asked for planning commission to vote as if they lived there.

Garff Hubbard located at 5725 W 5156 S asked Dan White, the engineer, a geology question. How do know what the process is to pick this site.

Debra Marigoni located at 5245 S 5100 W states that this is not the right choice to begin with. Do not take away the views for the residents.

Travis Bates located at 5008 W 4950 S Not happy with how the Perez Subdivision was dealt with for having dirt piles on the property that no one can see, but the water department can sneak into a subdivision to build a water well. Feels that the 5500 w site makes more sense to him. Not fair for the 12-15 people to take the burden for the Water well.

Katie Parkinson located at 4839 W 5100 S talks about them coming back in January 2020 everyone stated their opinion. February 2020 was denied. She has been through months of misery for the testing of the site. Mentions that the water department states that it will take 3 years to complete, does not want to have damaged property.

Stacy Judkins located at 5560 S 6300 W stresses her concern for the decrease on the value of her other homes.

Marvin Zaugg, Chairman at the Water Improvement District states that once it is in, there will be no noise. They will make it look nice in landscaping. This is not a breeding place for mosquitoes due to the pond draining and not having standing water.

Kathy Taylor located at 4745 W 5100 S concerned for the “nice landscaping” with the 8-foot barbed wire fence.

Bridger Call located at 6440 W 5500 S has heard that the city can be sued if they don’t accept it. Brandon Richards, our city attorney, states that Hooper is not getting guided by a law suit.

Byran Haley located at 4815 W 5100 S complaints on the wood posts and black tarp for noise control. Talks about getting compensated from the water district for the damage on their homes.

Tracy Wallis located at 4718 W 5100 S also agrees on getting compensated for the damage being done to their homes. Commissioner Simpson states that it is a civil dispute between them and the water district.

Ken Parkinson located 4839 W 5100 S commenting on Zaugg’s comments. Not happy with the building size of the tank and pump house.

Commissioner Greener asked the audience if there were a height you would like to see for the tank? The audience commented no.

iii. Close the public hearing and proceed with the regular meeting

Briant Jacobs, our city engineer, showed the audience the water well behind Kent Market. Commissioner Prince asked what the diameter was for the one behind Kents Market. Dan White commented about 50-55 feet. Commissioner Prince asked if they have looked at property in West Haven and can the well go anywhere without doing a test?

Dan White commented and said they have a process that they follow and get the correct studies of the area to find the best land available. Commissioner Greener asked if there was a difference in the different locations (5500 W and 5100 S) Dan confirmed no.

Commissioner Greener asked why barb wire is necessary for the fence around the property. Dan mentioned that he does not want anyone on the site. Commissioner Simpson asked if they have discarded the idea of the other site located on 5500 W? Dan comments that they have not, however the storm drain would need some modifications.

Commissioner Greener asked how much more drilling and construction will take if approved and what is the time frame? Dan White confirmed that it would take the same amount of construction and will be about 3 years total.

Marvin Zaugg, Chairman at the Water Improvement District stresses his concern that no one has come to a Water Meeting to find out any answers.

**COMMISSIONER GREENER MOTIONED TO DENY THE
CONDITIONAL USE PERMIT FOR HOOPER WATER
IMPROVEMENT DISTRICT FOR A WATER WELL LOCATED AT
4769 W 5100 S. COMMISSIONER WIDDISON SECONDED THE
MOTION. VOTING AS FOLLOWS:**

<u>COMMISSIONER:</u>	<u>VOTE:</u>
WIDDISON	AYE
GREENER	AYE
PRINCE	AYE
CEVERING	AYE
MOTION DENIED.	

5. Citizen Comment

(Resident(s) attending this meeting will be allotted 3 minutes to express a concern about any issue that IS NOT ON THE AGENDA. No action can or will be taken on any issue presented.)

No public comment.

6. Adjournment

**AT APPROXIMATELY 9:25, COMMISSIONER GREENER
MOTIONED TO ADJOURN THE MEETING. COMMISSIONER
PRINCE SECONDED THE MOTION. VOTING AS FOLLOWS:**

COMMISSIONER:

WIDDISON

GREENER

PRINCE

CEVERING

MOTION PASSED.

VOTE:

AYE

AYE

AYE

AYE

Date Approved: _____

Morghan Yeoman, City Recorder