

MINUTES OF A REGULAR MEETING OF THE HYRUM CITY PLANNING COMMISSION HELD June 13, 2024 AT THE HYRUM CITY COUNCIL CHAMBERS, 60 WEST MAIN, HYRUM, UTAH.

**CONVENED:** 6:30 P.M.

**CONDUCTING:** Chairman Brian Carver

**PRESENT:** Chairman Brian Carver, Vice Chairman Angi Bair, Commissioners Stephen Nelson, Paul Willardson, and Alternate Member Averie Wheeler.

**EXCUSED:** Commissioner Blake Foster

**CALL TO ORDER:** There being five present and five representing a quorum, Chairman Brian Carver called the meeting to order.

**OTHERS PRESENT:** Zoning Administrator Matt Holmes and eight citizens. Secretary Shara Toone recorded the minutes.

**PLEDGE OF ALLEGIANCE:** Commissioner Stephen Nelson led the governing body and the citizens in the Pledge of Allegiance.

**INVOCATION:** Chairman Brian Carver

**APPROVAL OF MINUTES:**

The minutes of a regular meeting held on May 9, 2024 were approved as written.

**ACTION**

Vice Chairman Angi Bair made a motion to approve the minutes of May 9, 2024 as written. Commissioner Averie Wheeler seconded the motion and Commissioners Bair, Carver, Nelson, Wheeler, and Willardson voted aye.

**AGENDA APPROVAL:**

A copy of the notice and agenda for this meeting was posted on the Utah Public Notice Website and Hyrum City's website, distributed to each member of the Planning Commission, and posted at the City Offices more than forty-eight hours before meeting time.

**ACTION**

Commissioner Stephen Nelson made a motion to approve the agenda for June 13, 2024 as written. Commissioner Angi

**Bair seconded the motion and Commissioners Bair, Carver, Nelson, Wheeler, and Willardson voted aye.**

6. SCHEDULED DELEGATIONS

- A. Carl Green representing The Church of Jesus Christ of Latter-day Saints - seeking site plan approval to expand the parking lot located at 125 North 400 West.
- B. Jesse Vega representing The Ebenezer Church of God - seeking approval to install a sign along State Route 165. This is located at 340 North 800 East.
- C. Mandy Kapp (Phoenix Academy) - seeking site plan approval to create a micro-education facility at 471 East 600 South. This is located on an existing residential parcel of approximately 0.46 acres.

***SCHEDULED DELEGATIONS:***

**CARL GREEN REPRESENTING THE CHURCH OF JESUS CHRIST OF LATER-DAY SAINTS - SEEKING SITE PLAN APPROVAL TO EXPAND THE PARKING LOT LOCATED AT 125 NORTH 400 WEST.**

Carl Green said he works for McNeil Engineering, and they have been hired to design an addition to the existing parking lot for the Hyrum First and Fifth wards, at 125 North 400 West. The church has a need to provide more parking for the patrons that attend their building, particularly when they have overlapping meetings and stake events. The church has existing recreation property at the rear of the property that is an ideal spot to expand parking. They put together a plan to add approximately 62 parking spots to the facility, and hope this will keep people from parking along 400 West. They will be installing dark sky compliant lighting, so that light doesn't spill onto the neighbors' properties. They plan to have a dry well sump that will collect all their rainwater. Then the rainwater will percolate into the soil. They had a soil test done and had the sump sized accordingly.

Vice Chairman Brian Carver asked if any storm water from the existing parking lot will be redirected to the new sump.

Carl Green said the existing storm water will continue to drain the way it currently drains. He said there were some concerns with snow removal, as part of the review process. They

highlighted zones, on their plans, where they could push the snow that would provide the greatest amount of parking stalls, but also keep it away from the neighbors' properties. They also included a SWPPP to prevent contamination to waters and neighboring properties.

Commissioner Paul Willardson asked if they plan on planting trees.

Carl Green said they will install rock and mulch, with shrubs and trees, and utilize a drip system.

Commissioner Stephen Nelson asked how tall the lights will be. He said he thought the standard was 15 feet.

Carl Green said the tops of the poles are at 16 feet.

Commissioner Stephen Nelson asked Zoning Administrator Matt Holmes if that is a problem. He asked if the standard is currently 15 feet.

Zoning Administrator Matt Holmes said he isn't sure if there is a height maximum.

Carl Green said they would provide a 15-foot pole if that is the standard.

Commissioner Averie Wheeler said the plans seem to be very thorough.

Commissioner Stephen Nelson said he found the definition "Lighting-Exterior" in the code. It states "Residential lighting shall be mounted at a height equal to or less than the sum of  $H = (D/3) + 3$ , where D is the distance in feet to the nearest property boundary, but shall not be higher than fifteen feet (15') from the ground level to the top of the luminaire, whichever is less." He asked if the church is considered residential.

Zoning Administrator Matt Holmes said it's in residential zoning, but the facility is not considered residential.

Carl Green said the purpose of the lights is to provide safety at night.

Commissioner Averie Wheeler added the photometric plan shows that there will be zero added light.

Vice Chairman Angi Bair asked if there will be new access points.

Carl Green said they are not adding any new access points.

Commissioner Stephen Nelson asked if Hyrum City staff have any concerns.

Zoning Administrator Matt Holmes said Hyrum City already went through the review process, and the storm drain came up during that review process. He said the church plans to put another catch basin further away so even if it is buried, water will still be able to get in.

Commissioner Stephen Nelson asked if anyone else was concerned with a 16-foot light pole.

Carl Green said they are willing to change lighting to 15 feet.

Zoning Administrator Matt Holmes said the code says residential lighting should be mounted at a height of 15 feet.

Stephen Nelson said it's not residential, it's a civic use so the code wouldn't apply in this case.

Chairman Brian Carver said the photometric plan shows zero light spillage over the fence line, so it meets the intent.

**ACTION**

**Commissioner Stephen Nelson made a motion to recommend site plan approval to expand the parking lot located at 125 North 400 West, as presented. Commissioner Angi Bair seconded the motion and Commissioners Bair, Carver, Nelson, Wheeler, and Willardson voted aye.**

**JESSE VEGA REPRESENTING THE EBENEZER CHURCH OF GOD - SEEKING APPROVAL TO INSTALL A SIGN ALONG STATE ROUTE 165. THIS IS LOCATED AT 340 NORTH 800 EAST.**

Jesse Vega said the Ebenezer Church of God wants to put up a sign that helps identify the church. They are trying to match the size and location with the Baptist Church's sign. The sign will be on a foundation, stick built, stuccoed, with vinyl lettering. It will not be electrical so no power will be going to it. He added if they do need light, they will

install a solar lamp of some kind.

Commissioner Paul Willardson asked if the sign needs to be lit.

Zoning Administrator Matt Holmes said that it does not have to be lit.

Commissioner Paul Willardson said he likes the idea of the two signs lining up.

Commissioner Stephen Nelson asked if the sign will be right on the hill.

Jesse Vega said it will be right on the knoll. The location should be almost identical to the other sign.

**ACTION**

**Commissioner Angi Bair made a motion to approve to install a sign along State Route 165, as presented. This is located at 340 North 800 East. Commissioner Averie Wheeler seconded the motion and Commissioners Bair, Carver, Nelson, Wheeler, and Willardson voted aye.**

**MANDY KAPP (PHOENIX ACADEMY) - SEEKING SITE PLAN APPROVAL TO CREATE A MICRO-EDUCATIONAL FACILITY AT 471 EAST 600 SOUTH. THIS IS LOCATED ON AN EXISTING RESIDENTIAL PARCEL OF APPROXIMATELY 0.46 ACRES.**

Zoning Administrator Matt Holmes said the code for micro-schools used to require a conditional use permit. Utah SB 13 permits micro-schools to operate in both commercial and residential zones. The only place the city can deny permitted use is somewhere with a conflicting use. The M2 zone is the only conflicting area Hyrum City has.

Mandy Kapp said they are not building anything new. They are planning to use an existing house. There will only be about 10 cars and 30 kids. She said a lot of the students are families, so they will be carpooling. They don't expect there to be a lot of traffic, and most of the activity will be during business hours with exception of a few evening exhibits. She added that they plan to put in a real cool yard, and the house is up to code.

Commissioner Paul Willardson asked if anyone will be living

in the home.

Mandy Kapp said no one will be living in the home. The code says if someone is living in the home, they can only have 16 students.

Chairman Brian Carver said Matt pointed out a few things on the plans. If the gravel parking pad is going to be used for the business, it will need to be paved, and some kind of "No Parking" sign or painting the curb red would be beneficial.

Zoning Administrator Matt Holmes said the intent was to prevent people parking there overnight, resulting in safe drop-off in the morning.

Mandy Kapp asked how she would go about getting the curb painted.

Zoning Administrator Matt Holmes said he could check with the roads department, but his intent was to have a sign that says "No Parking" during certain hours.

Commissioner Paul Willardson asked if school will start at the same time for all the students.

Mandy Kapp said school will start at 9:00 am for all the students.

Commissioner Paul Willardson stated that he is concerned about students who might come early or late. He asked if those students would be dropped off safely.

Mandy Kapp said there will be a person at the load zone, and students will not be allowed to get out of the car until they are to that adult. She said they plan to send all the drop off information to the parents/guardians ahead of time.

Commissioner Averie Wheeler asked if there are long-term solutions for when students age out and new students, from new families come in.

Mandy Kapp responded that they might get up to 15 cars. She said it's never going to be a big school. They are going for a very individualized, small focused, education. She said most of the people who are interested in attending their school are homeschoolers, with a few people coming from public schools. She added the schedule would be Monday-Friday, but

if they get a high school suite next year, the suite would have different hours.

Commissioner Averie Wheeler said the count on the cars seems very conservative.

Mandy Kapp responded there could be more cars, but she knows a lot of students will be walking.

Vice Chairman Angi Bair asked if 30 is their max student capacity.

Mandy Kapp answered 60 is their maximum capacity, but she doesn't think they will reach that.

Vice Chairman Angi Bair said if high school students are added, then there will be more drivers adding more cars.

Mandy Kapp said they would have to add some kind of carpool rule. She said she doesn't see it being a big problem because most students will have younger siblings. She added there won't be parking, and they would let the families know there's no parking on the street.

Commissioner Paul Willardson asked how many teachers there will be.

Mandy Kapp said it depends on the student level. She said the school is going to be broken up into studios. They plan to have three studios, three guides, and potentially an aide.

Commissioner Paul Willardson asked if there will be four cars parked there.

Mandy Kapp responded four cars are possible, but there might be some carpooling.

Vice Chairman Angi Bair said there is a two-car garage.

Mandy Kapp said there is a three-car garage.

Vice Chairman Angi Bair asked if they could add more parking where the gravel lane is in the back.

Commissioner Averie Wheeler said the property is a half-acre. She added if all 60 students are outside, that's not a lot of space for them.

Mandy Kapp said they can stagger the times when the students are outside, so they aren't all outside at the same time.

Commissioner Averie Wheeler asked if there is any offsite parking, nearby, that could be utilized for walking.

Mandy Kapp said there isn't any public parking, that she's aware of.

Commissioner Stephen Nelson asked Zoning Administrator Matt Holmes if the school would be required to have an annual fire inspection.

Zoning Administrator Matt Holmes said some business licenses require annual fire inspections.

Mandy Kapp said they would be happy to have a fire inspection.

Zoning Administrator Matt Holmes said to check with the county since there is a change of occupancy. There might be things that need to be addressed. The county knows what is required for the occupancy.

Chairman Brian Carver said this is no longer a home or private residence, it is a business. Hyrum City is not going to approve or deny their request based on their ADA compliance, but they may want to investigate what is required to comply with title 3.

Commissioner Stephen Nelson said the only condition the Planning Commission has is the gravel parking needs to be paved, if they are going to park there.

**ACTION**

**Commissioner Stephen Nelson made a motion to recommend site plan approval to create a micro-educational facility at 471 East 600 South, with the condition that if the gravel on the side of house is to be used for parking, it needs to be paved. Commissioner Averie Wheeler seconded the motion and Commissioners Bair, Carver, Nelson, Wheeler, and Willardson voted aye.**

**ADJOURNMENT:**



**ACTION**

**There being no further business before the Planning Commission, the meeting adjourned at 7:10 p.m.**

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Brian Carver  
Chairman

ATTEST:

\_\_\_\_\_  
Shara Toone  
Secretary

Approved: \_\_\_\_\_  
As Written