

1
2
3
4
5



6

MINUTES

7

Oakley City Planning Commission

8

Regular Meeting

9

October 2, 2024 6:00 p.m.

10

Zoom Meeting Platform was available

11

12

AGENDA

13

1. Open Meeting.

14

2. Public Comment:

15

*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

16

stephanie@oakleycity.com

17

18

3. Possible Action: Approval of meeting minutes from 9.4.2024

19

4. Conceptual Design Discussion. Presentation of proposal for a group home type facility for autistic young adults. Proposed location is OT-400-219 (approximately 1400 W. SR 32). Discussion amongst Planning Commission.

20

21

22

5. Public Hearing and Possible Action: Preliminary Plat for Oakley 1886 Subdivision. The applicant wishes to create the Oakley 1886 Subdivision on cumulative 62.47 acres. Subdivision consists of 13 lots. 10 lots from the parcel zoning (8 lots in A5 and 2 lots of record in A40), 2 lots from Quest Trail Agreement (Entry No. 01202284) and 1 lot (Lot 13 – keeping existing home as an affordable housing unit).

23

24

25

26

27

6. Planner Items:

28

7. Adjourn

29

30

31

MINUTES

32

1. Call to order and roll call:

33

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

34

35

b) City Staff: Stephanie Woolstenhulme, City Planner; Tristin Leavitt, City Treasurer

36

37 c) Other: David Kitchen, Jan Perkins, Wes Frazier, Sheri Frazier, Joyce Clark, Ladene
38 Atkinson, Kris Kellogg, Alan Richards, Kelly Jacobs, Craig Jacobs, Teana Lazenby, Tom
39 Lazenby, Roger Gellersen, Olaya Gellersen, Josh Call, Cathy Gettman, Dave Diehl,
40 Todd Crowther, Melissa McArthur, Ryan McArthur, Angie Thomas
41 Zoom: Sheri, Amy, Fox 13, Cynthia Crofts, Kresta Richardson, Colton Farnsworth,
42 Annie Crowther
43
44

- 45 2. **Public Comment:** Public comment is for any matter not on the agenda and not the subject
46 of a pending land use application.
47

48 **Cliff Goldthorpe** shares the following:
49

50 “Oakley City shares in the heartache of our community regarding the possible change in
51 business operations and the impact on the residents, families, and employees of Elk
52 Meadows. The sale of the Elk Meadows property is a private transaction and as such current
53 ownership has the right to sell the property without input from the City. Under current
54 zoning, the proposed business is allowable with a conditional use permit. The current
55 business, Elk Meadows operates under such permit. State law dictates that this permit does
56 not expire or cease validity with the sale of the property. Under the advisement of City Legal
57 Counsel, the application is being processed as a minor amendment to the existing
58 conditional use permit. This is an administrative action where only reasonable conditions
59 can be imposed. The City is working diligently to adhere to municipal, state, and federal
60 regulations regarding this application. We are mindful of the vested public interest and
61 thank you for sharing your thoughtful concerns.
62

63 **Joyce Clark (Weber Canyon)** – She intends on opening her home for drug rehabilitation. She
64 has a body broker lined up to find people who are addicted to drugs. Once it starts and
65 everyone sees the beauty of Weber Canyon, it will become another rehab riviera. She
66 moved here to escape this kind of environment. It can be called Rocky Mountain Rehab and
67 join the other 10 states that have more beds than they need for rehabilitation.
68

69 **David Kitchen (Oakley)** – His attorney sent a letter to the city explaining the City Code that
70 they feel is not being followed. In the permit request to amend the current business license,
71 they are requesting it to go from a 42 bed to 56 bed. Perfect example of a density increase.
72 There will be a pre-school next door within 100 feet. Per State Law in the Drug Free Zone
73 Act, a drug rehabilitation center cannot be within 100 feet of a city park, church, or school.
74 By voting on this and allowing it to be a minor ammendment we are potentially losing a
75 school across the street. He would like to see the city take on additional counsel to
76 understand the laws more properly. It is crucial as citizens and elected officials to follow our
77 laws. Would like to know if his K9 business moved in there, would the city require a minor
78 amendment, major amendment, or a new permit. In City Code, Elk Meadows is currently
79 registered as a residential care facility. The new drug rehabilitation center should be
80 classified as a residential treatment facility. Feels it is a major amendment or a brand new
81 application for permitting. None of us have the right to get invloved in a private sale. What
82 they want is for the city to follow their laws so they can receive the proper representation.
83 Three years ago the sheriffs department was called because he was receiving death threats

84 and it took them over 30 minutes to arrive. Seek new legal counsel. Asking Planning
85 Commission to reconsider.

86
87 **Kris Kellogg** (Weber Canyon) – Been here for about 30 years. Not against the drug rehab
88 facility, but why at the expense of the old folks home. Why is the city so willing to do this so
89 close to our park and school district property. Brought to her attention yesterday that the
90 city will be getting 1% from each individual who enters the rehab facility. Tax write off the
91 city will get and other government funding that will come to the city. Does not understand
92 why, as voted officials, they are not doing more to protect the community. Feels it is
93 convenient that the Mayor is not here again and his parents lived and died in Elk Meadows.
94 Would he push this through if his parents were still in there? They will fight this. It will be a
95 very long process if the city doesn't do the right thing by their community that voted them
96 in. She made a call into the Wasatch County Sheriff's Department. The Sheriff gauranteed
97 her that drugs would be brought into the community. A petition was started and they have
98 hundreds of signatures on it and once this gets approved they will appeal it. The parcel of
99 land that sits west of Elk Meadows is also part of this deal. The seller told them that Chateau
100 Recovery plans to use that as parking. The amount of people coming into the facility again
101 42 to 56. County law states that you can't have a certain amount of people per square foot.
102 She wants to give the city enough reasons to legally not do this permit.

103
104 **Ladene Atkinson** resident at Elk Meadows – Been there for 3 ½ and it is her home. She has
105 been in Francis for 70 years. She is broken-hearted that she may have to pick-up and leave.
106 Hoping and praying that the city will think about this and how sad they are.

107
108 **Catherine Gettman** niece of Hazel Fellar – Her aunt is in Elk Meadows. If she would have to
109 be moved, it would be 100 miles round trip for her to go visit. Her aunt is a fall risk and was
110 told by doctors that she needed to be in assisted living. Her aunt is happy where she is at
111 and doesn't understand what is happening. If something that happened on the east coast
112 happened here(hurricane in North Caroline,) she wouldn't have time to get to her. Her aunt
113 loves the food at Elk Meadows, her friend Ludene, and her little chair.

114
115 **Roger Gellersen** (Kamas) – mother and father came to this country because they loved the
116 opportunity that this country was going to provide. Father passed away and mother raised
117 him. He is a first responder for 35 years in this county. He understands drug addiction. He
118 has lost fellow co-workers to drugs, alcohol, suicide. Mother has been a resident at Elk
119 Meadows for 7 years. They all ask that the decision is made for the right reasons. Dollars
120 and cents at some point mean nothing. The community needs to come together and
121 support each other. If she survives the move, she will be 45 minutes to an hour away.

122
123 **Jan Perkins** (Oakley) – Been in Oakley for 21 years. Wondering if Oakley City will take the
124 time to check-in to Planning Commission records around 2003-2004. Before Elk Meadows
125 was built, it was proposed to be a rehab center and it was turned down. Feels it would be
126 very prudent to look into that history and find out why it was turned down. If it is re-
127 established as a rehab center, she feels the city will be moving backwards. Recently lost her
128 mother and feels it would be exceptionally cruel and inhumane to move senior citizens out
129 of their homes. They have done it once moving to Elk Meadows.

130

131 **Sheri Frazier Marion** – Shares that she has a lot of family in Oakley. Also shares that
132 everyone has been voted in and represents the community, valley, and city. Wants to know
133 why rehab would be allowed to kick out the vulnerable elderly people living at Elk Meadows.
134 Feels there are two State of Utah codes that are being broken. South Summit School District
135 should be representing themselves. Wants us to consider ourselves and our family. She
136 stands representing the residents of Elk Meadows. She was told a year ago that there is not
137 enough police force in Summit County. One officer on duty every 24 hours. Feels we are
138 already lacking in resources. Wants the city to follow their own mission, values, and vision.
139 July 4th weekend that is advertised as the greatest and the city is well known for, won't fit
140 well with a rehab center across the street.

141
142 **Melissa McArthur Kamas** – Father lives at Elk Meadows. He is a veteran of foreign war. He
143 served in Korea. Heard a lot how the new rehab is for veterans, but there are a lot of
144 veterans at Elk Meadows. She is hearing that the city can stop it and also that the city can't
145 stop it. She is confused. How can she not take it personal? Heard at first that there isn't
146 money involved and now hearing that money is involved. Only wants to know the truth. She
147 just wants to be able to understand and if the city can help, please do, and if not, just be
148 honest and do what is right.

149
150 **Cynthia Crofts (zoom)** – Volunteers at Elk Meadows. She asks that everyone take a day and
151 go volunteer and see how much of a family they are at Elk Meadows. Feels it is a tragedy to
152 treat elderly with any less respect than they deserve and she thinks that's what is
153 happening.

154
155 **3. Possible Action: Approval of meeting minutes from 9.4.2024**

156
157 **Richard Bliss** makes a motion to approve the minutes from 9.4.2024.

158 **Kent Woolstenhulme** seconds the motion.

159 All in favor.

160
161 **4. Conceptual Design Discussion.** Presentation of proposal for a group home type facility for
162 autistic young adults. Proposed location is OT-400-219 (approximately 1400 W. SR 32).
163 Discussion amongst Planning Commission.

164
165 **Pete Gillwald** a landscape architect with Land Solutions presents the following concept for
166 the 40-acre parcel that is directly west of the LDS Stake House:

- 167
- 168 • Looking to create a campus for folks with autism.
 - 169 • The owner has an autistic child and looking to set up a home for a number of
170 autistic children.
 - 171 • Under current zoning of the property, it would be a Conditional Use Permit
172 dependent upon the business structure of the project.
 - 173 • Group home for the autistic children, barn for recreation and meeting space,
174 smaller homes would be for employees or older autistic patients who are ready
175 to move out of the main house and live independently.
 - 176 • Holding a 200 foot setback from the highway as an open space buffer.

- 177
- 178
- 179
- 180
- 181
- 182
- Approximately 4 acres of the site would be used for the campus itself, leaving around 36 acres of open space that would continue to be hayed by the neighbor that currently hays it now.
 - Possible trail connections
 - Looking at geo thermal and solar as to lessen impact on utilities

183 **William Winstead** who is the broker with Christie's International Real Estate presents the following business structure:

184

185

- 186
- 187
- 188
- 189
- 190
- 191
- 192
- 193
- 194
- 195
- 196
- 197
- 198
- It will be an LLC
 - The people involved in this have schools for autistic children with over 250 students.
 - Non-profit
 - Each family invests in the LLC
 - Monthly fees to cover expenses
 - Administrators
 - Set up similar to a school campus
 - Kids can go work out in the community – not a detriment to society.
 - Services take them to and from their job
 - This parcel has the opportunity to have 8 home sites – this proposal will minimize the impact to this particular piece of property.

199 **Doug Evans** asks how long people will stay at the facility? **William Winstead** answers that the kids will come and live in the main home and then as they get older they may move out to one of the smaller homes. When one child leaves another child comes in. They could be in there until they pass away. This type of place will allow these kids to have structure.

200

201

202

203

204 **Chairman Cliff Goldthorpe** asks if there is potential for growth past what is being presented. **William Winstead** answers that if there is, they would have to come back and ask for that. They are not looking at doing the entire 40 acres in housing.

205

206

207

208 **Chairman Cliff Goldthorpe** mentions that if this were to grow, there would have to be a plan in place before it even started. **Planner Stephanie Woolstenhulme** shares that it is allowable on this property and at bare minimum it would have a Conditional Use Permit which could have conditions placed on it pertaining to potential future growth.

209

210

211

212

213 Planning Commission likes the concept and would like to see more material and educational information on this proposed project.

214

215

- 216 5. **Public Hearing and Possible Action: Preliminary Plat for Oakley 1886 Subdivision.** The applicant wishes to create the Oakley 1886 Subdivision on cumulative 62.47 acres. Subdivision consists of 13 lots. 10 lots from the parcel zoning (8 lots in A5 and 2 lots of record in A40), 2 lots from Quest Trail Agreement (Entry No. 01202284) and 1 lot (Lot 13 – keeping existing home as an affordable housing unit).
- 217
- 218
- 219
- 220
- 221

222 **Planner Stephanie Woolstenhulme** shares that the Planning Commission initially saw this
223 conceptual design back in August. Things have been fine-tuned since then and now they are
224 back before them for this Public Hearing.

225
226 The following is reviewed from the Staff Report:

- 227
- 228 • Proposal
- 229 • Findings of Fact
- 230 • Conclusions of Law
- 231 • City Engineer Comments
- 232 • City Public Works Comments
- 233 • Items of Consideration/Discussion
- 234

235 Some general discussion amongst Planning Commission regarding the affordable housing
236 aspect as well as the access to the affordable housing unit.

237
238 **Josh Call** with Rimrock Engineering & Development presents the following subdivision
239 proposal to Planning Commission:

- 240
- 241 • Lot 13 does have historic access – Currently has access through shared road right
242 now, but does not want them to have any obligations to maintain the roadway for
243 the rest of the subdivision.
- 244 • Cul-de-sac has been moved forward – better for public safety and keeps it further
245 away from the river corridor.
- 246 • Shows an 8” water line – on board with bringing the water line down any property
247 line that makes sense and stubbing it.
- 248 • Shared driveway that will access the two larger lots – approved by fire marshal
- 249 • Hydrant will be at the end of the shared driveway
- 250 • Limits of disturbance for the two buildings by the river will be on the final plat
251 pending the wetland investigation and will be congruent with the hydrant access.
- 252 • All will be on septic and natural gas
- 253 • Currently this subdivision will be gated, but will be compliant with all applicable fire
254 codes – siren activated gate.
- 255 • 4” pressure irrigation line that is metered at each connection
- 256 • 26’ wide roadway
- 257 • Intent is to save the trees – dig them up, wrap them, and replant them as soon as
258 possible.
- 259 • One subdivision, two applicants – as per their attorney, it can be done that way
260 without forming an LLC.
- 261 • Lower lots – working with BioWest who are doing the delineation report.
- 262 • Connection to trails is undecided right now.
- 263 • Water line will be located in an access easement.
- 264 • Plat shows 50’ shared driveway, ingress/egress, & 10’ Public Utility Easements
265 around each property.
- 266 • Secondary pressurized system running down the Public Utility Easement.
- 267 • Subdividers are the builders
- 268 • Renderings will be shown to the Planning Commission

- 269
- Current plat has a 1.5 acre limit of disturbance inside each of the lots
- 270

271 **Planner Stephanie Woolstenhulme** shares that the affordable housing obligation home has
272 it's own things that will need to be included in a Development Agreement. If the water line
273 is able to be looped, that would be ideal for anyone on that line or anyone who would hook
274 on to it in the future which is part of the negotiation process. The secondary access onto
275 Cottonwood will be part of it as well.

276
277 **Doug Evans** asks if they need a secondary access. He doesn't like the access road between
278 lots 5 & 6. It cuts along the bank and would be expensive. The water line would be more
279 usable if put on the south side of lot 4. **Josh Call** answers that the fire marshal would
280 approve it without a secondary access because of the potential future for the stub and the
281 100 foot turnaround on the cul-de-sac. They would also be happy to put the water line
282 between lots 4 & 5.

283
284 **Chairman Cliff Goldthorpe** opens up the Public Hearing for comment.

285
286 **Jan Perkins** 1190 W Steven's Lane – As a member of the public would like more context as
287 to where future developments are being proposed. Last she heard Oakley City wanted the
288 density kept to the city core. This development is not sustainable in our future. She
289 encourages the owners/developers to look into cluster developments. Feels it is a super
290 sterile design. Hopes they will be required to have ADU's for each parcel due to the
291 affordable housing shortage. Concerned about the amount of traffic generated from 13
292 parcels when Weber Canyon Road is already treated like a freeway from most drivers. Does
293 this really benefit or enhance our community or just the developer? If this has an historic
294 name, then they should have an historic design to the homes.

295
296 **Todd Crowther** 5400 N New Lane – Likes to see the limited disturbances, hopes that the
297 Planning Commission values the Dark Sky Compliance and has teeth in that. The lighting
298 concerns him the most and keeping the open space. Trusts that Wes Harwood will build a
299 good product.

300
301 **Chairman Cliff Goldthorpe** closes the Public Hearing.

302
303 **Doug Evans** shares the following:

- 304
- City Water Rules and Regulations on the plat including the water wise and landscaping standards.
 - Transferring water rights to the city
 - Letter from the Fire District approving the circle, the access, the driveway to lots 6 & 7.
 - The current fences on the Bureau of Reclamation piece are not in the right place.
 - Fencing that meets agricultural standards. No privacy or vinyl fences.
 - Show on the plat the fence line and the existing gate at the bottom of lot 7 that leads to the public trail easement parcel. Label it on the plat as for public trail access.
 - Public Utility Easements on the properties
- 315

- 316 • Show the South Bench Ditch pipeline easement on the plat
- 317 • Provide a wetland delineation report by a company that is approved by the Army
- 318 Corps.
- 319 • Show sensitive lands area boundary on the lower lots – Development on lots 6 & 7,
- 320 the limits of disturbance need to be as far north as possible to be away from the
- 321 sensitive lands.
- 322 • May need an advanced septic system on lots 6 & 7.
- 323 • Storm drainage needs to go into infiltration along the road and in the ground.
- 324 • Private trail easement will need to be on the plat
- 325 • Trees on the road are sacred
- 326 • Work with Wally Larsen on the irrigation
- 327 • Pump house for the irrigation system – pump can get very loud, might want to
- 328 enclose in a shed.
- 329 • Dark Sky Ordinance – All lighting has to be pointing to the ground. Get the calvin
- 330 down to as close to 2,000 degrees as they can get.
- 331 • The city is very favorable to accessory dwelling units.
- 332 • Nightly Rentals – Development team to stay in communication with the city since
- 333 this is a current topic of discussion.
- 334 • Radon mitigation if any of these homes have basements.
- 335

336 **Richard Bliss** makes a motion to continue this item so that we can get the rest of the
 337 information on this subdivision and the intention of the building envelopes and locations as
 338 well as their progress with their CCR's and whatever else they need to function to meet the
 339 requirements.

340 **Kent Woolstenhulme** seconds the motion.

341 **All in favor**

342
 343 **6. Planner Items:**

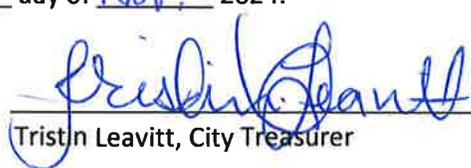
344
 345 None.

346
 347 **7. Adjourn**

348
 349 **Chairman Cliff Goldthorpe** makes a motion to adjourn.

350
 351 Minutes accepted as to form this 6th day of Nov. 2024.

352
 353
 354
 355 
 Cliff Goldthorpe, Chairman

356
 357 
 Tristin Leavitt, City Treasurer