

**SUNSET CITY CORPORATION
PLANNING COMMISSION MINUTES
July 28, 2011
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Minutes of a regular Planning Commission meeting held **July 28, 2011** at Sunset City Hall, 200 West 1300 North, Sunset, Utah; Chair Hale presiding:

Planning Commission Members Present:

Tena Hale	Chair
Jason Gabbert	Commissioner
David Hackett	Commissioner
Brian Parker	Commissioner
Brad Weller	Commissioner
Scott Stevenson	Alternate Commissioner

Excused:

Jonathan Ellsworth	Alternate Commissioner
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Employees and Officials Present:

Ray Chapman	Council Member
Neil Coker	Fire Chief
Linda Youngdell	Treasurer/Office Manager

Others Present:

Lovica (Kandy) Downs	EpicWave
Mike Downs	EpicWave
Josh Christensen	

Chair Hale opened the meeting at 6:30 p.m., welcoming everyone in attendance.

1. Proposal to expand a dwelling in a C-2 zone at 1648 North 75 West:

Josh Christensen was not present so Chair Hale moved on to the next item on the agenda stating that they will go back to this agenda item when Mr. Christensen arrives.

2. Request for a conditional use business license for EpicWave, a teen club/center to be located at 309 West 1300 North:

Chair Hale asked Kandy Downs to step up to the podium; she then turned the time over to the Commissioners to ask the questions they have about this conditional use business license. Commissioner Parker asked if there would be any regular activities held or if it is just a come and hang out place. Ms. Downs stated that currently there is no social hall for teens from the age of twelve to eighteen years old. There will be a night club at night, battle of the bands, video competitions and endless other events. They will start off with a Disc Jockey and dancing. The teens will be the ones who build the club, because her meaning of fun may not be the same as the teens. She has two teenage children that will be helping her with this. Commissioner Parker asked about the fee to enter the establishment. The fee will be \$6.00 admission and \$10.00 VIP charge that will include pre packaged food concessions. Thursday night will be dedicated to the Junior High age teens, Friday night will be dedicated to the Senior High age teens and Saturday will be a split night. The two groups will not be

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intermingled. The times will be open from 6:30 to 10:00. They would like to be open later during the summer months and earlier during the winter months. Commissioner Gabbert asked for clarification on the concessions. It will be all prepackaged food and drinks and possibly frozen pizza's that youth will prepare their self; there will be no handling of food by the employees. Commissioner Weller asked Ms. Downs if she has ever been involved in something like this before. Ms. Downs has worked for 20 years for non profit organizations; she has been involved in a lot of youth activities. She is a nurse and she loves helping others. She has been looking for something that the family can be involved in. Commissioner Weller would like her get to a food handler's permit. She has contacted the Health Department and she doesn't need a food handlers permit unless they are doing food preparation. Any events that have food, she will have the event catered or the person having the event can bring their own food in. The facility is not adequate for food preparation. Commissioner Weller asked if they will have wrist bands to control the entry into the event. They will go with stamping the hands instead because some people can not wear latex. Chief Coker was asked what the occupancy rate is for that building. Chief Coker stated that the square footage of that unit is 5,000 so the occupancy limit would be 700, he has spoken to Ms. Downs and has explained the Fire Codes to her and what would be required from her. Ms. Downs informed the Commissioners that due to the age of the building, she is trying to work with the owners of the building who don't want to put a lot of money into the building than is necessary. They would be willing to go to a 300 limit, with the exception of opening night, so the unit did not have to have a sprinkling system. If Chaparros has a system that they can tie into, the cost is lower and they are willing to split the cost with the owners of the building. Occupancy will be checked at the door. Commissioner Weller asked if she would be willing to not allow smoking within 50 feet of the door. Ms. Down agreed. Chaperones were discussed. They will use adults and Syracuse High football team to work as a peer to peer relationship. Ms. Downs will be working with the Building Inspector with the two bathrooms in the unit and having to monitor the occupancy due to that. They may need to update the facility as needed. The noise issue was addressed and Commissioner Weller informed Ms. Downs that he lives 9 houses from the building and if he hears it at 11:30 at night he will come down to the establishment. Ms. Downs said they have tested it and they will be putting up sound bars. The law requires 30 feet and they will fall well within those limits. She is aware there will be people that will complain, but that will be dealt with at that time. Commissioner Weller asked how they would control loitering and the alcohol that is brought to the parking lot. This is a youth event venue only. She will not rent to adults who could possibly bring in alcohol. Ms. Downs has spoken to Chief Eborn and they are going to work together and get the police cars in the parking lot so that the police presence is seen. The youth will have fun, but there will be rules. Power was also discussed and it is up to code. They will be looking at eventually rewiring some of it. Chief Coker again stated that he has explained the fire codes to Ms. Downs and she agrees with all of the requirements. Commissioner Hackett again discussed the options of the sprinkling system. Commissioner Hackett stated that it sounds like Ms. Downs has done a lot of work in preparation to open this business. She will also be approaching the Lakeside church about expanding it into their unit too. Commissioner Hackett asked about security. Each staff member will have a security shirt and a walkie talkie to communicate. This establishment will be a no tolerance establishment.

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Commissioner Hackett's next question was the cooling system in this unit. It has two full AC units with 8 ceiling fans. Alternate Commissioner Stevenson asked if there was a water fountain and about the ingress/egress of the establishment. Ms. Downs stated that there is a water fountain and Chief Coker responded that the ingress/egress is satisfactory. Ms. Downs will be installing a 3rd door on the front of the building even though it is not required. They will also be installing a wireless security camera. The Police Department will help educate her on what can be recorded and what can not be recorded. There will be a no bag policy so that aerosol cans and such can not be taken into the establishment. Chair Hale has concerns about the parking lot security. Ms. Downs stated that the biggest concern with the Police Chief is making the signs and security visible. The biggest thing she is working with is making it safe without spending a lot of money for security officers. She feels if she shows the presence of signage and police office it should help. The parking lot is public and shared with the other businesses in the complex. Chair Hale asked if the youth will be able to come and go. Ms. Downs stated yes they would be allowed to come and go as they choose, unless it is an all night event, then they would not be allowed to reenter if they have left. Student ID will be used to verify ages. Chair Hale agrees that Ms. Downs has done her homework before pursuing this conditional request. Commissioner Weller asked Treasurer/Office Manager Youngdell what the curfew for Sunset City is. Treasurer/Office Manager Youngdell stated that she did not enforce the curfew therefore did not know that answer right off. Commissioner Stevenson looked the ordinance up on his computer and said it is midnight. Commissioner Weller asked if they would eventually provide wireless internet for their patrons. Ms. Downs replied no, that is not an area that she wants to go right now.

Commissioner Weller made a motion to recommend to the City Council, the Conditional Use Business License for Epic Wave Teen Club/Center at 309 West 1300 North with the following conditions 1) Meet both the Fire and Building Codes, 2) No smoking of anyone within 50' from the entrance, 3) Provide adequate adult supervision and 4) establish and display set times. Commissioner Gabbert seconded the motion. The motion passed unanimously.

This will go before the City Council on August 2, 2011.

Chair Hale went back to agenda item #1.

1. Request Conditional Use at 1648 North 75 West to build a hair salon with a single family dwelling to be used by an owner or employee of said business:

Chair Hale asked Josh Christensen to approach the podium. Mr. Christensen would like to build a hair salon with a single family dwelling to be used by the owner or employee of said business. She turned the time over to the Commissioners to ask any questions that they had. Alternate Commissioner Stevenson asked why there was not a permit pulled. Mr. Christensen replied by saying that he does most of the work himself, but he hired a subcontractor to do the cement work. The morning after it was poured, Mr. Christensen was at the property and since the work was completed, he thought that they had received the green light from the City but instead the job had already been red tagged. He then

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congratulated the City for being right on top of it. Alternate Commissioner asked how deep the footing was because he had pictures and it didn't look very deep. Mr. Christensen replied it was 18" of which 12" are underground. Mr. Christensen stated that it is a simple addition to the existing structure. The addition will be used for a salon for his girlfriend to work out of. Alternate Commissioner Stevenson stated that after looking at the design, he has no concerns about them. His concerns are if this conditional permit is issued, it can no longer be a residence, the property is in a C-2 zone and no residential buildings can be added to, as long as a business is located on the property the owner or employee has to live at the residence and it also appears that the garage is built over an easement. Council Member Chapman clarified that if the business closes for any reason, the property can no longer be occupied as a residence. Commissioner Hackett is not concerned about the hair salon, he is concerned that it is being built over a sewer and the problems that this causes for the City if there is a problem with that line. Commissioner Hackett does not feel that the subcontractor knew what he was doing, or this would have been done correctly. Chair Hale read the Building Inspectors concerns: 1) Blue stakes was never called or the lines, 2) no building permit was taken out, 3) a structure needs to be 5' back from the sewer line to allow for the use of a back hoe in case of a problem, 4) all work needs to be done by a licensed contractor, due to the commercial status and 5) footings are incorrect, so they need to be redone or engineered. Mr. Christensen gave a history of the background of the property and stated that it was owned by the City and the City failed to make it known that it was a City property. He is going to take back his request and ask that the city purchase the property back. Commissioner Weller would like to give Mr. Christensen the opportunity to rework the design and come before them at a later date. Alternate Commissioner Stevenson suggested that during his reworking of the request that he work with Director Hennessee.

Commissioner Weller made a motion to table this request which will allow Mr. Christensen to rework his design and come before them again at the next regular Planning Commission Meeting. Commissioner Parker seconded the motion. The motion passed unanimously.

3. General Information

Commissioner Parker asked Treasurer/Office Manager to check to see what the maximum occupancy limit is in a single-family dwelling because he is concerned about a property in his area of town.

Alternate Commissioner Stevenson reminded everyone that there is an 1800 North Open House on August 4th and encouraged everyone to attend and let their neighbors know about it.

Commissioner Weller scolded those Commissioners who couldn't attend the BBQ that he was attempting to plan. He would like to try to reschedule it for Friday, August 26, 2011 at 6:30 pm. He asked that they review their by-laws. He then asked Treasurer/Office Youngdell if there was any training that was coming up. Treasurer/Office Manager Youngdell responded that the last training was held in West Point and she was the only one who attended. They send the training schedule to her by email and she will let them know

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when the next one is scheduled. He then reminded everyone to RSVP if they would be in attendance at meetings. This way they will know if they have a quorum.

Commissioner Gabbert made a motion to adjourn. Commissioner Parker seconded the motion. The motion passed unanimously.

The meeting adjourned at 8:10 p.m.

These minutes have been read and approved at the Planning Commission meeting held November 17, 2011.

Jason Gabbert, Chair

Linda J. Youngdell, Treasurer/Office Mgr.