
MINUTES
BOX ELDER COUNTY PLANNING COMMISSION
JULY 19, 2001

The Board of Planning Commissioners of Box Elder County, Utah met in a Public Meeting at their regularly scheduled meeting, at the County Courthouse, 01 South Main Street in Brigham City, Utah at 7:00 p.m. on **JULY 19, 2001**.

The following members were present constituting a quorum:

Richard Kimber	Chairman
Royal Norman	Member
Deanne Halling	Member
Jon Thompson	Member
David Tea	Member
Stan Reese	Member
Theron Eberhard	Excused

The following Staff was present:

Garth Day	County Planner
Elizabeth Ryan-Jeppsen	Department Secretary

The **regular session** was called to order by **Chairman Kimber** at 7:02 p.m.

APPROVAL OF MINUTES

The Minutes of the regular meeting held on June 21, 2001 were reviewed by the members present and a few word/spelling corrections were noted. A Motion was then made by **Commissioner Tea** and seconded by **Commissioner Halling** to approve the Minutes with corrections and submit to the Chairman for signature.

At this time the floor was turned over to **Commissioner Deanne Halling** at which time she made an announcement of her forthcoming marriage to Craig Williams of Bear River City.

SUBDIVISIONS FOR APPROVAL

Mr. Day addressed the **Commissioners** regarding the Consent Agenda items on this month's docket. At the meeting in June, Mr. Day suggested that routine items/subdivisions would be placed on this Consent Agenda in order to expedite the meeting.

THE WELCH'S VINEYARD ONE LOT SUBDIVISION, LOCATED AT OR ABOUT 4021 NORTH HWY 13, NORTH OF CORINNE CITY.

This one lot subdivision consists of one acre and is currently un-zoned. Proof of all utilities has been established with water service provided by the West Corinne Water. Although called the Welch's Vineyard, the petition was submitted by Mr. Bardell Mangum.

MOTION: A motion was made by **Commissioner Norman** that the Welch's Vineyard one-lot subdivision be granted **preliminary and final approval** and authorize the Chairman to sign. The motion was seconded by **Commissioner Reese** and passed unanimously.

THE RICHARD HANSEN ONE LOT SUBDIVISION, LOCATED AT OR ABOUT 5370 WEST 6400 NORTH, NORTHWEST OF BEAR RIVER CITY.

This one lot subdivision consists of one-half acre and is currently un-zoned. Proof of some of the utilities has been established with water service provided by the West Corinne Water. Before final approval is granted, the petitioner will need to provide documentation verifying gas and sewer service to the lot.

MOTION: A motion was made by **Commissioner Norman** that the Richard Hansen one-lot subdivision be granted **preliminary and final approval** (once all utilities are secured) and authorize the Chairman to sign. The motion was seconded by **Commissioner Reese** and passed unanimously.

THE SMITH NUMBER ONE SUBDIVISION, LOCATED AT OR ABOUT 8014 NORTH 12400 WEST IN THE PENROSE AREA.

This one lot subdivision consists of 6.6 acres and is currently un-zoned. The petitioner has an established home on the property. As there is still some documentation, i.e., propane service, etc. missing from the petitioner's file, only preliminary approval for this subdivision is being sought at

this meeting.

MOTION: A motion was made by **Commissioner Norman** that the Smith Number One subdivision be granted **preliminary approval** and authorize the Chairman to sign. The motion was seconded by **Commissioner Reese** and passed unanimously.

SITE PLAN REVIEW

THE ASIAN-AMERICAN MEDITATION CENTER, LOCATED EAST OF PARK VALLEY.

Mr. Day stated that Mr. Malcolm Duvall has petitioned the County for a proposed Site Plan in order to establish an Asian-American Meditation Center to be located in the Park Valley area (southwest of Curlew Junction). Mr. Duvall is in possession of a ten-foot/half ton Buddha statue that was donated by Thailand and is currently being housed in an inadequate/temporary building at the site. People are welcome to visit the area and pay their respect, but the current building is only a temporary structure. The plan is to improve the existing site through three phases. **Phase #one** is for an appropriate sanctuary building to house the statue and allow persons to visit and meditate. **Phase #two** would be an area for visitors to congregate in a dining hall. **Phase #three** would consist of living quarters for monks that may eventually live at the site.

Mr. Day was concerned that the proposed site plan was not in accordance with the existing Subdivision Ordinances and Zoning Requirements outlined in Chapter 22 of the LUC. Following is a list of information that Mr. Day felt should be submitted with the site plan.

- All facilities related to the project that are within 250 feet of the site boundary
- The boundary lines of the project site with bearings and distances with a tie to a section monument
- Location, dimensions, and labeling of other features such as signage, fences, etc.;
- A tabulation table, showing total gross acreage, square footage of street rights of way, square footage of building footprint, square footage of total building floor area, square footage of landscaping, and number of parking spaces.
- A Grading and Drainage plan as required and associated engineering
- A Utility plan as required and associated engineering
- A Landscaping plan as required and associated engineering

Mr. Day further noted that the site plan should show access from the State Highway and documentation from UDOT authorizing said access. The Bear River Health Department has not supplied verification regarding the existing culinary water system and septic tank currently at the site. Also, the required utilities have not been established (power, telephone, gas, etc.).

Mr. Duvall currently lives at the site in a mobile home with a septic tank and existing well for water. Because of the remoteness of the area, he stated that wind and solar energy, along with the use of cellular phones, are the types of utilities being used. Mr. Wayne J. Bingham, the architect for the proposed structures was also present at the meeting and addressed the Commission members regarding the time-line of the development. Much of the development depends on the funding that is received through donations and Mr. Bingham will not be receiving a fee for his services in regards to this project. Mr. Bingham also submitted a letter addressing many of the issues that were of a concern to Mr. Day. (See attached). Although the architect will not be paid for his services, he was reluctant to proceed without at least preliminary approval from the Planning Commission for the proposed meditation center. He told the Commissioners that once preliminary approval was granted by the Planning Commission he would then feel better about delving into more detailed drawings and meeting the conditions set forth in Chapter 22 of the LUC. Mr. Bingham also made the following remarks regarding the three phases that are proposed.

- ☛ Phase #one would be the construction of a more permanent building to house the statue. It would be a place where people could visit and pay their respects, but it would not be an assembly building where meetings would be held. This particular building does not have restroom facilities, as they are not intended to be located in this building.
- ☛ Phase #two or #three will have housing for monks and will have restroom facilities. Phase #two is an assembly building where food will be served and people may gather. The original intent was to replace the temporary building presently housing the Buddha statue with a more permanent structure.
- ☛ Regarding the UDOT issue, he stated that would be worked out in the design process.
- ☛ In regards to the drainage at the site, Mr. Bingham reiterated that at this time only a more suitable structure is being proposed to house the Buddha.
- ☛ The second and third phases will have full development for parking facilities, restrooms, drainage, etc.
- ☛ Mr. Bingham also noted that the concerns Mr. Day stated were valid and in a more urban area would probably have a greater impact. However this area is quite remote and there are few people that have visited the site thus far (approximately 30-40 in the past year).
- ☛ Should the second and third phases of this development never occur, there would at least be an improved situation over that present at the site now.

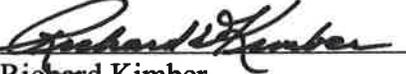
After some further discussion between the Planning Commissioners and the Petitioners, **Chairman Kimber** said that he would entertain a motion for the Site Plan Review.

MOTION: A motion was made by **Commissioner Norman** that the Site Plan Review for the Asian-American Meditation Center be granted **preliminary approval** with attention

being paid to the concerns and guidelines set forth in Chapter 22 of the LUC before final approval would be considered. (This would give Mr. Bingham the necessary go-ahead to proceed with his drawings with the understanding that if the concerns discussed at this meeting are not covered, the Planning Commission will not act favorably on the final approval.) The motion was seconded by **Commissioner Thompson** and unanimously passed.

A motion was made by **Commissioner Reese** to adjourn the meeting at 8:04 p.m. and passed unanimously.

Passed and adopted in regular session this 23rd day of August, 2001.


Richard Kimber
Box Elder County
Planning Commission, Chair