

LEHI CITY PLANNING COMMISSION MEETING

Minutes from the Lehi City Planning Commission meeting held on Thursday, June 08, 2006 in the Lehi City Council Chambers.

Members Present: Ron Smith, Marilyn Schiess, Marlin Peterson, Vaughn Pickell, Derek Byrne, Kerry Schwartz, Steve Roll

Members Absent: Janys Hutchings – excused, Carolyn Player – excused

Others: Dianna Webb, Frankie Christofferson, Kim Struthers, Noreen Edwards, Lorin Powell,

Meeting began at 7:10 p.m.

REGULAR AGENDA

3.1 SUNQUEST, LLC – REQUESTS CONCEPT PLAN REVIEW AND RECOMMENDATION OF THE LEHI BUSINESS CENTER, A 15.2 ACRE COMMERCIAL DEVELOPMENT LOCATED AT APPROXIMATELY 250 SOUTH 850 EAST IN A COMMERCIAL ZONE.

Kim Struthers presented the request and stated that this is currently zoned commercial.

Kerry Schwartz asked about the DRC comment about emergency access to 600 East.

Kim Struthers stated that they were concerned about how to get emergency vehicles back and forth.

Gordon Jacobsen with Sunquest Development was present.

Marlin Peterson asked what the other buildings would be.

Gordon Jacobsen said they would be primarily warehouses. All of the flex base will be wood frame with veneer. If the assisted living does not go in there they will have to come up with something but they have had contact with people that deal with assisted living. The dock delivery is 137 ft to the curb on bldg C and there is a crash gate as proposed at DRC. The large building with the docks would require fill; the others would need minimal structure fill.

Kerry Schwartz asked about the parking and mentioned to Gordon that the parking would be subject to change.

Gordon Jacobsen stated that he understands that but feels that there is adequate parking. He said they would require fencing between the residential and the commercial. He said that they are in negotiations with the land owner to the north to see if they will be incorporated in the project.

Steve Roll stated that this may warrant masonry site obscuring fencing along the north side.

Kerry Schwartz asked about the property to the north if it was incorporated into this project.

Gordon Jacobsen stated that they would probably continue with the same uses unless it warrants more office space.

Steve Roll asked if they would be willing to tie the architecture into the Albertsons buildings.

Gordon Jacobsen stated that he would rather tie it into his own development.

Kerry Schwartz moved to recommend approval of Sunquest, LLC's request for Concept Plan review of the Lehi City Business Center, a 15.2 acre commercial development located at approximately 250 South 850 East in an existing Commercial zone based on it's consistency with the General Plan and that there be a crash gate with limited access and include DRC comments. Second by Vaughn Pickell. Motion carried unanimously.

3.2 MOUNTAIN HOME DEVELOPMENT GROUP – REQUESTS CONCEPT PLAN REVIEW AND RECOMMENDATION FOR REVISIONS TO THE TRAVERSE MOUNTAIN AREA PLAN, A 7,982 UNIT PLANNED COMMUNITY DEVELOPMENT LOCATED AT APPROXIMATELY SR-92 AND 1700 WEST IN AN EXISTING PLANNED COMMUNITY ZONE (Continued from the May 25, 2006 meeting).

Kim Struthers presented the request and went over statistics in comparison to the rest of the city.

Mackay Christensen was present for the request.

Marilyn Schiess stated that since we just got this concept plan tonight we would like some information on it.

Mackay Christensen stated that Mr. Baker brought up some information which you should have received. The photos show what Traverse Mountain looked like before we took it over. Since we have taken over the property we have tried to make sure the wild life is safe. The other item before you is a letter from Stanley Consultants that addresses how the slopes will be addressed. The other thing asked for by City Council addresses traffic based on current numbers and has a summary that shows that the roads in the concept plan are more than adequate. We have met with the school district and are in the process of negotiation with them. The HOA is great – we have met with some of the reps.

Steve Roll asked about the traffic study and the level of service it provided.

Ty Thorpe stated that with Fox Canyon he believes is a level C.

Mackay Christensen said that the study was done with one access point and we there are three for Fox Canyon.

Marlin Peterson asked about the grading down of the one knoll – are you going to see how that works out first before attempting others (Sage Canyon).

Mackay Christensen said they would like to move on Sage Canyon as quick as they can. In the letter from Stanley it states that wild land interface guidelines will be followed, so phase by phase those requirements will be met by any one doing vertical construction in those areas.

Ty Thorpe stated that re-vegetation will be done on areas that are graded.

Discussed the road widths up Sage Canyon and access for emergency vehicles.

Ty Thorpe stated that the looping of the roads is for that reason – for emergency exiting.

Marlin Peterson would like to see some sprinkling up in there in case of a fire.

Mackay Christensen stated that there will be fire hydrants up in there.

Kerry Schwartz mentioned that maybe a green strip would help along there. With plant material that stays greener longer in the year.

Lorin Powell stated that this could be considered in the Area Plan.

Vaughn Pickell asked about how you account for density especially in the commercial – the tables refer to units – what’s the ratio of converting how many units to the square footage of commercial?

Lorin Powell said 3.7 is commercial – the residential can be above it – the only thing that affects that is the churches.

Vaughn Pickell stated that any residential coming out of the total will be in addition – the density tables are referring to residential.

Derek Byrne asked about the Fox Canyon traffic study. He stated that this wasn’t included in the initial study and your adding over 100 units with additional traffic to that road.

Ty Thorpe stated that it is shown as a 56’ right of way which is the recommended width with what’s above there coming down.

Lorin Powell stated that this traffic study is not part of this approval – there needs to be a new traffic study done. He said it is not anything we have reviewed or approved so out of that we will need to define what those roads will be when we get to that.

Mackay Christensen stated that when we get to that point the City will have an opportunity to review it.

Marlin Peterson asked about the road to the east.

Mackay Christensen stated that they show access to the east and to the north and will go right into SR-92.

Lorin Powell stated that we will have to incorporate that into the traffic study. You may want to mention that the road sizes may need to be adjusted.

Vaughn Pickell asked about the school site next to the clubhouse.

Derek Byrne asked if any charter schools were approved.

Mackay Christensen stated that when they went to get this charter school which was from an already existing charter, it went before the State board and they denied the expansion of that charter this year.

Derek Byrne stated that they have capped charter schools and will only be approving 3 more over the 2 already approved.

Vaughn Pickell asked about the residential above the commercial – how many stories can they go.

Mackay Christensen stated that they are proposing to go up to 12 stories, maybe 100 feet. Whether it will actually happen or not, we don't know.

Kerry Schwartz said that part of the concept plan should include what the landscaping would look like. This diagram gives a little bit of an idea but by the pictures there is open space with no trees or anything – he would like a better idea of what it will be.

Mackay Christensen stated that we are not a brand new concept plan with nothing done. With what is in the ground now should show as a standard with how the rest will go. We have gone far above what any requirements have ever been and will continue to do what has been done already.

Kerry Schwartz also asked about the architectural materials.

Vaughn Pickell asked about the architectural styles.

Mackay Christensen said they have very isolated areas that we will be using the Tuscan theme. It mainly shows the features of the entry monuments, etc.

Discussed the CC&R's and the Architectural Review Committee.

Steve Roll asked if they will need a new set of CC&R's.

Dianna Webb stated that we should have some new ones to review with the Area Plan.

Kerry Schwartz stated that he has struggled with this over the past few months and since this body is not purview to the development agreements, we need to let the City Council deal with that. We need to just take in the Concept plan and what we would like to see.

Kerry Schwartz moved to recommend approval of Mountain Home Development Groups request for Concept Plan review for revisions to the Traverse Mountain Area Plan, a 7,982 unit Planned Community development located at approximately SR-92 and 1700 West in an existing Planned Community zone with the following stipulations and recommendations: 1) the discrepancies between the agreements and the numbers be verified between the agreement and the Concept plan; that's the densities and so forth as identified here, 2) need to meet the level of service as with the original agreement, such as with roads, etc. 3) there were a couple of notes on the concept plan from the first map; item 14 needs to be stricken, it was not included in the DRC review and on page 2 they need to clarify note 11, identify acres to be graded under 30% and over 30% where grading is going to take place, and to go along with that, to have staff verify all notes associated with the Concept plan dated June 1, 2006, 4) how the open space would be preserved, recommend that it be dedicated to Lehi City, 5) address parking at trails heads, in particular the Bonneville Shoreline trail which goes through there and is a public trail, 6) and as mentioned earlier, the level of service on roads to be maintained at a level C, 7) define public versus private roads in the development, 8) consider mitigation for building and grading of slopes greater than 30%; in our code it says we should look at environmental impacts and potential mitigation on building on those slopes greater than 30%, 9) specify sprinklers in the canyon area developments, the residential portion, 10) specify weed control for all of the disturbed areas, they need to have a weed management plan in place, 11) RDA dollars can only be used as specified by the contractor being a member of IM Flash and the taxing entities and only in those areas where originally specified and not throughout the whole development, 12) provide natural vegetation on fire green stripping (natural vegetation resistant to fire later in the season), 13) intersperse fire hydrants in areas where the fire is prone to occur and traffic areas are limited (where there is constricted traffic flow), 14) future roads be addressed i.e. specifically for the development to the east, 15) a traffic study to be completed which should incorporate all the changes to the Area Plan, 16) noting that the CC&R's may need to be modified with the changes to the Area Plan. Second by Ron Smith.

Vaughn Pickell asked about the open space being dedicated to the city.

Kerry Schwartz stated that he is talking about the open land and public parks.

Discussed the private open space and the public open space.

Ty Thorpe stated that there are common areas that are owned by the HOA and maintained by the HOA – as far as the rest of the mountain that will not be touched.

Cheryl Wagner, property manager, stated that they maintain what ever is turned over to the HOA.

Lorin Powell stated that maybe that would be good to add to it that if it is already under the HOA that would not change.

Kerry Schwartz moved to modify the motion to include that whatever open space is under the HOA would not change. Second by Ron Smith. Motion carried unanimously.

PUBLIC HEARINGS

4.1 JERRY BRADSHAW – REQUESTS REVIEW AND RECOMMENDATION OF AN AMENDMENT TO THE LEHI CITY DEVELOPMENT CODE TABLE 05.030 B, ALLOWING PUTTING GREENS (MINIATURE GOLF COURSE) IN A MIXED USE ZONE.

Public Hearing opened at 7:10 p.m.

Kim Struthers stated that the go cart racing would need to be added in to the development code – the golf course was already part of it.

Marlin Peterson stated mentioned the noise ordinance. He doesn't believe the go cart would meet that code. He feels the go carts would exceed those limits.

Vaughn Pickell clarified that this would make it so go carts could go any where there is a mixed use zone in the city.

Kyle Phillips, 230 West 1200 North, stated that Mr. Bradshaw is trying to buy this whole street. He tells everyone that the other has sold out. He asked about an on ramp to the freeway there.

Lorin Powell stated that there has been talk about an intersection from the freeway there.

Kyle Phillips stated that he doesn't want a go cart track in the back of his house.

Verl Patterson, 1216 North 300 West, lives just south of the parking lot and stated that he doesn't want all the problem that come with the kids and the traffic. 300 West is already crazy. He said he is willing to sell out if Mr. Bradshaw wants to buy, but if not he is opposed to this.

Public Hearing closed at 8:25 p.m.

Jerry Bradshaw was present for the request.

Marlin Peterson said he has no problem with the golf course but has a problem with the go carts next to residential.

Jerry Bradshaw stated that in regards to the noise issues – he has some studies that were done that show 64 decibels with 4 go carts at 150 feet away. He said they would put up an 8' privacy fence with trees around it. He stated that the freeway exceeds that decibel level.

Marlin Peterson still thinks we're just adding to the freeway noise.

Jerry Bradshaw stated that they would comply with what ever is required. He said the go cart puts out the high 70's at 10 feet away. He stated that they would put vinyl privacy fencing.

Kerry Schwartz asked about the plan for the landscape business. He asked if they were forgoing those plans.

Jerry Bradshaw stated that they would have to relocate.

Kerry Schwartz stated that the concern when he did the landscape company was the traffic and the slope on 300 West.

Jerry Bradshaw stated that it is sloped there and we would have to do something about that.

Kerry Schwartz is concerned with the lights in the neighbor's windows, etc.

Jerry Bradshaw stated that they would have an 8 foot privacy fence all around that.

Vaughn Pickell asked about the type of fencing along there.

Marilyn Schiess is concerned about the traffic up there. She said there are two roads that come into that on the other side of the freeway and two below there.

Jerry Bradshaw stated that he did a study on the use and it showed that 50 cars would be full capacity.

Marilyn Schiess stated that people that live along that road have a hard time getting in and out of their driveways as it is.

Jerry Bradshaw stated that traffic would be minimal.

Derek Byrne asked about looking into obtaining the surrounding properties and would that be to expand that use.

Jerry Bradshaw stated that it would help with the entrance and exits.

Derek Byrne stated that in regards to the railroad tracks; Union Pacific has given permission for their tracks to be used – but will not allow it until the County has a plan in place to get the Trax off there.

Kerry Schwartz asked about changing the code. He said if we were to change this it would open it up to a larger area than just what Mr. Bradshaw is requesting. He isn't sure we want to amend the code to include that.

Vaughn Pickell asked if go carts were allowed in any other zone in the city.

Kim Struthers stated that they are not addressed.

Ron Smith is concerned with it being opened up to this as well.

Steve Roll doesn't see it as a problem. He said we should be able to figure something out for go carts.

Marlin Peterson stated that even if it shows hardship on the adjacent property owners then we don't have to approve it.

Jerry Bradshaw stated that he is committed to making this. He understands that this has never been asked for in the history of the city and it is critical to the success of this business. He stated that we can flip the plan and put the miniature golf by the homes with the go carts along 300 West. He said if we had to go to electric go carts we can; it is not preferable but if it takes that then we will go that way.

Steve Roll doesn't have a problem with that.

Kerry Schwartz is concerned with this being opened up to other parts of the City. He said we don't know if Mr. Bradshaw can even do this.

Vaughn Pickell stated that if the code is amended to include go carts then you can impose conditions but you can't just deny it.

Lorelei Bradshaw stated that her and her husband would be the ones that own and operate this. She said that they have traveled around to see what works.

Jerry Bradshaw said it would have a positive impact on families. American Fork has offered him two different locations for this.

Lorin Powell stated that DRC wasn't sure that would be appropriate in the Mixed Use zone.

Marlin Peterson would like to see what zones in other cities this is allowed in and what restrictions there are.

Vaughn Pickell doesn't mind it by the freeway but doesn't want to see it on Main Street or in other places along State Street. He said maybe we need another zone as an entertainment zone.

Kim Struthers stated that with storage units, they were allowed in Mixed Use but only in certain areas.

Steve Roll suggested that we continue this which would allow time to present more information and allow staff to look at where this is being done in other Cities.

Kerry Schwartz suggested denying this and put in there 'or as otherwise specified by Planning Commission and City Council'.

Derek Byrne would like to see what the decibel sound is coming from I-15.

Ron Smith moved to continue Jerry Bradshaw's request until the meeting on the 29th, in the mean time study the issues and find out what the decibel level is on I-15. Second by Marilyn Schiess.

Vaughn Pickell stated that we need to explore different zoning scenarios for recreation facilities.

Ron Smith moved to amend his motion to include that this is for items 4.1 and 4.1a and that we explore different zoning scenarios for recreation facilities. Second by Marilyn Schiess. Motion carried 6-1 with Kerry Schwartz opposed.

4.1a JERRY BRADSHAW – REQUESTS CONCEPT PLAN REVIEW AND RECOMMENDATION FOR LIBERTY LAND, A PROPOSED MINIATURE GOLF COURSE LOCATED AT APPROXIMATELY 1280 NORTH 300 WEST IN AN EXISTING MIXED USE ZONE.

Discussion and motion included under item 4.1.

4.2 BOX ELDER PROPERTIES – REQUESTS REVIEW AND RECOMMENDATION OF ZONING ON THE MELLOR ANNEXATION APPROXIMATELY 5.01 ACRES OF PROPERTY LOCATED AT APPROXIMATELY 8745 WEST BULL RIVER ROAD TO A PROPOSED R-1-10 ZONE.

Public Hearing opened at 7:10 p.m.

Kim Struthers presented the request and stated that most of this area has been annexed and zoned R-1-10.

Ross Welch representing Box Elder Properties was present for the request.

Derek Byrne asked why they are requesting R-1-10 and not R-1-12.

Ross Welch stated that the development to the east is what we are adjoining to and it would be consistent in the neighborhood.

Public Hearing closed at 9:05 p.m.

Vaughn Pickell moved to forward on with a positive recommendation Box Elder Properties request for R-1-10 zoning on the Mellor Annexation, approximately 5.01 acres of property located at approximately 8745 West Bull River Road finding that it is consistent with the General Plan and the prevailing zoning in the area and to include DRC comments. Second by Kerry Schwartz. Motion carried unanimously.

4.3 DOUG YATES – REQUESTS REVIEW AND RECOMMENDATION FOR A ZONE CHANGE ON APPROXIMATELY 20 ACRES OF PROPERTY LOCATED AT APPROXIMATELY 1100 WEST 1250 SOUTH FROM A TH-5 ZONE TO AN R-1-22 ZONE.

Public Hearing opened at 7:10 p.m.

Kim Struthers presented the request and stated that this is just north of the Timpview subdivision. He said that Mr. Yates would like to continue the subdivision. There are some mink sheds to the west with the city power substation.

Kerry Schwartz asked if there were any irrigation ditches along that property.

Kim Struthers stated that he thinks there is an artesian well on the other piece.

Doug Yates was present and stated that the ditch is on Mr. Jenson's side. He said this would be phase 3 of Timpview Meadows. We are planning on doing the same thing as with Prett's place with an 8 foot block wall along the mink side. There would be light restrictions in the rear yards.

Marlin Peterson asked about the elevation being raised.

Doug Yates stated that they would raise the elevation so there could be walk out basements, the same as in Prett's place. He said the 3 wells will all be capped tomorrow.

Discussed raising the road 4 feet and having fill brought in for the side yards or whatever.

Marilyn Schiess asked if there was any concern about the ditch on Mr. Jensen's property.

Doug Yates said he is not worried about seepage or anything.

Public Hearing closed at 9:15 p.m.

Marlin Peterson moved to recommend approval of Doug Yates' request for review of a Zone Change on approximately 20 acres of property located at approximately 1100 West 1250 South from a TH-5 to an R-1-22 zone finding that it is consistent with the surrounding areas and include DRC comments. Second by Derek Byrne. Motion carried unanimously.

4.4 WILL JONES – REQUESTS PRELIMINARY SUBDIVISION REVIEW AND RECOMMENDATION OF WILLOW SPRINGS SUBDIVISION, A 20-LOT SUBDIVISION LOCATED AT APPROXIMATELY 50 NORTH 2300 WEST IN AN R-2 ZONE.

Public Hearing opened at 7:10 p.m.

Kim Struthers presented the request and stated that we are dealing with just the R-2 area.

Marlin Peterson stated that any lots with 10,000 square feet or more would allow duplexes – so lots 18, 19 & 20 could possibly have duplexes built on them.

Kim Struthers stated that they would have to come back as a conditional use.

Derek Byrne stated that note 2 says there would be 19 single family lots.

Scott Larsen was present for the request and stated that the intent is that all 20 lots would be single family.

Vaughn Pickell asked about the irrigation situation.

Scott Larsen stated that he is not aware of irrigation in this part.

Lorin Powell stated that the next phase will need piping.

Kathy Morgan was present and stated there has been a discrepancy on the property line between these pieces – she is wondering if that has been addressed.

Marilyn Schiess stated that it can't be recorded until the property lines are taken care of.

Lorin Powell stated that this does have to be taken care of with a signed property line agreement.

Kathy Morgan stated that she heard that Will Jones was willing to sign but Steve Larson is not willing.

Lorin Powell stated that we may want to put that in your motion to have the boundary line taken care of.

Kathy Morgan stated that is has been surveyed. She stated that she would need at least the 200 foot frontage if she decided to go commercial. She also asked about the fencing and the detention on the front by Main Street.

Lorin Powell stated that it is strictly a detention facility. If they do widen that road then UDOT would have to deal with the detention. He said that currently we have talked to Kathy and to Will and would like to see this go ahead.

Public Hearing closed at 9:35 p.m.

Steve Roll complimented Mr. Larson on his magnanimity.

Kerry Schwartz moved to recommend approval Will Jones' request for Preliminary Subdivision review of Willow Springs, a 20-lot residential subdivision located at approximately 50 North 2300 West in an R-2 zone with this based on an execution of a boundary line agreement of the parties and finding that it is consistent with the General Plan and include DRC comments and that no duplexes be allowed on lots 18, 19 or 20. Second by Ron Smith. Motion carried unanimously.

Kerry Schwartz moved to amend his motion on item 4.4 to say that no duplexes could be built in this development. Second by Ron Smith. Motion carried unanimously.

Ron Smith moved at 9:39 p.m. to take a 5 minute break. Second by Kerry Schwartz. Motion carried unanimously.

Meeting reconvened at 9:45 p.m.

4.5 GARY COOPER – REQUESTS PRELIMINARY SUBDIVISION REVIEW AND RECOMMENDATION OF CEDAR HOLLOW PHASE II, A 56-LOT RESIDENTIAL SUBDIVISION LOCATED AT APPROXIMATELY 1200 EAST CEDAR HOLLOW ROAD IN AN RA-1 ZONE.

Public Hearing opened at 7:10 p.m.

Kim Struthers presented the request and stated that this is a new preliminary for this area.

Gary Cooper was present for the request.

Marlin Peterson asked about what happened with the Morrill Subdivision.

Gary Cooper stated that when the Morrill subdivision was granted it did away with his \$30,000 water line and he said if Morrill's did that subdivision he would be back with this. He wants to know where all these people were when they put that park in there. He is just putting this preliminary plan in place and has no intention of developing this as long as he lives there. He has been told by the City that 1200 East wasn't finished past his house because there was no money. The City said that they would finish 1200 East if a preliminary was in place.

Terry Dubois, 1619 N. Cedar Hollow Drive, stated that when they bought their lot in Cedar Hollow Subdivision they were shown a plan with a park and a walk with a path by the creek and now we see this with building lots and no park and no path.

Troy Carlton lives in Cedar Hollow and was also promised a park when they bought there. It was a major selling point for the citizens in this area. When some one gives you their word it meant something. According to the General Plan map this is a wetland which is home to wild life. He has talked to the Army Corp of Engineers and was told that Mr. Cooper needs to obtain a permit with studies done prior to any development. Mr. McMillan (Army Corp of Engineer) stated that Mr. Cooper should have obtained a permit prior to this going forward. He asked what will happen when we have a very wet year. He said they don't want this passed as it currently stands.

Lance Walker in Cedar Hollow stated that the selling point was that the hollow would remain open and have a park and on his plat there shows an access to a park. He said they had to rip out a rock wall which was on this easement to the park. He said they paid a premium for the lot because of the open park.

Beverly?? stated that she is not part of the subdivision but has a road along the back of the property. In the new plan it shows them as being land locked.

Heather Walker represents the mothers and over 100 children and about 50 youth in the neighborhood that were looking forward to the park. She said there are no parks along 1200 East and we were promised this. It was an incentive to buy the property. She said this is a beautiful natural space.

Camille Mayor asked about fees being collected by property owners for the park. She would like to know if they were collected and if any was paid to Mr. Cooper.

Troy Carlton stated that they were told that when the park was put in they would have pay to help maintain that park.

Bonnie Boyce in the Cedar Hollow subdivision said that they recognize that this is Gary's property but there are options that wouldn't preclude him from maximizing his property.

LaVaughn Faulk made comment about having to wait for 3 hours for this item and wanting the time to talk.

Charles Baird lives on 1400 East and stated that he has lived there a year and suggested some things that would be in the best interest for the city as well as what would be best for Gary and them. He suggested that they develop a green belt between this and the surrounding properties with maybe a 40-50 foot walkway that go between the properties preserving the cottonwood trees around the green zone and then in that put a walking path. He would put a requirement that the home owners had to keep a certain percentage of the trees. And instead of putting 1300 East in bring Cedar Hollow Road up and bring it up to the end of the cul-de-sac. He said that he would enlarge the area around the pond and around the detention basin.

Raileen Peck asked what Shirl Morrill's subdivision has to do with this and why do they have to run the water line for Lowes all the way through the Hollow and not down 1200 East.

Lorin Powell stated that this can go either place but in one of the options.

Steve Roll stated that Morrill's doesn't have anything to do with this.

Braydon Cooper, Gary's son, stated that he has a problem with the neighbors questioning the integrity of his father – he agrees with other comments about it being one of the most beautiful places in Lehi and keeping larger lots instead of going with smaller lots. He said this is preliminary and they are trying to take care of the problems with 1200 East which will take care of other problems.

LaVaughn Faulk stated that integrity is an issue here; a lot of us bought lots along here because in part we were promised a park – there are access points to the park on recorded plats.

Marlin Peterson moved at 10:30 p.m. to continue the meeting for 15 minutes. Second by Ron Smith. Motion carried unanimously.

Brad Anderson lives north of Gary Cooper and stated that Gary has always wanted that park but it wasn't in the master plan for the City to purchase this for a park. As far as wetlands go, there were some farms that would flood irrigate and it was wet then, but now it's dry. He said that when the Coopers say they're going to do something they follow through with it. He said he has as much to lose as the rest. These are large lots and he thinks it's been planned out well.

Drew Downs stated that he deals with wetlands and the Army Corp is the only one that can determine that – and they will handle it.

Public Hearing closed at 10:30 p.m.

Gary Cooper stated that the old plat back in '78 was designed to have the park in there. The City started charging impact fees so the City could buy that park – and when the other developers came in giving large tracks of land for parks, Lorin came to him and told him that the City didn't want this property for a park any more. And with Morrill's subdivision, he said that he had spent \$50,000 on a water line and now the only consolation is that he'll charge enough for the lots that they will have to put in nicer homes.

Steve Roll stated that this is a standard subdivision and where there is no density bonuses given for a park we can't require one so we can approve it as is or with changes.

Kerry Schwartz is concerned with lot 8 being only 13,000 sq ft and this being an RA-1 zone.

Tony Trane stated that we do need to modify a few lots.

Gary Cooper stated that every lot needs to be 17, 250 sq ft.

Kerry Schwartz asked why they didn't do a PUD or PRD.

Ron Smith moved at 10:45 to continue the meeting for an additional 30 minutes. Second by Marilyn Schiess. Motion carried unanimously.

Gary Cooper stated that this detention pond is an open area.

Kerry Schwartz asked about the concern for any environmentally sensitive areas.

Tony Trane stated that it is wetlands from irrigation. We had it looked at when Gary first did this.

Kerry Schwartz asked about the earlier subdivision and this proposal.

Kim Struthers stated that this is just revising a preliminary plat.

Tony Trane stated that it would be difficult to do the upper part as 17, 250.

Steve Roll asked if we could continue this until we get a corrected plat.

Kerry Schwartz asked about a wetlands evaluation prior to plat approval.

Marlin Peterson moved to continue to next meeting on the 29th. Gary Coopers' request for Preliminary Subdivision review of Cedar Hollow Phase II, a 56-lot residential subdivision located at approximately 1200 East Cedar Hollow Road in an RA-1 zone so that Gary can get a wetlands study done and for the change in the lots to be made and to include DRC comments and to get with neighbors. Second by Ron Smith. Motion carried 5-2 with Kerry Schwartz and Vaughn Pickell opposed.

Vaughn Pickell asked about this being in the flood plain.

Kim Struthers stated that this is not a perennial channel – the flow may increase in the spring but the nearest flood plain is Dry Creek.

Discussed whether to delay this for 2 weeks or act on it now.

Kim Struthers stated that we haven't done a slope analysis.

4.6 LEHI CITY – REQUESTS REVIEW AND RECOMMENDATION OF AMENDMENTS TO THE FOLLOWING PORTIONS OF THE LEHI CITY DEVELOPMENT:

- a. TABLE 05.040 B, AMENDING THE SIDE YARD SETBACKS IN THE BUSINESS PARK ZONE.**
- b. CHAPTER 9, CONDITIONAL USES, CLARIFYING CONDITIONS FOR APPROVAL.**
- c. CHAPTER 30, VESTED RIGHTS, CLARIFYING THE STATUS OF VESTED RIGHTS FOR DEVELOPMENT APPLICATIONS.**

Public Hearing opened at 7:10 p.m.

Kim Struthers presented the request and stated that the side yard setback in the Business Park zone was brought about with the Northridge Plaza; there should be a set back of 30' and that would push the building out into the parking lot for this Pediatric building. We could add in to say 'as otherwise approved'. He stated that in a typical commercial zone there is no side yard setback.

Public Hearing closed on item 4.6a at 10:55 p.m.

Vaughn Pickell stated it is becoming more of an administrative action.

Kim Struthers stated that if you wanted less than the 30' it would have to go through all 3 groups of committees.

Kerry Schwartz moved to recommend approval to Table 05.040 B of the Lehi City Development Code, amending the side yard setbacks in the Business Park zone based on the need to clarify the setbacks in an existing zone. Motion carried 4-3 with Derek Byrne, Vaughn Pickell and Marlin Peterson opposed.

Public Hearing closed on items 4.6b at 11:00 p.m.

Ron Smith moved to recommend approval of Lehi City's request for amendments to Chapter 9 of the Lehi City Development Code, Conditional Uses, clarifying conditions for approval. Second by Marilyn Schiess. Motion carried unanimously.

Public Hearing closed on item 4.6c at 11:00 p.m.

Vaughn Pickell moved to recommend approval of Lehi City's request for amendment to Chapter 30 of the Lehi City Development Code, Vested Rights, clarifying the status of vested rights for development applications because it complies with State Law. Second by Ron Smith. Motion carried unanimously.

4.7 LEHI CITY – REQUESTS REVIEW AND RECOMMENDATION OF AN AMENDMENT TO THE LEHI CITY MUNICIPAL CODE ENACTING CHAPTER 15.02 – EXACTIONS.

Public Hearing opened at 7:10 p.m.

Kim Struthers presented the item and stated that it is putting us in compliance with the State law.

Public Hearing closed at 11:02 p.m.

Derek Byrne moved to recommend approval of Lehi City's request for review of an amendment to the Lehi City Municipal Code enacting Chapter 15.02, exactions. Second by Marilyn Schiess. Motion carried unanimously.

CITY BUSINESS

Lorin Powell stated that the water line needs to be run and by putting off the Cooper's subdivision it's putting it behind. He clarified that in the past years the City couldn't buy that property for a park and the impact fees didn't go into affect until 1996. We had an ordinance that said you had to show not only your property but all the surrounding property laid out.

APPROVAL OF MINUTES

6.1 APPROVAL OF THE MINUTES FROM THE MAY 25, 2006 WORK SESSION.

Derek Byrne stated that the question mark comment was made by John Baker.

Ron Smith moved to approve the minutes from the June 25th Work Session with the change. Second by Marilyn Schiess. Motion carried unanimously.

6.2 APPROVAL OF THE MINUTES FROM THE MAY 25, 2006 REGULAR MEETING.

Kerry Schwartz mentioned that on page 5 he asked how 'the park below the clubhouse' would be accessed and then on page 6, he read from the code concerning 'critical lands'.

Marilyn Schiess moved to approve the minutes from the May 25, 2006 Regular Meeting with the changes. Second by Marlin Peterson. Motion carried unanimously.

ADJOURN

Ron Smith moved to adjourn. Second by Marilyn Schiess. Motion carried unanimously.

Meeting ended at 11:15 p.m.

Date Approved _____

Chairman _____

Secretary _____