

LEHI CITY PLANNING COMMISSION MEETING

Minutes from the Lehi City Planning Commission meeting held on Thursday, May 10, 2007 in the Lehi City Council Chambers.

Members Present: Kerry Schwartz, Ron Smith, Marilyn Schiess, Carolyn Player, Derek Byrne, Jason Willes, Vaughn Pickell, Janys Hutchings

Members Absent: Marlin Peterson – excused

Others: Frankie Christofferson, Lorin Powell, Kim Struthers, Noreen Edwards, Council member Mark Johnson

Meeting began at 7:00 p.m.

PUBLIC HEARINGS

3.1 J CLIFF CRAIG – REQUESTS PRELIMINARY SUBDIVISION REVIEW AND RECOMMENDATION FOR OWEN DEAN ESTATES, AN 11-LOT RESIDENTIAL SUBDIVISION LOCATED AT APPROXIMATELY 2280 NORTH 300 WEST IN AN EXISTING RA-1 ZONE.

Public Hearing opened at 7:00 p.m.

Kim Struthers presented the request and stated that this was tabled at the request of the developer so he could meet with some of the surrounding neighbors.

Fred Clark, the engineer, was present for the request.

Heather Groom was present and stated that they had met with the developer and all went well. She stated that they had come to an agreement. We were concerned about the alignment of the back properties which weren't lined up the same which would cause fence issues. She said they offered to put in a vinyl fence. She said they want CC&R's on this property that matches theirs. There may be some issues with drainage on some of those back properties.

Lorin Powell said that there could be a channel put there.

Fred Clark said that they would put a ditch or berm there with a note on the plat stating that no one can touch that.

Lorin Powell said the building official would be the one to enforce that issue.

Janys Hutchings said that the City will not enforce CC&R's and we can't require them on a standard subdivision.

Public Hearing closed at 7:13 p.m.

Janys Hutchings moved to recommend approval of J Cliff Craig's request for Preliminary Subdivision review for Owen Dean Estates, an 11-lot residential subdivision located at approximately 2280 North 300 West in an existing RA-1 zone seeing it fits the requirements of the VLDR and the RA-1 zone and included DRC comments. Second by Marilyn Schiess. Motion carried unanimously.

3.2 DAVID BUTTERFIELD – REQUESTS REVIEW AND RECOMMENDATION FOR A ZONE DISTRICT AND ZONE DISTRICT MAP AMENDMENT ON APPROXIMATELY 1 ACRE OF PROPERTY LOCATED AT APPROXIMATELY 1200 EAST 3200 NORTH FROM A TH-5 TO AN A-1 ZONE.

Public Hearing opened at 7:00 p.m.

Kim Struthers presented the request.

Discussed whether City Council needs to approve the interpretation of the over lay zone – it will be noted on the staff report to City Council that the Commercial Node was interpreted as an over lay with an underlying zone.

David Butterfield was present for the request.

Public Hearing closed at 7:16 p.m.

Ron Smith moved to recommend approval of David Butterfield's request for a Zone District and Zone District Map Amendment on approximately 1 acre of property located at approximately 1200 East 3200 North from a TH-5 to an A-1 zone. Second by Marilyn Schiess. Motion carried unanimously.

3.3 DALE MITCHELL – REQUESTS REVIEW AND RECOMMENDATION FOR A ZONE DISTRICT AND ZONE DISTRICT MAP AMENDMENT ON APPROXIMATELY 6.41 ACRES OF PROPERTY LOCATED AT APPROXIMATELY 1500 NORTH 1200 WEST FROM AN A-1 TO AN R-1-12 ZONE.

Public Hearing opened at 7:00 p.m.

Kim Struthers presented items 3.3 and 3.3A together. He said the previous request was for R-1-8 zoning and the Planning Commission wanted them to come back with R-1-12 zoning. This is the largest possible zone in this designation. DRC felt that 2 of the lots in the cul-de-sac didn't quite meet the frontage – they will need to make sure they all meet that.

Jany's Hutchings asked about the radius of the cul-de-sac.

Lorin Powell said that they wrote the minimum in for the concept but they are actually larger than the 12,000.

Mark Hampton was present for the request and said that the engineer did make sure they were all a minimum of 12,000 sq ft. He said there is enough to make the setbacks work as well as the lots maintaining the 12,000 sq ft minimum. 1200 West will go all the way through.

Vicki Loveridge lives adjacent to this property and asked about having to get some of that property to make the road – she asked about fencing.

Lorin Powell said that they would just have a half road.

Greg Greenhall lives in White Fence Farms and is concerned about having 3 lots against his. He said we still have no buffer zone. He is proposing that they taper the lot sizes. He is still concerned about the traffic, the ditch and wants fencing.

Public Hearing closed at 7:30 p.m.

Janys Hutchings asked if 1200 West could be marked as local traffic only. 1220 North cannot handle a lot of traffic on it.

Lorin Powell said we'd have to mark that on 1220 North not 1200 West.

Dale Mitchell said that 30 feet of that is city property where 1200 West is going in.

Janys Hutchings moved to recommend approval of Dale Mitchell's request for a Zone District and Zone District Map Amendment on approximately 6.41 acres of property located at approximately 1500 North 1200 West from an A-1 to an R-1-12 zone seeing it does fit with the LDR designation on the General Plan and include DRC comments. Second by Derek Byrne. Motion carried unanimously.

3.3A DALE MITCHELL – REQUESTS CONCEPT PLAN REVIEW AND RECOMMENDATION FOR LEHI GROVE, A 19-LOT RESIDENTIAL SUBDIVISION LOCATED AT APPROXIMATELY 1500 NORTH 1200 WEST IN A PROPOSED R-1-12 ZONE.

Discussion included under item 3.3.

Vaughn Pickell moved to recommend approval of Dale Mitchell's request for Concept Plan review for Lehi Grove, a 19-lot residential subdivision located at approximately 1500 North 1200 West in a proposed R-1-12 zone seeing it does comply with the recommended zoning of R-1-12 and include DRC comments. Second by Marilyn Schiess. Motion carried unanimously.

3.4 MIKE GRAY – REQUESTS REVIEW AND RECOMMENDATION OF ZONING FOR THE WINFORD GRAY ANNEXATION, APPROXIMATELY 36.48 ACRES OF PROPERTY LOCATED AT APPROXIMATELY 2300 WEST 700 SOUTH TO PROPOSED R-1-12 AND TH-5 ZONES.

Public Hearing opened at 7:00 p.m.

Kim Struthers presented the request and stated that this annexation would have to include the mink ranch or it would create a new county island which the county would not allow.

Tony Trane was present for the request.

Janys Hutchings stated that they need to be made aware of the mink as they start to lay it out.

Tony Trane said that they have been working with Keith Johnson about a year now – he knows what we're doing and has been willing to work with us.

Kim Struthers stated that there is a trail planned for under the power lines.

Patrick Trent lives on Snow Springs Dr. and asked about the TH-5 zoning.

Kim Struthers stated that they are requesting similar zoning on most of the property as what surrounds it – he explained the transitional holding zone and that it would only be for the Johnson property.

Public Hearing closed at 7:48 p.m.

Vaughn Pickell moved to recommend approval of Mike Gray's request for R-1-12 and TH-5 zoning on the Winford Gray Annexation, approximately 36.48 acres of property located at approximately 2300 West 700 South with the TH-5 being for the Johnson property and the rest as R-1-12. Second by Carolyn Player. Motion carried unanimously.

3.5 KENNETH BARNEY – REQUESTS PRELIMINARY AND FINAL SUBDIVISION REVIEW AND RECOMMENDATION FOR TIMBIA, A 2-LOT COMMERCIAL SUBDIVISION LOCATED AT APPROXIMATELY 4425 NORTH THANKSGIVING WAY IN AN EXISTING COMMERCIAL ZONE.

Public Hearing opened at 7:00 p.m.

Kim Struthers presented the request and stated that this is out at Open Court. When that was developed, this piece was left as a future pad. Now they want to develop that pad.

Kerry Schwartz asked if that detention basin serves both lots.

Kenneth Barney was present and stated that the original plan had the detention basin sized for both lots being developed. They are preparing cross parking easements. DRC said they would prefer that the access come off Mayflower Way. He said they would share the access into Open Court off Mayflower Way.

Kerry Schwartz said that the detention basin and the shared access would also need shared easement agreements for both. He said note 2 on the plat also needs to be changed.

Public Hearing closed at 7:56 p.m.

Janys Hutchings moved to recommend approval of Kenneth Barney's request for Preliminary Subdivision review for Timbia, a 2-lot commercial subdivision located at approximately 4425 North Thanksgiving Way in an existing Commercial zone finding that it fits the requirements of zone, include DRC comments, and include notes on the plat about access easement and detention to be shared by lots 1 & 2. Second by Ron Smith. Motion carried unanimously.

3.6 SCALE CONSTRUCTION – REQUESTS SITE PLAN AND CONDITIONAL USE APPROVAL FOR SKILLED NURSING FACILITY LOCATED AT 2012 NORTH POINTE MEADOW DRIVE IN AN EXISTING COMMERCIAL ZONE.

Public Hearing opened at 7:00 p.m.

Kim Struthers presented the request.

Will Peterson was present and stated that this is a recovering rehab with 30 rooms with 36 beds. He said the owners had to go through State agencies and they had approved 36 beds. HE explained that this is a place where patients would go from the hospital for about 60 – 70 days. He said that sometimes they have to go to a long term care facility.

Janys Hutchings is concerned with the location of the tot lot at the back of the building.

Kerry Schwartz asked about the building shown on one of the plats.

Will Peterson said that they originally wanted a separate physical therapy building but it has since been removed from the plan. He said there is a right of way that needs to go out to the north for access to other lots in this subdivision and out onto 2100 North.

Discussed what is being preserved along 2100 North.

Lorin Powell said that if it is to be a freeway – that's 7-25 years out. He said our ordinances don't even deal with that.

Public Hearing closed at 8:10 p.m.

Derek Byrne moved to approve Scale Construction's request for Site Plan and Conditional Use approval for Skilled Nursing Facility located at 2012 North Pointe Meadow Drive in an existing Commercial zone. Second by Carolyn Player.

Derek Byrne moved to amend the motion to include DRC comments and to grant variance to the landscape buffer. Second by Vaughn Pickell. Motion carried unanimously.

3.7 CAMBRIDGE COURT/ GLADE TUCKETT – REQUEST REVIEW AND RECOMMENDATION FOR A ZONE DISTRICT AND ZONE DISTRICT MAP AMENDMENT ON APPROXIMATELY 2.78 ACRES OF PROPERTY LOCATED AT APPROXIMATELY 296 NORTH 1550 EAST FROM A COMMERCIAL TO AN R-1-10 ZONE.

Public Hearing opened at 7:00 p.m.

Kim Struthers presented the request and stated that this was a little piece that was left when they did the Costco and Lowes sites. The piece next to it will be a part of this and will be the Cambridge Court Subdivision which you will see in a while. The General Plan was amended and they are requesting an R-1-10.

Fred Clark was present for the request.

Public Hearing closed at 8:15 p.m.

Janys Hutchings moved to recommend approval of Cambridge Court's request for a Zone District and Zone District Map Amendment on approximately 2.78 acres of property located at approximately 296 North 1550 East from a Commercial to an R-1-10 zone seeing that this fits better in this area than commercial and including DRC comments. Second by Ron Smith. Motion carried unanimously.

3.8 LORAIN CARLTON – REQUESTS REVIEW AND RECOMMENDATION FOR A ZONE DISTRICT AND ZONE DISTRICT MAP AMENDMENT ON APPROXIMATELY 1.56 ACRES OF PROPERTY LOCATED AT APPROXIMATELY 545 WEST STATE STREET FROM AN RA-1 TO A MIXED USE ZONE.

Public Hearing opened at 7:00 p.m.

Kim Struthers presented the request and stated that they have had the Mixed Use extended to the west and this would extend it to the back of the property. He said when we do the zone change on the map all those little areas will be included.

Discussed whether we could include other properties into the zone change.

Kim Struthers said that there would be some water dedication required so we need to take that into consideration but we can bring that up with the City Attorney and Dianna to see if we can fill in that gap without having it affect the amount of the water dedication.

Wayne Carlton was present for the request and said that the owners probably aren't even aware that little corner is not Mixed Use.

Public Hearing closed at 8:28 p.m.

Vaughn Pickell moved to recommend approval of Loraine Carlton's request for a Zone District and Zone District Amendment on approximately 1.56 acres of property located at approximately 545 West State Street from an RA-1 to a Mixed Use zone with the recommendation that they included that tiny bit of triangle to the north finding that it complies with the General Plan. Second by Carolyn Player. Motion carried unanimously.

3.9 BRADLEY THACKER – REQUESTS REVIEW AND RECOMMENDATION FOR A ZONE DISTRICT AND ZONE DISTRICT MAP AMENDMENT ON 1 ACRE OF PROPERTY LOCATED AT APPROXIMATELY 923 NORTH 2300 WEST FROM AN A-1 TO AN RA-1 ZONE.

Public Hearing opened at 7:00 p.m.

Kim Struthers presented the request and stated that we do have a clause in the General Plan for parcels under 2 acres where they can request RA-1 on a case by case basis in the VLDRA.

Brad Thacker was present for the request.

Public Hearing closed at 8:30 p.m.

Janys Hutchings moved to recommend approval of Bradley Thacker's request for a Zone District and Zone District Map Amendment on approximately 1 acre of property located at approximately 923 North 2300 West from an A-1 to an RA-1 zone noting all DRC comments. Second by Ron Smith. Motion carried unanimously.

3.10 KALE GILLMAN – REQUESTS REVIEW AND RECOMMENDATION FOR A ZONE DISTRICT AND ZONE DISTRICT MAP AMENDMENT ON 4.01 ACRES OF PROPERTY LOCATED AT APPROXIMATELY 530 NORTH 2375 WEST FROM AN A-1 TO AN R-1-22 ZONE.

Public Hearing opened at 7:00 p.m.

Kim Struthers presented the request and stated that this is near the same area as the previous item.

Ladene Gillman was present for the request.

Public Hearing closed at 8:37 p.m.

Ron Smith moved to recommend approval of Kale Gillman's request for a Zone District and Zone District Map Amendment on approximately 4.01 acres of property located at approximately 530 North 2375 West from an A-1 to an R-1-22 zone subject to DRC comments. Second by Marilyn Schiess. Motion carried unanimously.

3.11 KEVIN HOLLAND – REQUESTS APPROVAL OF A 2-LOT RESIDENTIAL SUBDIVISION WITH AN EXISTING HOME LOCATED AT 2300 WEST 900 NORTH IN AN R-1-22 ZONE.

Public Hearing opened at 7:00 p.m.

Kim Struthers presented the request.

Kerry Schwartz asked about curb and gutter requirement on existing homes and why they are exempt.

Kim Struthers said it was changed on flag lots.

Kevin Holland was present for the request.

Public Hearing closed at 8:42 p.m.

Jason Willes said that on lot one the existing buildings to remain encroach on the PUE – do we need to make a variance on that.

Lorin Powell said it's been there since 1994.

Kim Struthers said that Lynn had a DRC comment on that – to add a note that it is legal nonconforming.

Jason Willes said that if the PUE can't be used it needs to be noted on the plat so there aren't future problems with the utility companies.

Janys Hutchings moved to grant final approval of Kevin Holland's request for approval of a 2-lot residential subdivision with an existing home located at 2300 West 900 North in an R-1-22 zone with the recommendation that they add the DRC comment #2 made by Lynn on the plat and included all other DRC comments. Second by Derek Byrne. Motion carried unanimously.

CITY BUSINESS

Janys Hutchings asked if a person could take up there whole lot are with a building. She said these particular people already had one variance granted for the side yard; they are only about 1 foot from the road with 3 feet on the other side with maybe 10 feet in the front. Now they are building further back in the back of the house.

Lorin Powell said you cannot add to the variance – it doesn't allow the variance to go all the way around your property line.

Discussed that the interpretation is that they cannot go from one variance to another variance.

Kim Struthers discussed the booklet that was handed out.

MINUTES

5.1 APPROVAL OF MINUTES FROM THE APRIL 12, 2007 REGULAR MEETING.

Vaughn Pickell said that the votes in a few of the motions have the wrong count.

Ron Smith moved to approve the minutes from the April 12, 2007 regular meeting with the changes. Second by Vaughn Pickell. Motion carried unanimously.

5.2 APPROVAL OF MINUTES FROM THE APRIL 26, 2007 REGULAR MEETING.

Kerry Schwartz said on page 6 he said that 'there was a recent approval dealing with recreational activities'.

Marilyn Schiess moved to approve the minutes from the April 26, 2007 regular meeting with the change. Second by Ron Smith. Motion carried unanimously.

ADJOURN

Janys Hutchings moved to adjourn. Second by Carolyn Player. Motion carried unanimously.

Meeting ended at 8:55 p.m.

Date Approved _____

Chairman _____

Secretary _____