

LEHI CITY PLANNING COMMISSION MEETING

Minutes from the Lehi City Planning Commission meeting held on Thursday, February 14, 2008 in the Lehi City Council Chambers.

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

Members Absent: Chris Bleak – excused, Jason Willes – excused

Others: Dianna Webb, Noreen Edwards, Christie Hutchings, Lorin Powell, Council member Mark Johnson

Meeting began at 7:00 p.m.

REGULAR AGENDA

3.1 LETICIA PERALTA – REQUESTS APPROVAL OF A MAJOR HOME OCCUPATION PERMIT TO OPERATE A DAYCARE FROM HER HOME LOCATED AT 1123 NORTH 1800 WEST IN AN EXISTING RA-1 PUD ZONE.

Christie Hutchings presented the request and stated that she is requesting no more than 6 children and she has passed the safety inspection.

Leticia Peralta was present and stated that she is working on her state licensing and she does have the health department approval. The hours would be from 7:30 am to 4:30 pm. The back yard is fenced. She said that the CC&R's don't have any restrictions. They will use the main entrance to the home for her daycare.

Kerry Schwartz moved to grant final approval of Leticia Peralta's request for a Major Home Occupation permit to operate a daycare from her home located at 1123 North 1800 West in an existing RA-1 PUD zone based on her meeting all qualifications and state standards and licensing and passing city inspection and make this approval contingent on he obtaining her state licensing. Second by Marilyn Schiess. Motion carried unanimously.

3.2 DAVID PETERSON – REQUESTS SITE PLAN APPROVAL FOR LEHI MEDICAL PLAZA LOCATED AT 1120 EAST 3300 NORTH IN AN EXISTING COMMERCIAL ZONE.

Christie Hutchings presented the request and stated that they want to construct 2 medical buildings on what is now one lot. She said that this is a permitted use but is over \$500,000.00 so it requires Planning Commission review.

Bruce Mackay with Ken Harris Architect was present and stated that the primary purpose would be medical office space. This would be similar to the buildings at Thanksgiving Point but different enough so it doesn't look like a copy cat. This will be phased with one building going in first. There will be underground parking for the buildings with a connecting link for the offices on the main level.

Discussed the grading for the underground parking entrance.

Bruce Mackay said that he is sure an underground radiant heat system will be used in the driveways to mitigate the ice and snow.

Kerry Schwartz asked about the construction traffic with the school adjacent to this. He is concerned with the traffic flow during school.

Bruce Mackay said that there will probably be some guidelines set up during the preconstruction meeting.

Janys Hutchings said she would have a fence up.

Christie Hutchings said there is one there now – maybe you could require that it stays there during construction.

Kerry Schwartz said that on the first page it shows the construction entrance in the cul-de-sac. It really needs to be on 1200 East away from the school.

Discussed that the cul-de-sac is used for a drop off and pick up zone for the school. Discussed that when the school is not in session they could use that cul-de-sac.

Janys Hutchings moved to grant final approval of David Peterson's request for Site Plan approval for the Lehi Medical Plaza located at 1120 East 3300 North in an existing Commercial zone noting that we would like to see the construction traffic enter off 1200 East during the months that school is in operation and require that the fence stay on the construction site during those months also for safety reasons and included DRC comments. Second by Ron Smith. Motion carried unanimously.

3.3 STEPHEN SOWBY – REQUESTS SITE PLAN APPROVAL FOR CENTER POINT SOUTH PROFESSIONAL OFFICES LOCATED AT APPROXIMATELY 1600 EAST 3200 NORTH IN A COMMERCIAL ZONE.

Christie Hutchings presented the request and stated that they are requesting 2 buildings. This is not a public hearing but there was some public that had a request that since the applicant is asking for reduction that they bring the building up as close to the road as they can and add trees to add more of a buffer for them something like a row of aspen trees similar to what's in the parking lot.

Steve Sowby was present for the request and showed the color board for the building. He said that these buildings are half the size as the other buildings on 1200 East but will have the same architect. He said a lot of the utilities are already being constructed on Center Pointe Drive and we are in agreement to putting in more trees along the back. We do have a water feature between the buildings which have two levels on front and three on the back. The water feature will use recycled water from the pond at the bottom.

Janys Hutchings asked about the retaining walls.

Steve Sowby said that there are a few placed where the walls are needed; they are all the 4' high with the 4' terrace. These buildings will also be built in stages – the parking and landscaping will all be put in up front.

Christie Hutchings said that they will be bonded for all that up front.

Janys Hutchings moved to grant final approval of Stephen Sowby's request for Site Plan approval of Center Point South Professional Offices located at approximately 1600 East 3200 North in a Commercial

zone and note that the applicant has agreed to plant a row of trees on the south parking area to help with aesthetics and include DRC comments. Second by Carolyn Player. Motion carried unanimously.

3.4 LANCE LARSON – REQUESTS STE PLAN AND CONDITIONAL USE APPROVAL TO OPERATE KEYSTONE MOTORS, A CAR DEALERSHIP, FROM AN EXISTING BUILDING LOCATED AT 3280 NORTH EAST FRONTAGE ROAD IN AN EXISTING COMMERCIAL ZONE. (Tabled from the January 24, 2008 meeting)

Christie Hutchings said that applicant asked that this be tabled.

Kerry Schwarz moved to table item 3.4. Second by Marilyn Schiess. Motion carried unanimously.

3.5 LEHI CITY – REQUESTS REVIEW AND RECOMMENDATION OF SECTION 4 OF THE LEHI CITY DESIGN STANDARDS, ADDING 4.4 GRADING PERMIT REQUIREMENTS TO THE LEHI CITY DESIGN STANDARDS. (Tabled from the January 24, 2008 meeting)

Christie Hutchings said that there are actually 2 different sections; the slopes would be part of the Development Code and applied to any property that has slopes. She said our attorney said that we cannot limit building on hillsides. The 30% is just an arbitrary number that most cities use. We need to make sure that we make it safe to build there and there are specific requirements that will need to be provided to the city. The second will be part of the Design Standards on any property in the city; they would need to get approval before they do any grading on their property.

Lorin Powell said that those percentages set a limit at when we start looking at something. There is intent to work with a developer and with our consultant. We will continue to work on this.

Jany's Hutchings asked if there was anything we can look at on failures around the country.

Lorin Powell said that there was something on TV that addressed some of the issues. We just need to make sure we have the things we need so we can make an educated decisions.

Christie Hutchings said that the State put out a document that addresses other concerns – not just with the slopes.

Lorin Powell stated that there is a bill that allows more arbitration – it's just to settle differences of opinions.

Vaughn Pickell stated that his concern is that if the consultant makes significant changes in this and we forward it on to City Council, we will not be able to see it again. He said that he would like to see the ordinance that we will recommend.

Jany's Hutchings would like to see the KUED presentation.

Jany's Hutchings moved to continue Lehi City's request for an amendment to the Lehi City Design Standards adding 4.4, Grading Permit Requirements, to another date until the city meets with the consultant and gets the information from all parties involved. Second by Kerry Schwartz. Motion carried unanimously.

3.6 LEHI CITY – REQUESTS REVIEW AND RECOMMENDATION TO CHAPTER 33 OF THE LEHI CITY DEVELOPMENT CODE, ADDING SLOPES AND HILLSIDE PRESERVATION SECTIONS TO THE LEHI CITY DEVELOPMENT CODE. (Tabled from the January 24, 2008 meeting)

Discussion included under item 3.5.

Janys Hutchings moved to continue Lehi City's request for an amendment to the Lehi City Development Code Chapter 33, adding Slopes and Hillside Preservation Sections, to another date until the city meets with the consultant and gets the information from all parties involved. Second by Kerry Schwartz. Motion carried unanimously.

PUBLIC HEARINGS

4.1 PETER POWELL – REQUESTS FINAL SUBDIVISION PLAT AMENDMENT REVIEW AND RECOMMENDATION FOR AULT COMMERCIAL PLAT A, AMENDING LOTS 4 & 5, LOCATED AT APPROXIMATELY 88 NORTH 1200 EAST IN A COMMERCIAL ZONE.

Public Hearing opened at 7:00 p.m.

Christie Hutchings presented the request and stated that they want to straighten the lot line between the two lots, nothing else changes. She said that El Pollo Loco is still planning on locating on lot 5a. They are getting close.

Public Hearing closed at 7:50 p.m.

David Torgurson with Sunrise Engineering was present for the request.

Derek Byrne moved to recommend approval of Peter Powell's request for Final Subdivision Plat Amendment for Ault Commercial Plat A, amending lots 4 & 5, located at approximately 88 North 1200 East in a Commercial zone and include all applicable DRC comments. Second by Ron Smith. Motion carried unanimously.

4.2 JAMIE BARNES – REQUESTS SITE PLAN AND CONDITIONAL USE APPROVAL FOR HOME SWEET HOME DAYCARE, A COMMERCIAL DAYCARE LOCATED AT 502 WEST 1200 NORTH IN AN R-2 ZONE.

Public Hearing opened at 7:00 p.m.

Christie Hutchings presented the request and stated that she does have a major home occupation permit for a daycare in her home and she does conform to the new requirements that allow a commercial day care in this zone.

Marilyn Schiess said that there is a DRC comment about the fencing being put up to a 6' high fence. She can see that being a problem on the corner.

Vaughn Pickell said that they could put a 6' fence up to the sight triangle.

Jamie Barnes was present for the request and said that there are napping areas; the babies have separate rooms to sleep in and the toddlers sleep in a bedroom. The State requires that they sleep on a mat or have a sheet or blanket on the bed. She asked what the concern is with the 6 ft fence. She said its 5 ft in the

back and 4' on the side. She said it is a state requirement that someone needs to be outside with the children at all times. We can put a 6' fence in the back and move the play area if we need to.

Public Hearing closed at 8:00 p.m.

Ron Smith moved to grant final approval for Jamie Barnes' request for Site Plan and Conditional Use approval for Home Sweet Home Daycare, a commercial daycare located at 502 West 1200 North in an R-2 zone and note that the play area needs to be obscured by a 6' fence. Second by Marilyn Schiess. Motion carried unanimously.

4.3 ABEL RUIZ – REQUESTS SITE PLAN AND CONDITIONAL USE APPROVAL TO ESTABLISH OFFICES FOR UQD, A DRYWALL COMPANY LOCATED AT 46 NORTH 300 WEST IN A MIXED USE ZONE.

Public Hearing opened at 7:00 p.m.

Christie Hutchings presented the request and stated that it is surrounded on 2½ sides by commercial. They are proposing to pave along the side for parking. Customers will not be coming to this location it will just be an office.

Abel Ruiz was present for the request and stated that he would have materials that will go to the job site stored there. He said there will be no big delivery trucks. He said that they can use either vinyl or chain link for the fencing, but he thinks vinyl would be better.

Public Hearing closed at 8:10 p.m.

Janys Hutchings moved to grant final approval of Abel Ruiz's request for Site Plan and Conditional Use approval to establish offices for UQD, a drywall company located at 46 North 300 West in a Mixed Use zone seeing it does fit in with the City code and include DRC comments. Second by Carolyn Player. Motion carried unanimously.

4.4 PILGRIM'S LANDING LLC – REQUESTS PRELIMINARY SUBDIVISION REVIEW AND RECOMMENDATION FOR PILGRIM'S LANDING PLAT 7-1, A 2-LOT COMMERCIAL SUBDIVISION LOCATED AT APPROXIMATELY 3190 WEST PILGRIM'S LOOP ROAD IN AN EXISTING PLANNED COMMUNITY ZONE.

Public Hearing opened at 7:00 .m.

Christie Hutchings presented the request for items 4.4 and 4.4a together. She said they want to split off from Open Court and the access would be from the east side of the property. This is a permitted use and they do meet the requirements for both parking and landscaping. They are requesting a reduction in the landscape buffer.

Patricia Sagastume was present for the request.

Public Hearing closed at 8:14 p.m.

Janys Hutchings moved to recommend approval of Pilgrim's Landing LLC's request for Preliminary Subdivision review for Pilgrim's Landing Plat 7-1, a 2-lot commercial subdivision located at approximately 3190 West Pilgrim's Loop Road in an existing Planned Community zone seeing it meets the code and include DRC comments. Second by Kerry Schwartz. Motion carried unanimously.

4.4A ROCKY MOUNTAIN DATA CENTER HOLDINGS – REQUESTS SITE PLAN REVIEW FOR A COMMERCIAL BUILDING LOCATED AT 3190 WEST PILGRIM’S LOOP ROAD IN AN EXISTING PLANNED COMMUNITY ZONE.

Public Hearing opened at 7:00 p.m.

Discussion included under item 4.4.

Public Hearing closed at 8:15 p.m.

Jany's Hutchings is concerned with the entrance being so close to the Open Court one.

Patricia Sagistume was present and stated that she would have to get with the engineer on the entrance location. He would also know where we are putting the detention basin. She said that each story is 12' and the tower rises another 6'. She said that the fire department wanted that straight shot into the back so if we moved the entrance we wouldn't have that.

Kerry Schwartz asked about how the garbage truck would be able to access the dumpster they way it's laid out. He said to maybe put it at an angle so it's easier access for the trucks.

Kerry Schwartz moved to grant final approval for Rocky Mountain Data Center Holdings' request for Site Plan approval for a commercial building located at 3190 West Pilgrim's Loop in an existing Planned Community zone with the request that they change the orientation of the dumpster to allow for easier access for the garbage trucks and to included DRC comments. Second by Ron Smith. Motion carried unanimously. Note for the record that we left the motion as is stating that we have also considered the access for this property convenient for fire and safety access.

4.5 MOUNTAIN HOME DEVELOPMENT – REQUESTS REVIEW AND RECOMMENDATION OF A ‘MINI’ AREA PLAN AMENDMENT AND CONCEPT PLAN AMENDMENT FOR THE TRAVERSE MOUNTAIN AREA PLAN, AMENDING VIALETTO SUBDIVISION FROM LOW DENSITY TO HIGH DENSITY AND LARINGIERA SUBDIVISION FROM LOW DENSITY TO MEDIUM DENSITY AND REVISING THE BULK AND INTENSITY TABLE FOR MEDIUM AND HIGH DENSITY.

This item was withdrawn by the applicant.

4.6 MOUNTAIN HOME DEVELOPMENT – REQUESTS REVIEW AND RECOMMENDATION OF TOSCANA PARK, A 1-LOT SUBDIVISION LOCATED AT 1778 WEST VIALETTO WAY IN A PLANNED COMMUNITY ZONE.

Public Hearing opened at 7:00 p.m.

Christie Hutchings presented items 4.6 and 4.6a together. She said this would be a private park.

Jack Hepworth was present for the request and stated that this is just for Encanta Hills, which includes 3 of the subdivisions.

Jany's Hutchings asked about the reasoning for this being for only these subdivisions.

Jack Hepworth said because this will be an upper-end development with higher HOA fees to cover this. He said the snow removal on the private drives is also included in the HOA fees.

Paul Hancock in Woodhaven said that there is concern about the lack of parks put up there.

Public Hearing closed at 8:36 p.m.

Jack Hepworth said that private drive will be labeled 'no parking'.

Kerry Schwartz moved to recommend approval of Mountain Home Developments' request for review of Toscana Park, a 1-lot subdivision located at 1778 West Vialetto Way in a Planned Community zone based on it meets the requirements for a subdivision and with their Area Plan. Second by Carolyn Player. Motion carried unanimously.

4.6A MOUNTAIN HOME DEVELOPMENT – REQUESTS SITE PLAN APPROVAL OF TOSCANA PARK LOCATED AT 1778 WEST VIALETTO WAY IN A PLANNED COMMUNITY ZONE.

Public Hearing opened at 7:00 p.m.

Discussion included under item 4.6.

Public Hearing closed at 8:36 p.m.

Marilyn Schiess moved to grant final approval of Mountain Home Developments' request for Site Plan approval of Toscana Park located at 1778 West Vialetto Way in a Planned Community zone with DRC comments. Second by Ron Smith. Motion carried unanimously.

4.7 ANDERSON DEVELOPMENT AND HOLBROOK FARMS – REQUESTS REVIEW AND RECOMMENDATION OF ZONING ON THE HOLBROOK ANNEXATION, APPROXIMATELY 1830.58 ACRES OF PROPERTY LOCATED APPROXIMATELY BETWEEN 900 NORTH-CITY (9200 NORTH-COUNTY) AND 3600 NORTH-CITY (11000 NORTH-COUNTY) AND BETWEEN APPROXIMATELY 2300 WEST-CITY (9550 WEST-COUNTY) AND REDWOOD ROAD AND WEST OF REDWOOD ROAD FROM ABOUT 1800 NORTH-CITY (9800 NORTH-COUNTY) TO 4200 NORTH-CITY (10400 NORTH-COUNTY) TO A PROPOSED TH-5 ZONE.

Public Hearing opened at 7:00 p.m.

Christie Hutchings presented the request and we had it advertised as TH-5 but the city is working with the applicant and land owners to get an Area Plan together. At this time they are requesting that the TH-5 not be considered. She said there are some properties being forced in so they would be TH-5.

Vaughn Pickell asked if we're not recommending zoning – what are we doing.

Christie Hutchings said that we are recommending annexation with the understanding that it would come back to us for zoning. She said some properties were being forced in as to not create any county islands.

Lorin Powell said that we had a meeting at the Senior Center and there has been a lot of effort made to contact people and no one has said anything. He said we have had something come from Saratoga.

Christie Hutchings said it is in both cities annexation areas – we have never come to a boundary line agreement with Saratoga.

Jim Bradshaw with Anderson Development representing several of the land owners said at this point in time we feel it is appropriate to move forward with this and come back to work out the details with Planning. We would like to have everything done by June.

Lorin Powell said this has always been in our master plan to service this area.

Steve Holbrook was present and said that after they decided to come in to the City everyone else wanted to as well so we kind of backed off and let everyone else do this. Some of the property owners have no interest in doing anything so that's why some will be TH-5. This will be so they can come back with the General Plan and zoning at the same time. As far as services, Lehi City fire and police have been out to our farm before. We are in the county but they have been the first response when it comes to that. He said that Lorin has wanted to put a water tank to the west for quite some time.

Public Hearing closed at 8:53 p.m.

*Janys Hutchings moved to recommend approval of Anderson Development and Holbrook Farms request for annexation of approximately 1830.587 acres of property located approximately between 900 north-city (9200 north-county) and 3600 north-city (11000 North-county) and between approximately 2300 West-city (9550 West-county) and Redwood Road and west of Redwood Road from about 1800 North-city (9800 North-county) to 4200 North-city (10400 North-county) with a notation that the zoning will be required when they come in with the General Plan Amendment and that the zoning needs to be in place before it can be recorded also note **with** this annexation the long standing relationship between the Lehi City Fire and Police servicing these properties. Second by Ron Smith. Motion carried unanimously.*

Vaughn Pickell excused himself at 8:55 p.m.

4.8 LEHI CITY – REQUESTS REVIEW AND RECOMMENDATION OF THE FOLLOWING AMENDMENTS TO THE LEHI CITY DEVELOPMENT CODE:
A. CHAPTER 5, ZONING DISTRICTS, ADDING PROVISIONS FOR EXCEPTIONS TO BULK AND INTENSITY REQUIREMENTS.
B. CHAPTER 35, DEFINITIONS, ADDING A DEFINITION FOR COVING.

Public Hearing opened at 7:00 p.m.

Christie Hutchings presented the request and stated that we are just adding requirements for coving and adding a definition of coving.

Public Hearing closed at 9:00 p.m.

Derek Byrne moved to recommend approval of Lehi City's request for amendments to the Lehi City Development Code: Chapter 5, Zoning Districts, adding provisions for exceptions to the Bulk and Intensity Requirements and Chapter 35, Definitions, adding a definition for coving. Second by Marilyn Schiess. Motion carried unanimously.

4.9 LEHI CITY – REQUESTS REVIEW AND RECOMMENDATION OF AN AMENDMENT TO THE LEHI CITY MUNICIPAL CODE CHAPTER 8.28, NOISE CONTROL, MODIFYING THE EXCEPTIONS TO NOISE CONTROL REQUIREMENTS.

Public Hearing opened at 7:00 p.m.

Christie Hutchings presented the request and said that this is an amendment to the municipal code.

Janys Hutchings said to change the definition to 6:00 a.m. instead of 7:00 a.m. This change needs to also be done under 'day and night'.

Discussed that we need to add in 'including Fourth of July and other city sponsored celebrations'.

Michael Elkins was present and said the there are fireworks on New Years – would that be covered under this?

Public Hearing closed at 9:12 p.m.

Janys Hutchings moved to recommend approval of Lehi City's request for an amendment to the Lehi City Municipal Code, Chapter 8.28, Noise Control, modifying the exceptions to noise control requirements with the notations that we've made to change the times to be consistent throughout the document at 6 a.m. instead of 7:00 a.m. and to add the 4th of July and other City sponsored activities into the exempt activities and included DRC comments. Second by Ron Smith. Motion carried unanimously.

Discussion as to making sure the permitting covers what the city needs.

4.10 LEHI CITY – REQUESTS REVIEW AND RECOMMENDATION OF AN AMENDMENT TO THE LEHI CITY DEVELOPMENT CODE, CHAPTER 34, ENFORCEMENT.

Public Hearing opened at 7:00 p.m.

Christie Hutchings presented the request and stated that the wording is taken directly from the State Code. The City attorney and the enforcement officer felt this was the best way to handle this.

Public Hearing closed at 9:20 p.m.

Ron Smith moved to recommend approval of Lehi City's request for an amendment to the Lehi City Development Code, Chapter 34, Enforcement. Second by Marilyn Schiess. Motion carried unanimously.

CITY BUSINESS

None

APPROVAL OF MINUTES

6.1 APPROVAL OF MINUTES FROM THE JANUARY 24, 2008 REGULAR MEETING.

Marilyn Schiess moved to approve the minutes from the January 24, 2008 regular meeting. Second by Ron Smith. Motion carried unanimously.

ADJOURN

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

Meeting ended at 9:24 p.m.