

LEHI CITY PLANNING COMMISSION MEETING

Minutes from the Lehi City Planning Commission meeting held on Thursday, May 8, 2008 in the Lehi City Council Chambers.

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

Members Absent: Jason Willes – excused

Others: Dianna Webb, Frankie Christofferson, Christie Hutchings, Noreen Edwards, Lorin Powell

Meeting began at 7:05 p.m.

REGULAR AGENDA

3.1 WARREN LLOYD – REQUESTS SITE PLAN APPROVAL FOR THE LEHI COMMERCIAL SAVINGS BANK BUILDING LOCATED AT 206 EAST STATE STREET IN AN EXISTING MIXED USE ZONE.

Christie Hutchings presented the request and stated that there is a solid masonry wall along the back of the property.

Warren Lloyd with Lloyd Architects was present for the request and stated that the project is a historic restoration of the old bank building. He said it was registered in 1998 on the Historical Registry. He said they want to restore it with approximately 6,000 sq foot of office and retail with some storage in the basement. The proposed use would be for a business called tri-fit which is a fitness equipment business; the upper floor could have some exercise and work out area with an office for physical therapists. He said the parking should be adequate for their use. We are proposing 9 off street parking stalls but we are not proposing parking on State Street. He said there has been recent and further decay of the south building wall – we have performed a seismic evaluation of the building and at this point the south wall would need to be replaced in its entirety. We hope we can save the other 3 walls. He said that at some point the surface of the building was sand blasted which left it in the condition it is in now. This is a change of use and so it would be required to be upgraded to comply with the building code. He said there is a break between the sidewalk and the building so that section would be used for planting probably ground cover and trees. He said they do qualify for a 20% federal tax credit at the end of the project and they have submitted this project to the State Dept. of History.

Kerry Schwartz moved to grant final approval of Warren Lloyd's request for Site Plan approval for a triathlon training and retail store in the Lehi Commercial Savings Bank building located at 206 East State Street in an existing Mixed Use zone seeing it is consistent with Mixed Use zone and given that they have considered the historic nature of the property and include DRC comments. Second by Marilyn Schiess. Motion carried unanimous.

3.2 TINA ORTON – REQUESTS A MAJOR HOME OCCUPATION PERMIT TO OPERATE A CLOTHING MANUFACTURING COMPANY FROM HER HOME LOCATED AT 492 WEST 2100 NORTH IN AN EXISTING R-1-8 ZONE.

Christie Hutchings presented the request and stated that the applicant is a clothing manufacturer and has seamstresses come to her home occasionally but no customers. She said they are waiting on their inspection so the motion would need to be contingent on that.

Tina Horton was present and stated that she manufactures, designs and does cutting work and has seamstresses help her. She said she sells to stores in Park City and we also sell our products at shows. She said she does have industrial sewing machines. She said that Arnie Hunt has been out to help with the layout and safety of the remodeling. The material comes in shipments usually by way of UPS ground trucks. She said there are 2 shipments a year that come in bigger trucks.

Janys Hutchings moved to approve Tina Orton's request for a Major Home Occupation permit to operate a clothing manufacturing company from her home located at 492 West 2100 North in an existing R-1-8 zone noting that she does comply with the code and the approval contingent on passing her safety inspection. Second by Carolyn Player. Motion carried unanimous.

REGULAR AGENDA

4.1 KORREY TRAPP – REQUESTS REVIEW AND RECOMMENDATION FOR A ZONE DISTRICT AND ZONE DISTRICT MAP AMENDMENT ON PROPERTY LOCATED AT APPROXIMATELY 700 SOUTH 850 EAST FROM AN A-5 ZONE TO LIGHT INDUSTRIAL AND BUSINESS PARK ZONES.

Public Hearing opened at 7:05 p.m.

Christie Hutchings presented the request and stated that there will be a water dedication required.

Derek Byrne asked how the 10th south corridor crosses this.

Lorin Powell said it goes right across the intersection. He said it's just the current plan and isn't adopted yet.

Korrey Trapp was present for the request.

Kerry Schwartz asked about this being possible Business Park south of the highway.

Korrey Trapp said that the Light Industrial zone is already there and we just wanted to conform that way.

Dianna Webb said that the City Council did decide to leave it as it is with the Light Industrial.

Public Hearing closed at 7:43 p.m.

Janys Hutchings moved to recommend approval of Korrey Trapp's request for a Zone District and Zone District Map Amendment on property located at approximately 700 South 850 East from an A-5 zone to Light Industrial and Business Park zoning seeing it does fit in to our General Plan and include DRC comments. Second by Chris Bleak. Motion carried 6-1 with Derek Byrne opposing – stating that he would like all Business Park.

4.2 CHARLES LOVELADY – REQUESTS A CONDITIONAL USE PERMIT TO OPERATE A CHURCH AT 55 WEST MAIN STREET IN AN EXISTING MIXED USE ZONE.

Public Hearing opened at 7:05 p.m.

Christie Hutchings presented the request and stated that there was another use for A+ Car Rentals that came in for approval but the commission didn't feel they could give approval for that when the church is there with out approval. The applicant did say that they may need a week night to come in and meet with the pastor.

Chuck Lovelady the pastor of the Timpanogas Baptist Church was present and mentioned that he did not know they needed a permit to operate a church there. He said they did have a Tuesday evening bible class which has been discontinued but he does have some people come in once in awhile during the week.

Public Hearing closed at 7:48 p.m.

Derek Byrne moved to grant final approval of Charles Lovelady's request for a Conditional Use permit to operate a church at 55 West Main Street in an existing Mixed Use zone with DRC comments. Second by Marilyn Schiess. Motion carried unanimous.

Kerry Schwartz did mention that the parking had been an issue with other businesses in there.

David Lym was present and asked about his application for A+ Car Rentals being approved at the same time as this application.

The Planning Commission suggested that since it was not posted with this agenda that it be put on the next meeting for the conditional use approval.

4.3 KIRK ROGERS – REQUESTS CONDITIONAL USE AND SITE PLAN APPROVAL FOR UTAH COMMUNITY CREDIT UNION, A CREDIT UNION WITH DRIVE-THRU FACILITIES LOCATED AT 3281 NORTH 1120 EAST IN AN EXISTING COMMERCIAL ZONE.

Public Hearing opened at 7:05 p.m.

Christie Hutchings presented the request and stated that this is located between the preschool and the pediatrics office. She stated that they do have quite a bit more parking than the code calls for.

Kirk Rogers the facilities administrator and Joyce Bailey from the architect's office were present for the request.

Kerry Schwartz asked about the lighting specs and where they were to be placed.

Kirk Rogers said that they are to be placed by the front door. He said the parking lot lights are a decorated thin decorative style and are shielded. He said the time frame for build out would be about 5 months.

Jany's Hutchings said there is a huge safety concern because now we have 5 buildings going in on that road at the same time.

Kirk Rogers said that it has been discussed specifically. He said they had been up there when school gets out. We can keep everything out of the public right of way. He said that the traffic counts vary from a couple hundred trips a day to about 1000 trips at the really busy offices.

Public Hearing closed at 8:00 p.m.

Kerry Schwartz asked if we can ask for a safety plan to be put in place when school is in session.

Discussed the traffic and the safety concerns.

Kirk Rogers said that they are very aware of the safety issues and stated that they will be putting up temporary fencing.

Kerry Schwartz suggested that there be no on street parking during school and that they put safety fencing up during construction. He said that if they can limit construction deliveries to the hours when kids are either in school or out like between 10 & 2.

Kirk Rogers said that there are some times when the suppliers just show up.

Janys Hutchings asked if they had plans for a fence between the preschool and this.

Kirk Rogers said at this point we have not – there is an existing fence between the residential on the west and a partial fence by the pediatrics to the south.

Chris Bleak moved to approve Kirk Roger’s request for Conditional Use and Site Plan approval for Utah Community Credit Union, a credit union with drive-thru facilities located at 3281 North 1120 East in a Commercial zone including the comments that they try to implement the fencing and for safety concerns with the school that they stay out the public right of way in terms of site construction and that they try to have the deliveries come at non peak school times and include DRC comments. Second by Marilyn Schiess.

Janys Hutchings feels we need a permanent fence along the north between the preschool and this.

Discussed fencing.

Kirk Rogers said that if that’s what this body of people wants to see then we can do that. He said that we usually default to leaving things open. He said that they could mirror what Alpine Pediatrics did.

Lorin Powell said that the fence can be a problem with seeing the kids with cars pulling out. He said we need to make sure it’s pulled back from the right of way.

Chris Bleak moved to amend his motion to include that they put a permanent fence along the north side making sure that they maintain the site triangle to allow the cars to be able to see children on the sidewalk as they are coming in and out of the credit union. Second by Marilyn Schiess stands. Motion carried unanimous.

4.4 IDENTITY SIGNS – REQUESTS APPROVAL OF A 25’ POLE SIGN FOR THE MAYFLOWER BUSINESS PARK LOCATED AT APPROXIMATELY 3375 WEST MAYFLOWER AVENUE IN AN EXISTING PLANNED COMMUNITY ZONE.

Public Hearing opened at 7:05 p.m.

Christie Hutchings presented the request and stated that we have approved 3 buildings in this area and the pole sign will be on the NE corner of the property. It is possible that it may need to be moved slightly because of the easement and utility lines. It also may fall within the site triangle.

Kyle Germer was present for the request and stated that they did walk off the site triangle and are ok with that and we will be 11 feet behind the sidewalk.

Kerry Schwartz asked about the stone matching the existing buildings.

Kyle Germer said that it will match the stone on the building – and with a pole sign we can get freeway visibility.

Chris Bleak asked the applicant if he had seen the letter from the SDH properties to the east.

Kyle Germer said that he actually met with him a couple days ago and they walked it off and he is ok with that.

Public Hearing closed at 8:25 p.m.

Janys Hutchings moved to grant final approval of Identity Sign's request for a 25' pole sign for the Mayflower Business Park located at approximately 3375 West Mayflower Avenue in an existing Planned Community zone seeing they meet code and require that they meet DRC comments. Second by Carolyn Hutchings. Motion carried 6-1 with Kerry Schwartz opposed.

4.5 GARY & ERICA POWELL – REQUESTS PRELIMINARY SUBDIVISION REVIEW AND RECOMMENDATION OF POWELL SUBDIVISION, A 2-LOT COMMERCIAL SUBDIVISION LOCATED AT 550 NORTH STATE STREET IN AN EXISTING MIXED USE ZONE.

Public Hearing opened at 7:05 p.m.

Christie Hutchings presented the request and stated that there is only one access which would have to be used for both lots. She said that this application received preliminary approval 5 years ago and because it had been along time staff felt Planning Commission needed to review it again.

David Peterson was present for the request and stated that they just want to get the lot ready so when they want to sell it- it will be ready. He said there is a reciprocal driveway.

Vaughn Pickell pointed out something in the Railroad agreement where the access does not transfer from owner to owner.

David Peterson asked if they would need to add language so the owner of lot two has permission to use that access, He said whoever purchases this lot would need to get permission from the Railroad to access the easement.

Lorin Powell said UTA owns it and Union Pacific controls it. He said all the agreements pass on and are still in effect with whoever has bought the property.

Discussed placing a condition that when a business comes in to either purchase or construct on that lot that they will need either UTA or UP approval.

Lorin Powell said that the owner of lot one is liable for that easement – we can put it as a requirement if you want.

Public Hearing closed at 8:40 p.m.

Chris Bleak moved to recommend approval of Gary & Erica Powell's request for Preliminary Subdivision recommendation for Powell Subdivision, a 2-lot commercial subdivision located at 550 North State Street in an existing Mixed Use zone including DRC comments and if the lots are sold that there be some sort of designation for future Planning Commission and the future purchasers that they will need to get UTA or UP approval for that crossing and note on the plat that lot one accepts liability for the crossing.

Discussed the letter from the Railroad and the liability and that if the lot is sold the new owner would need to get access agreement.

Lorin Powell said that we could have a note on the plat that the new owners of lot two get their own agreement letter for the crossing.

Chris Bleak moved to withdraw his previous motion.

Chris Bleak moved to recommend approval of Gary & Erica Powell's request for Preliminary Subdivision review of Powell Subdivision, a 2-lot commercial subdivision located at 550 North State Street in an existing Mixed Use zone including DRC comments and pending an updated or new letter from UTA or Union Pacific recognizing the crossing and that it can be shared by the potential new lot owners. Second by Marilyn Schiess. Motion carried unanimous.

4.6 PAUL TAGGART – REQUESTS PRELIMINARY SUBDIVISION REVIEW AND RECOMMENDATION FOR PILGRIM'S LANDING PLAT 8, A 7-LOT COMMERCIAL SUBDIVISION LOCATED AT APPROXIMATELY 3450 WEST MAYFLOWER AVENUE IN AN EXISTING COMMERCIAL ZONE.

Public Hearing opened at 7:05 p.m.

Christie Hutchings presented the request and stated that the flat area is where the cul-de-sac would be to create 5 smaller commercial lots and the larger ones are in the sloped area and are for future development.

Paul Taggart was present for the request and said that currently the bottom is an old gravel pit and we are putting together a concept for that.

Chris Bleak asked about the sloughing on that hillside along there.

Lorin Powell said that there will be some sort of requirement for this to have drainage.

Paul Taggart said that they are redoing things so there won't be any erosion. He said they will have to replant the seed to help keep the erosion down.

Discussed having a second access.

Lorin Powell said that when they start to do something with that back lot then we will have to look at a second access. He said we can have 50 equivalent on one access point.

Discussed clarifying whether the access road to the city lift station and well is a deeded right of way or just an easement.

Public Hearing closed at 9:10 p.m.

Discussed that the subdivision for Rocky Mountain Data Center has not been recorded and we need to look into it on Monday. Discussed whether that access road could be a full street if there needs to be another access.

Lorin Powell said that they would really only need 38 ft so it should work.

Kerry Schwartz said we could move it forward noting the concerns for a second access.

Kerry Schwartz moved to recommend approval of Paul Taggart's request for Preliminary Subdivision review for Pilgrim's Landing Plat 8, a 7-lot commercial subdivision located at approximately 3450 West Mayflower Avenue in an existing Commercial zone noting that a correction needs to be made on the lot numbers and also the lot lines need to be corrected on lots 5, 6 and 8 as shown on the current plat recognizing that the Planning Commission has concerns over a secondary access for this property and include DRC comments. Second by Derek Byrne.

Chris Bleak expressed concern for the slopes and corrosion.

Kerry Schwartz moved to amend his motion to include that when the final plat is reviewed we recognize that the drainage and the slopes will need to be properly addressed. Second by Derek Byrne stands. Motion carried unanimous.

CITY BUSINESS

Dianna Webb said that when we went to City Council two weeks ago to present changes to the Mixed Use regarding use car lots – they tabled it and asked staff to research other cities to gather information which we have done. She said we need to have our own vision for what we want along our Main Street and State Street corridors. She stated that we have put a lot of time into the downtown revitalization and if we were to make a staff recommendation we would move this forward with what had been submitted and then we could review all the uses along State and Main. We would like to see passed what the Planning Commission has recommended to date and then do additional research in these areas.

Mark Johnson said that it is out of the ordinary for the council to send it back. The City is not anti-business – but there are a lot of illegal businesses in town competing with those that have done it legally. Mark said that he would like the Planning Commission to either reconsider or hold to the original recommendation.

Vaughn Pickell said that we have made our recommendation and he would like to see us hold to it.

Janys Hutchings said that when we were looking at it we took into consideration that the city did spend a lot of time and money on the Revitalization. There were some businesses that would detract from the downtown area; small car businesses, go carts and that type of thing – we have been working on that table to clear up those items in the MU zone.

Kerry Schwartz said that it was a recommendation to limit the size of car lots to 1 acre or more in the MU zone. He said that we chose the 1 acre because that size would be appropriate. He said there are a lot of small car lots that are popping up in the residential areas along Main and State Street that do not have enough acreage to even do a 25' buffer. This way they would have to consolidate parcels to do one.

Janys Hutchings said that by changing this it will hopefully not affect the neighborhoods as much.

Vaughn Pickell said that a 1 acre minimum is one way to limit the number of car lots.

Frankie Christofferson said that landscaping is an issue – a smaller lot does not have the room to put any in and the inventory starts flowing over onto other areas.

Lorin Powell said that the Planning Commission had been doing nothing but variances on the landscaping because there was not enough room so they end up with no landscaping.

Mark Johnson brought up different situations that have been brought up that cause problems.

Dianna Webb said that a lot of the citizens are concerned about maintaining the character of the downtown neighborhoods. She said a lot of these car dealerships are coming in and buying small lots and turning them into businesses – some are being turned into offices which are not nearly as intrusive as a large pavement area. She said that the City Council asked that we follow through with it right now and continue to work on it and make the changes – for the time being.

Vaughn Pickell said that we need to reiterate to the council what we have previously recommended.

Kerry Schwartz said that we have reconsidered and looked at the new information this evening.

Dianna Webb said that we are not taking away any legal business right now – as long as they have gone through the approval process they are grandfathered in.

APPROVAL OF MINUTES

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

Chris Bleak moved to approve the minutes from the April 24, 2008 regular meeting. Second by Kerry Schwartz. Motion carried unanimous.

ADJOURN

Kerry Schwartz moved to adjourn. Second by Janys Hutchings. Motion carried unanimous.

Meeting ended at 9:50 p.m.

Date Approved _____

Chairman _____

Secretary _____