

LEHI CITY PLANNING COMMISSION MEETING

Minutes from the Lehi City Planning commission meeting held on Thursday, September 11, 2008 in the Lehi City Council Chambers.

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

Members Absent: None

Others: Frankie Christofferson, Christie Hutchings, Noreen Edwards, Lorin Powell, Council member Mark Johnson

Meeting began at 7:08 p.m.

REGULAR AGENDA

3.1 AMANDA DAVIS – REQUESTS APPROVAL FOR A MAJOR HOME OCCUPATION PERMIT TO OPERATE MOTHERS BEARS PRESCHOOL AND CHILDCARE FROM HER HOME LOCATED AT 1923 WEST SNOW SPRINGS DRIVE IN AN EXISTING R-1-12 ZONE.

Christie Hutchings said that the applicant has asked to be withdrawn. She is changing her application.

3.2 BURKE JACKSON – REQUESTS REVIEW AND RECOMMENDATION FOR A ZONE DISTRICT AND ZONE DISTRICT MAP AMENDMENT ON PROPERTY LOCATED AT APPROXIMATELY 649-710 WEST MAIN STREET FROM RA-1 AND A-1 ZONES TO A MIXED USE ZONE. (Tabled from the August 28, 2008 meeting)

Christie Hutchings presented the request.

Drew Downs was present for the request and stated that eventually he would like to do some medical or office buildings on his property.

Shawn Brady with Century 21 was also present.

Derek Byrne asked if anything had changed since the last meeting.

Shawn Brady said that nothing has changed.

Carolyn Player said that with the Mixed Use zoning there are concerns with the higher density. And in that area the infrastructure couldn't handle the higher density.

Christie Hutchings said that going to commercial now would make their homes non-conforming so they wouldn't be able to live in them.

Lorin Powell said that there is a grandfather clause that would allow them to keep the same use but they could not modify the use at all. He said that we have been discussing the zone to give more flexibility. He said that we are particularly looking at the areas outside of the downtown area.

Discussed having them do a Development Agreement.

Janys Hutchings asked if we could state in our motion for that to go more commercial.

Jason Willes said that the intent of the applicants may not be for high density but those who purchase the properties may have a different idea. He said that we would rather have it go commercial. The only idea he could give was to deny it is because of infrastructure.

Discussed that the density is based on Planning Commission approval it is not a guarantee.

Lorin Powell said that we have talked enough about it that we could have staff address that.

Vaughn Pickell said that we could make the condition that they enter into a Development Agreement.

Lorin Powell said that when the City Council approved the General Plan Amendment the only people that were there were in favor of this.

Discussed what density we would stipulate in a Development Agreement - 4 units per acre would be more consistent with what we can handle – that would go along better with the R-1-8 zone by it.

Jason Willes moved to recommend approval of Burke Jackson's request for a Zone District and Zone District Map Amendment on property located at approximately 649-710 West Main Street from RA-1 and A-1 zones to a Mixed Use zone along with DRC comments and the following recommendation: that the applicant enter into a Development Agreement with the City to limit the density to 4 units per acre seeing that it would be a better fit with the master plan for utilities and is more consistent with the surrounding zoning, noting that the original intent of the Mixed Use zone was limited to State Street and Main Street and with a reminder from the DRC Report, Policy 1 'Encourage the location of commercial, professional office, manufacturing, industrial, educational, and governmental job opportunities within the overall context of community benefit and orderly economic growth'. Second by Marilyn Schiess. Motion carried unanimous.

3.3 RON PECK – REQUESTS APPROVAL FOR THE PECK-ORMSBY CONDOMINIUM CONVERSION LOCATED AT 2961 WEST MAPLE LOOP ROAD IN A RESORT COMMUNITY ZONE. (Tabled from the August 28, 2008 meeting)

Christie Hutchings presented the request.

Weston Southwick with Trane Engineering was present for the request.

Janys Hutchings said in the CC&R's section 2.04 B it says city of Orem.

Vaughn Pickell said 7.01 is the same. It needs to be fixed so 'Lehi City' is consistent throughout.

Janys Hutchings moved to recommend approval of Ron Peck's request for the Peck-Ormsby Condominium conversion located at 2961 West Maple Loop Road in a Resort Community zone seeing it does fit the General Plan and current zoning and include DRC comments. Second by Carolyn Player. Motion carried unanimous.

PUBLIC HEARINGS**4.1 YOUNG ELECTRIC SIGN – REQUESTS CONDITIONAL USE APPROVAL FOR A POLE SIGN FOR THE UTAH COMMUNITY CREDIT UNION LOCATED AT 3281 NORTH 1120 EAST IN AN EXISTING COMMERCIAL ZONE.**

Public Hearing opened at 7:08 p.m.

Christie Hutchings presented the request and stated that they want to put in a 25' pole sign. There is some concern that it is a little bit too large. The sign and reader board came to 192.5 sq ft and only 159 sq ft would be 15% of the frontage that the ordinance would allow.

Discussed the brightness of the LED signs.

Carolyn Nelson said that some of these signs have lights that can be turned down at night.

Derek Byrne said he doesn't feel that the LED sign needs to be there where it's not on a major road.

Kirk Rogers with UCCU was present. Bruce Larson and Ludene Lettermen from YESCO were also present for the request.

Kirk Rogers said that we have found that LED signs can be updated from the main office for all the signs for UCCU so they can update them very quickly. He said there is not a lot of animation, just text. We don't feel it is a distraction.

Bruce Larson said that with the brightness – they are at 85% during the day and 65% at night and can be lowered to a lower setting if desired. He said the back ground is black with red lettering and the credit union uses a simple fade in fade out without a lot of movement. The sign is a north/south facing sign and any residential is way to the west.

Kirk Rogers said that the building is taller than the sign. The sign itself can be resized to be in compliance. He said we want to be part of the community so we'd like the capability to put local things on there as well.

Brad Bennett lives in Alpine Vista and said that the other commercial areas don't have signs like this. He said that Brooks Meadows is directly behind this and there will be a lot of light from that sign. He would prefer a ground sign.

Vaughn Pickell said that our code allows a pole sign in a Commercial zone.

Bruce Larson said that the face of the sign will not be facing the neighborhood.

Public Hearing closed at 8:05 p.m.

Kirk Rogers said that the building would obscure the sign from the neighborhood. He said that we as a credit union, are sensitive to our neighbors and we have looked carefully at the sign code.

Jany's Hutchings said that some options are that they turn them down lower than 65% at night or just have the LED part turned off totally at night.

Derek Byrne said that we would be getting in trouble if we regulated them turning it off.

Derek Byrne moved to grant final approval of Young Electric Sign's request for Conditional Use approval for a pole sign for the Utah Community Credit Union located at 3281 North 1120 East in an existing Commercial zone with the following conditions: that at night they change the percentage of the over all brightness capability from 65% to 50% and that any animation be limited to scrolling up or down or side to side and that the size of the sign conform to the sign ordinance and included all applicable DRC comments. Second by Janys Hutchings. Motion carried 5-2 with Marilyn Schiess and Kerry Schwartz opposed.

Kerry Schwartz said he feels we're being arbitrary by trying to lower it more than 85% of brightness during the day and 65% at night.

4.2 ROSS WELCH – REQUESTS CONDITIONAL USE APPROVAL FOR SIGNAGE FOR CENTER POINTE AT LEHI, A COMMERCIAL SUBDIVISION LOCATED AT APPROXIMATELY 1200 EAST AND SR-92 IN AN EXISTING COMMERCIAL ZONE.

Public Hearing opened at 7:08 p.m.

Christie Hutchings presented the request and stated that they are requesting 3 pole signs and have been given concept approval in a previous meeting. These would represent all businesses at this location – the only one with an LED would be the one on the west. They are requesting that the west one be moved a little because of the SR-92 realignment. The gas station sign is a permitted use.

Discussed having the signs in a PUE – the footings can be a problem.

Ross Welch was present for the request and stated that part of the agreement they had with Smith's was that they had signing rights on the east west corners. He said as far as the easement; if anything had to be done we would incur the cost of taking the sign down or whatever needs to be done. We're trying to get as close as we can to that corner so we are still in visibility to that corner when that road is realigned. He said the lighting of the signs would be on while the building is open so they will shut down when the store closes. The Smith's will be open from 6 am -11 pm.

Lorin Powell said that the reason it's a 25 ft wide easement is because of the Bull River Ditch.

Jeff Randall with Great Basin Engineering was present and stated that the footings are similar to a light pole base about 3 ½ diameter and go down about 5 ft. He said the wind rating on the signs is probably about in the 90-95 range.

Ross Welch said that they are facing an east west direction. They are proposing a full color sign with picture imaging with some video on the sign.

Brad Bennett lives in the Alpine Vista development said that he has the same concern with the lighting the sign will produce. He said they would like special consideration on the amount of light that these signs produce.

Public Hearing closed at 8:40 p.m.

Vaughn Pickell said that he doesn't feel the video sign complies with the code.

Ross Welch said that from looking at the signs around Lehi this would not be any more animated than any other signs in Lehi. He said that this sign is facing onto a major state highway. The light will be less than the headlights from the cars; also the lights from the parking lot themselves will be greater than these signs. This will not be at 100% but we don't want them so dim that they are not as effective either.

Discussed the signs – the businesses along SR-92 will have their own monument signs.

Ross Welch said that some of the businesses may not have a monument sign – they may just have the sign on their building. Others will want and request a monument sign. He said this development covers 38 acres and in the CC&R's it states that there can be only one animated sign and that would be the one on the west.

Vaughn Pickell said that he doesn't think the colored video sign complies with the code.

Discussed that the word 'may' in the code means they can use discretion – 'shall' says that it has to be. Discussed the difference with colored lighting versus a single color.

Jason Willes asked about UDOT having any regulations on those types of signs next to their right of way.

Frankie Christofferson said that she believes that we had Truck World look into that and they couldn't find any regulations.

Jason Willes asked if there was a way we could limit the hours of using the colored board versus having it as a straight reader board – maybe have the video board during the day and have it as a reader board at night.

Discussed video presentations versus lettering only.

Marilyn Schiess said that the whole thing could go off at 11 pm when the store closes.

Jason Willes would be ok if the applicant will limit the times for the video portion of that board consistent with daylight savings time from 6 am to dusk or something like that.

Ross Welch said that the go-home traffic is a great time to advertise.

Derek Byrne asked if just the video capabilities cease at that time.

Jason Willes said that there a lot of things they can do. He feels a lot are opposed to it as presented. He suggested coming back another time to look at limitations imposed to see if the applicant is ok with those – the signs are needed and nicely designed but the LED is what is holding us all up.

Kerry Schwartz said that technology has changed and maybe the sign code needs to change to address some of these – especially in the future.

Marilyn Schiess said if the signs go off at night she doesn't have a problem with it.

Marilyn Schiess moved to grant final approval Ross Welch's request for Conditional Use approval for signage for Center Pointe at Lehi, a commercial subdivision located at approximately 1200 East and SR-92 in an existing Commercial zone for the 3 signs presented and include that they comply with the 11:00 p.m. shut down and include DRC comments. Second by Kerry Schwartz.

Jason Willes and Derek Byrne said they would vote against it because of the time taken with the credit union sign.

Motion failed 2-5 with Jason Willes, Vaughn Pickell, Janys Hutchings, Derek Byrne, Carolyn Player opposed.

Jason Willes moved to grant final approval Ross Welch’s request for Conditional Use approval for signage for Center Pointe at Lehi, a commercial subdivision located at approximately 1200 East and SR-92 in an existing Commercial zone for the 3 signs presented and include that they comply with the 11:00 p.m. shut down and include DRC comments with the amendment that the illumination be limited to 85 % of total illumination capabilities during daylight hours and 65% of total illumination capability of hours after dusk with the reason being that it is on a major roadway and because of what I believe would be a safety concern with any illumination above 85% of total capability and the that he doesn’t go down to 50% at night is because they are on a road way and they are further away from residential dwellings and add that it needs to meet all UDOT’s regulations for signage adjacent to the UDOT right-of-way. Second by Janys Hutchings. Motion carried 6-1 with Vaughn Pickell opposed.

Jason Willes said that there needs to be a study or way to determine whether the conditional uses needed to have some adjustments made to them.

APPROVAL OF MINUTES

5.1 APPROVAL OF MINUTES FROM THE AUGUST 14, 2008 REGUALR MEETING.

Kerry Schwartz moved to approve the minutes from the August 14, 2008 regular meeting. Second by Derek Byrne. Motion carried unanimously.

5.2 APPROVAL OF MINUTES FROM THE AUGUST 28, 2008 REGULAR MEETING.

Derek Byrne moved to approve the minutes from the August 28, 2008 regular meeting. Second by Jason Willes. Motion carried unanimous.

ADJOURN

Janys Hutchings moved to adjourn. Second by Jason Willes. Motion carried unanimous.

Meeting ended at 9:35 p.m.

Date Approved _____

Chairman _____

Secretary _____