

LEHI CITY PLANNING COMMISSION MEETING

Minutes from the Lehi City Planning Meeting held on Thursday December 4, 2008 in the Lehi City Court Building.

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

Members Absent: Chris Bleak - excused

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

Meeting began at 7:05 p.m.

REGULAR AGENDA

3.1 TRUDY HAUVER – REQUESTS A MAJOR HOME OCCUPATION PERMIT TO OPERATE A SALON FROM HER HOME LOCATED AT 2068 HIDDEN CREEK DRIVE IN AN EXISTING R-1-15 ZONE.

Kim Struthers presented the request and stated that the applicant said that she would only have 1 -2 clients per hour. The approval will need to be contingent on her passing her inspection.

Trudy Hauver was present and stated that they did come and do her inspection and it did pass. She said there is a separate entrance and her hours would be from 9 until the latest 7 p.m.

Janys Hutchings moved to grant final approval for Trudy Hauver's request for a Major Home Occupation permit to operate a salon from her home located at 2068 Hidden Creek Drive in an existing R-1-15 zone seeing it fits the code and contingent that all paper work for inspection be submitted. Second by Carolyn Player. Motion carried unanimous.

3.2 JENNY HANSEN – REQUESTS A MAJOR HOME OCCUPATION PERMIT TO OPERATE COOKIE CLUB CHILD CARE FROM HER HOME LOCATED AT 450 SOUTH 1500 WEST IN AN EXISTING R-1-12 ZONE.

Kim Struthers presented the request and said that the applicant would have no more than 6 children total. He said that he doesn't know if she passed her inspection.

Jenny Hansen was present and stated that she has 3 children of her own with 2 under the age of two. That is included in the number. The back yard is fenced and the inspection has passed. He hours of operation would be from about 7-5:30.

Janys Hutchings moved to grant final approval of Jenny Hansen's request for a Major Home Occupation permit to operate Cookie Club Child Care from her home located at 450 South 1500 West in an existing R-1-12 zone seeing it does meet the City's code and standards and it is contingent on the inspection paper being turned in. Second by Marilyn Schiess. Motion carried unanimous.

3.3 ANGELA CHRISTIANSEN – REQUESTS A MAJOR HOME OCCUPATION PERMIT TO OPERATE THE CHOCOLATE, A DESSERT BAKERY, FROM HER HOME LOCATED AT 1043 WEST 3020 NORTH IN AN EXISTING R-1-10 ZONE.

Kim Struthers presented the request and stated that this would be operated out of the basement. He said that she will also need to verify that she has passed her inspection. Kim Struthers said that there will be one other employee.

Janys Hutchings asked if there were any safety things or other types of concerns with her doing this in her home.

Angela Christiansen was present and stated that the appliances are all approved. They have had a building permit and had the safety inspection. She said that people pre order and she caters. There is usually only 1 -2 clients an hour just to pick up. Or if we cater it we take it to the space. She said she does have a license for a commercial kitchen and certificate from Department of Health.

Derek Byrne moved to grant approval for Angela Christensen's request for a Major Home Occupation permit to operate The Chocolate, a dessert bakery, from her home located at 1043 West 3020 North in an existing R-1-10 zone. Second by Kerry Schwartz. Motion carried unanimous.

3.4 MARK NUGEN – REQUESTS AN INTERPRETATION OF USE FOR SPLASH POINT, AN INDOOR WATER PARK AND FITNESS CENTER TO BE LOCATED WITHIN THE PILGRIM'S LANDING PROJECT LOCATED AT APPROXIMATELY 4300 NORTH 3500 WEST IN A PLANNED COMMUNITY ZONE.

Kim Struthers said that the applicant has asked that this be tabled until January.

Janys Hutchings moved to table Mark Nugen's request for an Interpretation of Use for Splash Point, an indoor water park and fitness center to be located within the Pilgrim's Landing project located at approximately 4300 North 3500 West in a Planned Community zone until the January meeting. Second by Carolyn Player. Motion carried unanimous.

3.5 UTA – REQUESTS SITE PLAN APPROVAL FOR THE FRONTRUNNER STATION LOCATED AT EXECUTIVE PARKWAY AND ASHTON BOULEVARD WITHIN THANKSGIVING POINT.

Kim Struthers presented the request and stated that this was tabled so UTA could meet with the neighbors. They met November 19th and UTA sent a letter to the homeowners based on what they found at the meeting from November. He said here was a question at the meeting and the fact brought up whether the tunnel could be closed; both UTA and City feel that is not an option at this time. UTA said that can't have an egress and have it narrow down because of fire code. He said they followed up with Fire Marshal and he said you have to remain at the width at the start of egress. He said the plan shows a tunnel punching through and then a 5' walk curving out to curb and gutter – they need to maintain 14' of egress out to Garden Drive.

Jon Cluff was present and stated that when they went to meet with the residents they wanted to identify what their reservations were. Jon reported what they found; safety on Garden Drive related to traffic; kiss and ride potential; lighting concerns; concerns based off of the fact that there are park and rides in the area that are fairly full; noticing that there are a lot of transit parking demands; heard from them that they are experiencing over load on the road from the golf events and trucks that service the golf area. He said that one of the new information items that we shared with them was the 2300 West under-crossing. We

showed them the designs that we have been working on with city staff. There is an inter-local agreement between UTA and cities. He said there will be signs placed at intersections to direct traffic to the east side. He discussed retaining the track bed. He said there was question about a retaining wall being put in place for additional sidewalk to be put in; we will consider that. He said they have planned for additional lighting separation and trees on the west side. As far as the fire egress - we can't diminish that. The 14' tunnel needs to have 14' on that side. We have to design stairs to divert to the north. He said that the lighting will be the boxed lighting. He said they invited the residents to come ride the trains. He said they needed to put shear numbers together for a traffic study and they figured there would be about 478 car trips projected to come to this station at start up. This will handle all those plus additional. Jon went over the percentages they figured for 'kiss and ride' compared to 'park and ride'. He said there are 740 parking stalls. The grade separation at 2300 West is a major focus. He suggested moving forward on the park and ride and UTA and staff will continue to work on road.

Jenika Barber member of the HOA board for Thanksgiving Village said that she represents one of the three HOA's that are affected by this. She clarified that they didn't want a west entrance and they now realize that the west entrance needs to be there for safety and on the lights they realize there are more appropriate channels that are in place so they are not asking you to change that. She said that not everyone understood that the 2300 West road would go through. She is concerned with future growth. She went over counts of cars at 9:30 am and is concerned that it will be easier for people to drop off on Garden Drive. She said they like and are very appreciative of the 'no parking' signs but is afraid that may change. She said they don't have an objection to the parking lot but they do have concerns with the traffic. She said they're worried that they will want something that the city doesn't need to have them come back in for.

Derek Byrne questions the 'kiss and ride' projection – he doesn't see a lot dropped off.

Kerry Schwartz asked Jon if he would talk about the northern frontrunner rider-ship and the differences in the stops. He said we're assuming a lot of the park and ride people will be moving to the frontrunner.

Jon Cluff said that the routes that are feasible will switch over to this route. He said they assume they will capture a lot of other riders.

Lorin Powell said that we built the lot on 2100 North and the buses did not come to that for quite a while it was mainly for car pooling.

Janys Hutchings asked if they were establishing extra bus route to go into that station.

Jon Cluff said that they usually restructure the buses and they rearrange the bus system to see if there is a cost savings and if so then they see about new routes.

Vaughn Pickell asked about the impact of the inter-local agreement.

Jon Cluff said that the design for the tunnel and such hasn't progressed as fast as the park and ride. He said the agreement is that UTA puts some components in the railroad corridor and that will receive City review of the building code. This was decided by the cities in the region.

Carolyn Nelson asked how the tunnel will look on the west side.

Jon Cluff explained the elevation of the tunnel and the sidewalk, stairs and ramp on the west side of the tracks.

Discussed fencing along the sidewalk on the west side and the safety issue of getting people away from ‘an event’ if they were to extend it with a fence.

Kerry Schwartz asked about ownership.

Jon Cluff said that it was determined that it had belonged to the golf course and extends to the top back of curb – that is covered in the agreement.

Discussed the signage along Garden Drive and the enforcement of that. Also the signage along the route to the station. Discussed that the Police Dept finds that this is enforceable. Discussed having the signs say ‘no parking or stopping’.

Jason Willes asked about this being a Permitted Use and if we can even put conditions on it for curb painting, signage, etc.

Marilyn Schiess said that UTA has done what we asked them to do and we will do what we can do as a city – but we can’t limit people from using the west access.

Further discussion on the traffic concerns on Garden Drive.

Kerry Schwartz said we need to move on with this.

Jason Willes agrees and says that we are getting into a lot of ‘what ifs’.

Jason Willes moved to grant final approval of UTA’s request for Site Plan approval for the Frontrunner Station located at Executive Parkway and Ashton Boulevard within Thanksgiving Point finding that upon complying with the DRC redline comments they will be in compliance with applicable development codes; the Planning Commission strongly recommends that a ‘no parking’ condition be applied to north Garden Drive and that signage be placed; enforcement be by Lehi Police Department and along with the no parking condition we highly recommend that UTA place additional directional signage to direct traffic to the parking lot; noting that this motion does not include ‘no stopping’ only ‘no parking’ signage. Second by Kerry Schwartz. Motion carried unanimous.

3.6 GARRIN ELLIS – REQUESTS CONCEPT PLAN REVIEW FOR GARRIN’S AUTOMOTIVE LOCATED AT APPROXIMATELY 450 WEST STATE STREET IN AN EXISTING MIXED USE ZONE.

Kim Struthers presented the request and stated that these are still one parcel and they would need to be split. He said they are trying to get an access off State Street so all 3 businesses can have access. This would fall under the Commercial Design Standards and we would need to look at the downtown revitalization plan as well. He said this is just concept approval to see if the use and layout are palatable at this time. They have submitted a subdivision for this that would break it into 3 pieces.

Garrin Ellis was present and stated that they want to be proactive to see what they need to do – he said he is aware of the Commercial Design Standards.

Mrs. Ellis said that she feels they have complied with those requirements.

Jany’s Hutchings said that the dumpster needs to be moved off State Street.

Discussed the building materials.

Garrin Ellis said that the plan is to have a stripe all around the building.

Jany's Hutchings said that she has seen at the other places that 16 parking spaces probably won't be enough. She asked about access to the public where there is a turn around now. She said that there needs to be a note that there is an easement for turn around.

Kerry Schwartz said that that entrance off State seems to be too close to 500 West – that is a concern.

Mrs. Ellis said that they have been talking to UDOT.

Mark Ellis said that is why they closed 1200 North access onto State.

Lorin Powell said he hasn't talked to UDOT but there would be a stacking issue – a right in right out might not be a problem.

Jany's Hutchings asked if they had noticed that cars parking out on State for the bus stop.

Jason Willes said that there are some boundary issues along the tack building.

Garrin Ellis said that the tack place will be buying some of that property

Kim Struthers said that they are going with the exception to the landscape.

Jason Willes moved to grant final approval of Garrin Ellis's request for Concept Plan review for Garrin's Automotive located at approximately 450 West State Street in an existing Mixed Use zone with the recommendations that they look at alternative locations for the dumpster as discussed; the new approach to State Street needs to be looked at with UDOT alternatives with maybe a right-in right-out; include DRC comments; also note that we recognize the landscape buffer doesn't meet the current requirements but we are ok with that noting that this recommendation is based on the most recently submitted drawing to the City dated November 26, 2008 also finding that they looked at the design guidelines and feel that they meet the code. Second by Carolyn Player. Motion carried unanimous.

3.7 SCENIC DEVELOPMENT – REQUESTS A REDUCTION AND CHANGES TO THE LANDSCAPING FOR THE MILL POND BUSINESS PARK LOCATED AT APPROXIMATELY 400 SOUTH MILL POND DRIVE IN AN EXISTING COMMERCIAL ZONE.

Kim Struthers presented the request and stated that he has taken the landscape drawing from what was approved but he wants to remove some of the grass and replace it with xeriscaping.

Lynn Rindlesbacher was present for the request and stated that they want to do more dryscape; it doesn't take near the water. He said that he felt that there were too many bushes and he is worried about how it will look years from now. He is also concerned with the watering of the grass. He said they will be using a commercial barrier under the rocks.

Kerry Schwartz said that one of the things that concern him is kids coming along there and mixing up the rocks and cars parking on there; it becomes as big of a problem as it does to maintain as grass. He is concerned with it going from greenery all the way around to all rock covered.

Lynn Rindlesbacher said that he hasn't had a problem with kids and he hasn't had any cars pull in. He also doesn't want bark around the shrubs.

Jason Willes doesn't have any problems with this but would like some greenery which may be accomplished with evergreen trees.

Vaughn Pickell said that over all he's fine with rock but he doesn't think he needs to change the shrubs and trees.

Jason Willes moved to grant final approval of Scenic Development's request a reduction and changes to the landscaping for the Mill Pond Business Park located at approximately 400 South Mill Pond Drive in an existing Commercial zone with the conditions that the trees and shrubs remain with the exception of the tree by the dumpster so that there is some greenery on the site; the elevation difference with the berm needs to remain; do away with the sod, the one tree by the dumpster and the bark, everything else will remain the same. Second by Derek Byrne.

Kerry Schwartz said that he is ok with replacing the bark with rock but he will vote no because he feels we are lessening the appearance of the property by changing it over to rock.

Motion carried 4-3 with Derek Byrne, Marilyn Schiess and Kerry Schwartz opposed.

3.8 WOODBURY – REQUESTS REVIEW FOR MODIFICATION OF A PREVIOUSLY APPROVED 25' POLE SIGN FOR THE DRAKE RETAIL PROJECT LOCATED AT 1338 EAST MAIN STREET IN AN EXISTING COMMERCIAL ZONE.

Kim Struthers presented the request and stated that this is a change to a previously approved pole sign for Drake Retail. The applicant has requested to go from a pylon sign to a two pole design.

Jim Hoover was present for the request and stated that they just want to have some continuity with all the signs along there. He said the rock will be the same rock as on the 'Welcome to Lehi' sign and will be the same as the ones that go down State Street. He said that he was under the assumption that the base of this was taken in as part of the sign area.

Discussed the previously approved sign.

Jim Hoover stated that he was not aware that the first one was approved. He said lets leave it alone if the one is approved. **Jim Hoover said he wants to withdraw his application** if the first one was approved.

Kim Struthers checked in the file and the pylon sign was approved.

3.9 JOHNSON MEDICAL – REQUESTS REVIEW OF A CHANGE IN ELEVATION MATERIALS ON THEIR NEW OFFICE BUILDING LOCATED AT 1697 NORTH STATE STREET IN AN EXISTING MIXED USE ZONE.

Kim Struthers presented the request and stated that they are requesting that they take some of the stone fascia from the back and sides and be able to apply that to the front to make that nicer.

Tony Gurney and Steve Johnson were present for the request and stated that if they put up a wall the back and side will not be seen.

Steve Johnson said that they will be raising the rock up to the second widows. They want to remove it from the side and take off the wainscot from the back and put an accent of stucco.

Janys Hutchings moved to grant final approval of Johnson Medicals request for a change in elevation materials on their new office building located at 1697 North States Street in an existing Mixed Use zone with them moving the rock from the back of the building to the front of the building with some timber but retaining it on the south as purposed on their plan. Second by Carolyn Player.

Kerry Schwartz said that he doesn't agree with this because we are giving an exception to our design standards.

Motion carried 5-2 with Kerry Schwartz and Marilyn Schiess opposed.

PUBLIC HEARINGS

4.1 VICTOR GALINDO – REQUESTS SITE PLAN AND CONDITIONAL USE APPROVAL FOR VICTOR TIRES, AN EXPANSION OF AN EXISTING AUTOMOTIVE SERVICE BUSINESS LOCATED AT 1 EAST STATE STREET IN AN EXISTING MIXED USE ZONE.

Public Hearing opened at 7:05 p.m.

Kim Struthers presented the request and stated that this is an existing tire business.

John Wilhite the architect and Josh Willey the engineer were present for the request.

John Wilhite said that the entire building will be concrete split faced block; the front will have a vertical solder course brick – there will be a breaking up of materials.

(The alarm went off at 10:00 p.m. and wouldn't shut off. We had to wait for Judge Sampson to arrive to shut it off)

Janys Hutchings moved to take a break at 10:05 p.m. Second by Kerry Schwartz. Motion carried unanimous.

Meeting reconvened at 10:15 p.m.

John Wilhite said that they feel they meet the design standards.

Carolyn Nelson asked about tire storage.

John Wilhite said that there is an existing building on the property which they will keep for awhile. There will be less storage and will still be screened with a fence so it won't be seen. He said they know there are some standards they will have to comply with. The tires cannot be stored over 8 ft high and we are lessening the outside storage.

Public Hearing closed at 10:18 p.m.

Vaughn Pickell asked about the 1 foot setback on the north and east side.

Kim Struthers said you can go to property line in a Mixed Use zone. He said that Lynn Jorgenson looked at this as part of the DRC review and so did Kerry Evans. He said that there was a newspaper article that

mentioned this location and that they would be having a taco shop there; if that's the case it may make a difference in the parking requirements.

John Wilhite said that if it works out in the future we would come back in with a taco shop in the old existing building. He said the one they have in Salt Lake it is built in with the tire business. This is not part of this application and this is not a request for automotive repair. He said that they were supposed to take that off – there is one day open for inspection and emission.

Derek Byrne moved to grant final approval of Victor Galindo's request for Site Plan and Conditional Use review for Victor's Tires, an expansion of an existing automotive service business located at 1 East State Street in an existing Mixed Use zone as long as they meet all applicable City standards and require canopy trees along State Street and include DRC comments. Second by Marilyn Schiess.

Janys Hutchings said that they need to break up along the west wall which is adjacent to the city park.

John Wilhite said that they can comply with that.

Derek Byrne moved to amend his motion that they need to add some accents and highlights to the west side of the building. Second stands by Marilyn Schiess. Motion carried unanimous.

CITY BUSINESS

Kim Struthers said that the first business item is Emmett's. Scott Litke would like to put up a monument sign on the east side of the building to help screen the mechanical equipment on that side of the building. He said there is an issue with the site triangle; he has only 30' and we require 35' for the site triangle. The building is already in the site triangle and as staff we feel that where the building itself doesn't meet it this sign won't worsen the safety concern.

Discussed having something cover it from the front (north side) even like a little gate, lattice with a climbing vine or something. Discussed that the sign would encroach 5 feet into the site triangle.

Janys Hutchings moved to grant final approval for Emmett's request for a monument sign on the east side of the building to encroach on the site triangle 5 feet to place their sign seeing that their building already is and to have them build a screen of some sort on the north side to obscure the mechanical equipment. Second by Kerry Schwartz. Motion carried unanimous.

Kim Struthers said that next piece of business is on the Texas Roadhouse. He showed the site for Texas Roadhouse and said that they had concerns about our architectural standards. They wanted their building run by the Planning Commission to make sure it will work. They were concerned that they would have to turn their building so the front is towards the Main Street – we had concerns on the west side of the building where there is a lot of unbroken area.

Discussed whether they could put a façade of a door on the street side – they could change the doors to face north.

Janys Hutchings moved to extend the meeting for 5 minutes at 10:30 p.m. Second by Kerry Schwartz. Motion carried unanimous.

Discussed that this is what we went through with the gymnastic building – although it was a different set up.

Jason Willes said that on that pop-out they could have a 3' man door and you can come in from both sides and the front.

Lorin Powell said that it would affect how their entry works.

Janys Hutchings moved to approve the Concept for Texas Roadhouse with the doors accessing the parking lot recognizing that the main entrance to the parking lot is to the east off State Street. Second by Kerry Schwartz. Motion carried unanimous.

APPROVAL OF MINUTES

6.1 MINUTES FROM THE NOVEMBER 6, 2008 WORK SESSION.

Kerry Schwartz moved to approve the minutes from November 6, 2008. Second by Carolyn Player. Motion carried unanimous.

6.2 MINUTES FROM THE NOVEMBER 13, 2008 REGULAR MEETING.

Derek Byrne moved to approve the minutes from November 13, 2008. Second by Carolyn Player. Motion carried unanimous.

ADJOURN

Carolyn Player moved to adjourn. Second by Derek Byrne. Motion carried unanimous.

Meeting ended at 10:43 p.m.

Date Approved_____

Chairman_____

Secretary_____