

LEHI CITY PLANNING COMMISSION MEETING

Minutes from the Lehi City Planning Commission meeting held on Thursday, May 28, 2009 in the Lehi City Council Chambers.

Members Present: Marilyn Schiess, Carolyn Player, Kerry Schwartz, Derek Byrne, Janys Hutchings, Chris Bleak, Ed James, Jason Willes

Members Absent: Carolyn Nelson - excused

Others: Kim Struthers, Noreen Edwards, Brad Kenison, Council member Mark Johnson, Frankie Christofferson

Meeting began at 7:04 p.m.

Jason Willes recognized Janys Hutchings for serving on the PC for the past 9 years.

REGULAR AGENDA

3.1 CLUB CRUSH, INC – REQUESTS SITE PLAN AND CONDITIONAL USE APPROVAL FOR A DANCE CLUB LOCATED AT 1000 EAST MILL POND DRIVE, UNIT D IN A COMMERCIAL ZONE. (Tabled from May 14, 2009)

Kim Struthers presented the request and stated that they do have a meeting with the Chief of Police set up for next Monday so we don't have any input from the Police Department as of yet.

Kerry Schwartz said that they have provided a security plan.

Shaun Robison was present for the request.

Derek Byrne asked about the security plan and about the cameras that will be placed with at least one person on the outside and two on the inside. He asked if the cameras would be monitored and if the two inside would be working the area and one watching the cameras.

Shaun Robison said that the person taking the money will be watching the cameras and someone in the back will be monitoring it as well. He said that the last they heard they were expecting about 80 parking spots but they haven't heard back from the landlord.

Ed James said the one of the items was that we needed a site plan with specific parking spots marked for this particular building.

Shaun Robison said that the discussion from the landlord is that the end unit will be a call center. He feels that with this being a Conditional Use he believes that the Planning Commission has the ability to say that after 6 months if there are not any reports or complaints then that is fine but if there are then they need to be able to terminate the use.

Chris Bleak asked about the 115 parking spaces and what the number of kids would be allowed into the building.

Shaun Robison said ideally 400 kids.

Ed James said you need to close in the unknowns; we need to know that there is adequate parking, and that this will not interfere with other businesses.

Chris Bleak asked about the lighting.

Shaun Robison said that there is ample lighting for the buildings and in the parking lot.

Brad Kenison said that the road out in front is a public street so they would be able to park out there.

Jason Willes said that in the lease agreement it says that there will be ample parking especially on Thursday, Friday and Saturday nights.

Shaun Robison said that they will only be opened Friday and Saturday with some Thursdays when the kids are out of school.

Jany's Hutchings said that Lehi has a curfew for kids under 16. She said they may want to watch for rivalries between the High Schools and uniforms – there may be problems because of that.

Derek Byrne would like to have a condition that the Police Chief buys off on the security plan and that they are up for review within a certain time period.

Kerry Schwartz is concerned that half of the target audience is below 16 – and if you enforce the curfew that will make it difficult.

Shaun Robison said that they will have to leave that up to the kids – they would like to target kids over 16.

Ed James said that the Planning Commission needs to set some kind of standard between parking stalls with a maximum number of kids per car. He would typically pick 2½ kids per car. He said we need to have something set to say this is what we anticipate.

Chris Bleak asked if the 400 kids were including inside only or with those waiting around outside.

Ed James said that you need to take into consideration that they will all be taking up parking stalls.

Discussed that we need the police input before we make a decision – discussed the parking plan and to have input from the Police Department, where they will have more experience with this.

Lynn Rindlisbacher, owner of the Mill Pond building, said that he thinks they can go to at least 100 to 130 parking stalls and if you need it in writing we can get that. Most of the other businesses that will be coming in should be done about 8:00 p.m.

Jason Willes said that we would like to see in writing as part of the lease agreement that certain stalls would be able to be used for this Conditional Use.

Lynn Rindlisbacher said that they feel good about the business and they have installed the cameras trying to mitigate any problems. He said that he thinks it's a good idea if you want to review it again in 3 years. Then we will know if we may need to change a couple things.

Discussed that we could put it as a regular agenda item for the Work Session.

Derek Byrne moved to table until the June 4th Work Session/ Regular Meeting Club Crush Inc's request for Site Plan and Conditional Use approval for a dance club located at 1000 East Mill Pond Drive, Unit D in a Commercial zone so we can hear more about the concerns from the Police Department and get their response to the plan. Second by Carolyn Player. Motion carried unanimous.

3.2 KAY AND ANNETTE ADAMSON – REQUESTS SITE PLAN AND CONDITIONAL USE APPROVAL FOR TWO SMALL WIND ENERGY FACILITIES LOCATED AT APPROXIMATELY 810 NORTH 1200 EAST IN AN EXISTING RA-1 ZONE. (Tabled from May 14, 2009)

Kim Struthers presented the request and stated that this was tabled to get an opinion from the City Attorney. The City Attorney said that the Planning Commission does have flexibility in this case to make adjustments to height as long as you feel that it won't cause any harm to surrounding buildings. Mr. Adamson said that he was going to try to have a letter from the manufacturer stating the distances, etc.

Carolyn Player said that she and Marilyn went up to Alpine to look at the ones up there. They were very impressed. They didn't make a lot of noise and they were only about 25 feet from his barn and there were two about 75 ft apart and 52 ft high with the blades. She said they didn't see any safety problems whatsoever – no concerns.

Marilyn Schiess said that Alpine has a limit that you can't go above 55 feet. When we were standing there talking there was just kind of a hum and then we went down to Adamson's and we didn't see where that would be a problem there.

Kay Adamson was present for the request and said that he appreciated those that took the time to go to Alpine and to his home to check things out. He said that Steve Payner, the dealer, does have some technical information from the manufacturer. The pole would be 33½ feet although he would prefer a taller pole but because of the ordinance they can't go any higher.

Steve Payner stated that he has information printed directly out of his training manual. He said the tower should be 20 feet above any surrounding structure. He also brought a copy of a couple cities' ordinances. He said the wind turbines will shut down at about 60 mph and there is no noise on the breaking.

Ed James said that he made the motion and feels more comfortable with it now but as a Conditional Use - one of the conditions could be that they could lose the Conditional Use if they subdivide at some future date.

Annette Adamson said that she would like them closer together so they look neat and nice.

Brad Kenison asked about the issue of easements.

Kay Adamson said that these windmills and the wiring are located on his property and would tie into their meter base.

Brad Kenison said that if the property is sold then there may have to be an easement required because it is a utility within the lot.

Discussed whether there would need to be an easement where this is a private utility use.

Jason Willes said that we may not have any latitude on the horizontal positioning of the poles.

Janys Hutchings said that we should set a precedent that if property is subdivided that they come back in.

Discussed having them combine their parcels into one parcel so it could be considered one lot and they could place them closer together.

Janys Hutchings moved to approve Kay & Annette Adamson's request for Site Plan and Conditional Use for two small wind energy facilities located at approximately 810 North 1200 East in an existing RA-1 zone with the following conditions: 1) if the applicant so chooses they can record their property as one property and then clear it with the Building Official on the placement of the wind facilities, 2) if the property is ever subdivided it needs to come back as a Conditional Use to review the additional buildings and structures, 3) that the height of the pole be at 33½ feet, 4) include DRC comments, 5) and include Ken Rushton's interpretation that we can modify this because it allows it in the code on a case by case basis. Second by Marilyn Schiess. Motion carried 6-1 with Kerry Schwartz opposed.

PUBLIC HEARINGS

4.1 ALPINE SCHOOL DISTRICT – REQUESTS PRELIMINARY SUBDIVISION REVIEW AND RECOMMENDATION FOR A 1-LOT SUBDIVISION LOCATED AT APPROXIMATELY 2500 WEST CHAPEL RIDGE ROAD IN THE TRAVERSE MOUNTAIN DEVELOPMENT IN AN EXISTING PLANNED COMMUNITY ZONE.

Public Hearing opened at 7:04 p.m.

Kim Struthers presented the request and stated that this is a 1 lot subdivision. As far as Traverse Mountain goes this is probably one of the last level sites. The School District bought it in 3 separate parcels and we requested that they clean it up with a single lot subdivision so the property issues are settled. The Site Plan will come before you on June 11th.

Mark Babbitt with Great Basin Engineering was present for the request and stated that some of the issues with the roads and the small sliver of land mentioned in the DRC comments will be taken care of on final.

Public Hearing closed at 8:28 p.m.

Brad Kenison said that the preliminary plat we are considering is a little different from the final that came through, so you may want to reference that in the motion.

Janys Hutchings moved to recommend approval of Alpine School Districts' request for Preliminary Subdivision review and recommendation for a 1-lot subdivision located at approximately 2500 West Chapel Ridge Road in the Traverse Mountain Development in an existing Planned Community zone noting the they do need to make sure that the boundary lines meet up with the final plat, as we are looking at the preliminary, and that they acquire the property that they need for the right of way. Second by Kerry Schwartz. Motion carried unanimous.

CITY BUSINESS

There was no City Business at this time.

APPROVAL OF MINUTES

6.1 APPROVAL OF MINUTES FROM THE MAY 14, 2009 REGULAR MEETING.

Kerry Schwartz moved to approve the minutes from the May 14, 2009 regular meeting. Second by Carolyn Player. Motion carried unanimous.

ADJOURN

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

Meeting ended at 8:32 p.m.

Date Approved _____

Chairman _____

Secretary _____