

LEHI CITY PLANNING COMMISSION MEETING

Minutes from the Lehi City Planning Commission meeting held on Thursday, September 24, 2009 in the Lehi City Council Chambers.

Voting Members: Kerry Schwartz, Marilyn Schiess, Carolyn Nelson, Jason Willes, Derek Byrne, Carolyn Player, Christ Bleak

Non-voting Members: Ed James, Kordel Braley

Members Absent: None

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

Meeting began at 7:00 p.m.

REGULAR AGENDA

3.1 CADE BRADLEY – REQUESTS CONCEPT PLAN APPROVAL FOR A POLE SIGN FOR HOYAL BUSINESS PARK LOCATED AT APPROXIMATELY 3302 MAYFLOWER AVE. IN AN EXISTING LIGHT INDUSTRIAL ZONE.

Christie Hutchings presented the request and stated that Steve Hoyal owns both parcels. Individually there is not enough acreage for a pole sign. He wants to do a pole sign for both parcels. It is zoned Light Industrial and the DRC was concerned that the sign might be in the site triangle. This is just for concept approval and if this is approved he will need to come back with a Conditional Use.

Ed James asked about the compatibility of the sign with the buildings. Also the ordinance makes it clear that we prefer a pylon or two pole sign. He said the city would be better off if Mr. Hoyal did a better design of a pylon, a monument or two pole sign.

Christie Hutchings said DRC comment 'A' states that the parcels need to be combined to do this – it needs to be a contiguous 3 acre parcel.

David Hoyal representing Steve Hoyal (his father), said that they did this concept application to see if the City would be ok with this as two parcels – and if that's ok we'll move forward with the Conditional Use for the sign. He said they would prefer not to combine those parcels.

Christie Hutchings asked if it would be an LED sign.

David Hoyal said yes it would.

Kordel Braley asked about the 'for sale' sign on the property – it makes you wonder if you're really going to develop this.

David Hoyal said basically the pole sign is for freeway advertising which we feel would help us lease it out and keep it leased. He said it has always been their intent to have a sign on that corner.

Kerry Schwartz said that may not be the best location for that sign in the future if you're going to market that parcel.

David Hoyal said they would like to slide it more on the fence line – but we’re just trying to get a feel to see if we should move forward with this.

Kordel Braley asked what assurance we have that this won’t be sold and that this will really happen.

Kim Struthers said it could be a deed restriction that runs with the land – he said we’d have to check with the city attorney.

Christie Hutchings said that they wouldn’t be able to have another sign because there isn’t enough square footage.

Kerry Schwartz said that it’s more than just whether it’s a combined parcel issue.

David Hoyal said that they would love all the input you can give us and we would like a definition of how you define that.

Jason Willes said that when they come through for the sign itself then we can address the two pole, monument, or whatever – we need to decide whether its part of the ordinance as it is right now.

Ed James said the ordinance clearly states that this is not allowed because there are not 3 acres.

Derek Byrne said it may serve the current lessees but there may be some issues in the future because this sign will not be sufficient for all those businesses.

Cade Bradley with Bona Signs said that we designed this sign and it is not complete – it’s meant to representative of some of the stone that is on the buildings.

Jason Willes agrees with Commissioner James – the entire acreage needs to be contiguous on one tax ID # and isn’t sure if a pole sign is appropriate in this area.

Marilyn Schiess also feels the property needs to be in one deed especially if a pole sign is going to go up and she said she’s not sure a pole sign is the best thing for this area either.

Discussed what the applicant can do – combine parcels as one and review sign at later date – or we could say a sign is not appropriate no matter what the properties do.

Kim Struthers said if he does combine the lots and meets those requirements then he is able to request a conditional use – so in order to deny it at that point you would need some really good reasons why.

Kordel Braley worries with there being a big ‘for sale’ sign out there.

Kerry Schwartz moved to approve Cade Bradley’s request for Concept Plan for a pole sign for Hoyal Business Park located at approximately 3302 Mayflower Avenue in an existing Light Industrial zone with the following stipulations: 1) that the parcels be combined so they meet minimum sign ordinance standards for pole sign location; 2) that they come back with a design that more closely follows the sign ordinance including a 2-pole sign with materials similar or in likeness to the adjacent buildings; 3) have them bring back different versions of the face of the sign appropriate for the Business Park allowing for future tenants; 4) include DRC comments and adding in that the design presented tonight is NOT ok. Second by Marilyn Schiess. Motion carried unanimous.

PUBLIC HEARINGS**4.1 CURTIS BUTLER – REQUESTS SITE PLAN AND CONDITIONAL USE APPROVAL FOR UTAH VALLEY TURF FARMS LOCATED AT 261 SOUTH 1350 EAST IN AN EXISTING COMMERCIAL ZONE.**

Public Hearing opened at 7:00 p.m.

Christie Hutchings presented the request and stated that this is at the same location as the Barlow Arts that we saw last month. The applicant is installing a fence and they have proposed entrances for customers and trucks. They have 4-5 supply trucks. It is a seasonal business and operates April to November. They are proposing a new chain link fence for the area.

Curtis Butler, operations manager, said they are separating their business with a chain link fence but are proposing a different fence for the yard. It will be a 5 foot field fence on the frontage of the exits and along the back side. The gates will be chain link. He said they have been in business for almost 30 years in the Lehi area and are being misplaced because of the freeway.

Kordel Braley asked about fencing off the dance studio area and what kind of signing or direction will there be inside the yard to make sure people know where to go.

Curtis Butler said that they'd have entrance signs. He said it's a very open area and the product is a perishable product so we only take in what's needed – the product placement is near the entrance gate so it's fairly obvious.

Kerry Schwartz asked about the property to the east and the site plan we had for that area. If that plan still goes through then he is concerned about that type of fencing.

Christie Hutchings said that that development will most likely not happen.

Carolyn Nelson asked about the fence around by Barlow's.

Curtis Butler said that it will be a chain link fence clear to the street. Barlow's are more of an advanced school so there aren't that many small children – but that will be separated from this business.

Public Hearing closed at 7:44 p.m.

Marilyn Schiess moved to grant final approval for Curtis Butler's request for Site Plan and Conditional Use for Utah Valley Turf Farms located at 261 South 1350 East in an existing Commercial zone and include DRC comments. Second by Derek Byrne. Motion carried unanimous.

Kerry Schwartz is still concerned about truck traffic in that area but it is a good site plan.

4.2 BANGERTER HOMES – REQUESTS A GENERAL PLAN LAND USE MAP AMENDMENT ON PROPERTY LOCATED AT APPROXIMATELY 2400 WEST 1500 NORTH FROM A VLDR (VERY LOW DENSITY RESIDENTIAL AGRICULTURE) TO A VLDR (VERY LOW DENSITY RESIDENTIAL) LAND USE DESIGNATION.

Public Hearing opened at 7:00 p.m.

Christie Hutchings presented the request and stated that this was zoned R-1-22 and they had a subdivision approved when the economy turned south. They were before the commission a few months ago requesting LDR and that was denied without prejudice so they are back requesting VLDR. When the VLDR was put in place there was a line drawn on 1500 North and that was kind of the cut off line. The

RA-1 zoning that is there was put in place before the VLDR was put in place. This is not concept review and although a layout has been provided for you it cannot be taken into consideration. She said the VLDR would allow R-1-15, RA-1 and R-1-22 zones.

Blair Bangerter and Jordan Bangerter were present for the request. Blair Bangerter said when the market fell they needed to do something. They have spent time with different departments in the city getting input. This is just a General Plan Amendment and before we bring in any concepts we wanted to know if we could do this first.

Kerry Schwartz asked if they had looked at a PUD or PRD.

Blair Bangerter said that the City stated that there were quite a few of those in that area and the indication that we got is that those concepts may not go anywhere – this size of a property would have been a little difficult.

Public Hearing closed at 7:54 p.m.

Ed James reviewed what had gone on for the last two meetings. He said all the material presented is quite accurate and they have done their research supporting the change that they want – but the issue is that we have on the General Plan what we want to see in that area and the purpose is to protect or enhance. He said in his opinion half acre lots do not preserve what we envision for Lehi but if we start piece-mealing then we'll have problems until we have a clear understanding of what this zone does for the city.

Kerry Schwartz said that the city has gone through quite the process in putting this General Plan to the point it is and he thinks there is still a market for larger lots and if not now it will come back again.

Kordel Braley asked what the research shows on just building a smaller home instead of using a smaller lot.

Jordan Bangerter said that he addressed this before and it's more of a hope that the ½ acre lots and larger homes will come back as something that is in demand. But with the turmoil in the financial institutions it doesn't appear that that will come back very soon – there will always be some market for it.

Blair Bangerter said you can build smaller homes on larger lots but the demand isn't there and appraisers don't give any more for larger lots than smaller lots.

Kordel Braley said in principle this is leap frog development.

Kerry Schwartz said that we haven't seen eye to eye even with City Council on this – but we went through quite a process to put the VLDR in place and if we grant it here then we have to do it for some one else. He said we need to use the General Plan as it is designated.

Kerry Schwartz moved to recommend denial of Bangerter Homes request for a General Plan Land Use Map Amendment on property located at approximately 2400 West 1500 North from a VLDR to a VLDR land use designation based on the fact that it's not consistent with the General Plan and the General Plan states that this area is for the larger size lots and include DRC comments. Second by Carolyn Player. Motion carried unanimous.

Discussed that we may need to re-evaluate the General Plan Map.

4.3 EVANS AND ASSOCIATES ARCHITECTURE – REQUESTS SITE PLAN AND CONDITIONAL USE APPROVAL FOR A NEW LDS CHURCH BUILDING LOCATED AT 828 SOUTH CENTER STREET IN AN EXISTING R-1-22 ZONE.

Public Hearing opened at 7:00 p.m.

Christie Hutchings presented the request and stated that this will be in the Lehi Ranches subdivision. This lot was set aside as a church lot and in 2006 there was a concept brought in requesting a reduction in buffering which was granted. On the north side it goes to 14.8 feet and on the west they had requested down to 10.5 feet. There was also a comment by DRC about no landscaping in the parking lot. They are proposing a chain link fence with slats.

Paul Evans with Evans & Associates was present and said that as mentioned they had come before this body in 2006 and asked for concept approval so we would have some assurance that we would be able to use this property as an LDS church. We had also asked for the islands in the parking lot as a variance as well.

Kordel Braley stated that he understand why the reduction in the side buffering but why don't you want to include the islands in the parking lots.

Paul Evans said that the church doesn't like those because it costs more for snow removal and watering, etc.

Derek Byrne asked what the standard is for fencing in the subdivision. He said we may want to make that a condition to conform to the CC&R's in regards to fencing.

Paul Evans said that the LDS churches standard is to have the chain link fence with slats.

Ed James asked when the policy changed to have striping instead of islands.

Paul Evans said that he isn't sure but in all the instruction he has been given – they have asked that we try to do without the islands.

Kim Struthers said that we did our own homework and went thorough several churches in the city and it's 50/50 where some have landscaped island and some don't. He said it didn't look like there was any set pattern. The code says that the landscaping can be incorporated into larger islands instead of having it out in the middle of the parking lot.

Kordel Braley said he thinks it's a safety issue – we should way the safety benefits of having the parking lots broken up.

Kerry Schwartz asked if the fence is out of the site triangle.

Cory Cloward asked about the parking and said that it's a cost issue. He said one thing to consider on the planters is that you lose 2 parking stalls – and if you are short on parking then putting in islands takes out stalls and the parking over flows into the neighborhoods.

Paul Evans said that if they were at the ends of rows then we wouldn't lose any – but we would lose maybe 10 stalls if we put in more landscaping in the parking lot. If we lose 10 stalls it would put us below what is typical for this area.

Public Hearing closed at 8:27 p.m.

Derek Byrne asked if the church will be finishing the north end of Lehi Ranch road.

Paul Evans said it was completed with the subdivision.

Ed James said 188 stalls are sufficient for one ward but typically there is 2 wards overlapping at one time. He said the islands soften down the area and he thinks we should have the landscaped islands in – even if there are the four which are on the ends.

Derek Byrne moved to grant final approval of Evans and Associates' request for Site Plan and Conditional Use for a new LDS church building located at 828 South Center Street in an existing R-1-22 zone with the conditions that they church abide by the CC&R's of the neighborhood and if the fencing is vinyl coated chain link then that's fine, also they should put some landscaping into the islands that are noted on the current plan and include the previous buffer exception from the Concept Plan. Second by Kerry Schwartz. Motion carried unanimous.

4.4 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. (Tabled from the January 8, 2009 meeting)

Public Hearing opened at 7:00 p.m.

Christie Hutchings presented the request and stated that this is not a use listed in the Area Plan. She said we are not looking at any concepts tonight. The applicant is looking at the north parcel of the Pilgrim's Landing area. We have made the uses similar to the Commercial zone – so if it's conditional in a commercial zone then we make it conditional here as well – but that's part of your interpretation.

Mark Nugen was present and said he owns the Laser Assault in Provo. He said that the funding for this project is very close to being approved. This is a 76,000 sq ft concept. It's almost like we will double what is on the existing plan. There will be 48-55 individual attractions. Right now we are just looking to see if we can put it here. He said at this time it is planned to be mostly indoors with partial outdoors. It may have a retractable roof on the project. Most of the slides will be opened but we will have some enclosed.

Chris Bleak asked about Kawabunga Bay and if this will be similar.

Mark Nugen said that there will be 3 times that many slides on one tower – this will be usable 365 days of the year.

Derek Byrne asked about operating hours especially with this being right next to a neighborhood.

Mark Nugen said that this will be enclosed and the outside noise will be minimal. He said it would probably be open from noon to 9:00 p.m. weekdays and open till midnight on Friday and Saturday. He said they are still under discussion at this time.

Cory Cloward said that he is a water feature engineer based in Provo. He said that Utah has been studied by several different feasibility studies and this market is very right for developments like this. There are over 150 of these in the country and the popularity of this thing if marketed right and sized appropriately will bring great opportunities for the community. He said that he has never met Mark Nugen and the guy he is working with is the competitor but he would love to see this in the community.

Public Hearing closed at 8:44 p.m.

Kordel Braley thinks a traffic study needs to be done for this but other than that it sounds exciting.

Chris Bleak said that he is concerned with the location and traffic would clearly be an issue - he thinks it's too close to residential.

Carolyn Nelson said we are here just to look at the Interpretation of Use.

Chris Bleak moved to recommend approval of Mark Nugen's request for 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 finding that an indoor water park and fitness center is consistent with the already approved uses and that it needs to be a Conditional Use. Second by Marilyn Schiess. Motion carried unanimous.

CITY BUSINESS

Chris Bleak asked if we could do some study on TOD (transit oriented development) or changes or opportunities that are there.

Christie Hutchings said that we have talked about Thanksgiving Point and their Area Plan has been maxed out.

Ed James said we need to include the Trax proposals so we can see about the land uses that will be going on with both of those.

Kim Struthers said we have tattoo parlors that will be on the work session.

Christie Hutchings said that DOPL does not license tattoos or permanent cosmetics – but the Health Department licensing treats them both the same. The difference between body piercing and ear piercing is that ear piercing uses a disposable needle and body piercing sterilizes the needles to re-use.

Kim Struthers said that there will be a new interchange out by the point eventually and wondered if we want an item on the work session for the VLDRA or the TOD.

Brad Kenison said that 6 months ago we had the combined meeting with the City Council and discussed the VLDRA and we said we would adjourn in 6 months – when will that be???

Jason Willes said we may want to wait until after the elections – maybe January.

Ed James said that in the October and November work sessions we may want to come up with a list of a few things to bring to the City Council to be discussed.

Mark Johnson said 2300 West is moving ahead rapidly; it will go up to SR-92. He said there are a number of things that we need to reevaluate.

Christie Hutchings said that the October 22nd meeting is the same night as the Candidate Debate and also the Utah APA conference so we may need to reconsider holding a meeting on that night.

Jason Willes said if nothing is currently scheduled for that agenda we could move that meeting to a later date – maybe the 29th.

APPROVAL OF MINUTES

6.1 APPROVAL OF MINUTES FROM THE SEPTEMBER 3, 2009 MEETING.

Kerry Schwartz said under item 5 –correct the word ‘kid’ to ‘kind’.

Derek Byrne moved to approve the minutes from the September 3, 2009 meeting with the change. Second by Carolyn Player. Motion carried unanimous.

6.2 APPROVAL OF MINUTES FROM THE SEPTEMBER 10, 2009 MEETING.

Kerry Schwartz moved to approve the minutes from the September 10, 2009 meeting with the following changes: on page 3 asked that this could be located in needs to say ‘where’ this could be located and under Kim’s comment add the word ‘it’ and then Kerry’s comment before the motion should say ‘limiting a number of sales for the day’. Second by Carolyn Player. Motion carried unanimous.

ADJOURN

Kerry Schwartz moved to adjourn. Second by Carolyn Player. Motion carried unanimous.

Meeting ended at 9:05 p.m.

Date Approved_____

Chairman_____

Secretary_____