

## LEHI CITY PLANNING COMMISSION WORK SESSION

Minutes from the Lehi City Planning Commission Work Session held on Thursday, February 5, 2009 in the Planning Dept Conference room.

Members Present: Kerry Schwartz, Carolyn Nelson, Marilyn Schiess, Carolyn Player, Jason Willes, Derek Byrne

Members Absent: Janys Hutchings – excused, Chris Bleak – excused

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

Meeting began at 5:45 p.m.

### **1. DISCUSSION OF PROVISIONS THAT WILL ALLOW FOR MOTORCYCLE SALES AND SERVICE AND TEST TRACKS FOR MOTORCYCLES IN THE MIXED USE, LIGHT INDUSTRIAL AND INDUSTRIAL ZONES.**

Kim Struthers said that we are looking at this again. He said it got to City Council and they asked Gary Powell to work with city staff to rework the ordinance. Kim said that Gary didn't agree with the fence, thinking that it won't make that much difference along the freeway and the over pass. He just wants to put it along State Street. Kim went over the DRC comments and stated that they feel we need to reference the City's noise ordinance which is in the Municipal Code. They also felt that only one rider at a time should be allowed on the track since it is a test track. He said there is also something in there that talks about weed control.

Marilyn Schiess said that she would like to hear everyone's comments on this.

Carolyn Player asked about the dust control.

Gary Powell said that they have a sprinkler system and if they put a retaining wall in there won't be a dust problem.

Erica Powell said that they purchased a decibel meter and they have been measuring the noise levels. She said that the freeway will drown out the noise of the bikes – they don't see why they need a fence all the way around.

Kerry Schwartz said that the perimeter fencing is not just for noise – it is also for public safety.

Erica Powell said that is was addressed in there that if there was a wall put up there would be the problem of the sounds bouncing back into the neighborhood.

Brad Kenison said that he talked to various engineers and they gave some things to consider.

Jason Willes said that there were a couple of things that we agreed on at the last meeting – one was that we directed staff to speak with the city attorney to get a written statement whether the motorcycle business has followed all the proper procedures to make it a legal use. The other thing was to determine whether the intent was to be a test track for the sales portion of the business or a recreational use track for the youth or whoever wants to use it.

Gary Powell said that the only people that can ride on the track are the people that purchase things from the cycle company.

Jason Willes said that he needs to know whether this is to be a test track for the purpose of sales or is it intended to be a recreational facility.

Gary Powell said that it is for customers.

Jason Willes asked if a test track needs jumps.

Gary Powell said that yes – depending on the level of the rider. He said that one of us is always out there if there is a rider on the track. He said that there is no way to physically keep people from getting on to the tracks.

Jason Willes said as a commission we need to decide if our approval is to be for a test track or a recreational track.

Marilyn Schiess said that unless they come in to buy something from you then they can't go on the track.

Gary Powell said that yes they have to be a customer.

Kerry Schwartz asked if they are going to be able to keep coming back over and over to test this once they purchase something.

Jason Willes said that he thinks that it would be reasonable to come up with some conditions for the use of a test track if the attorney's opinion is valid to begin with and if it is valid then he can see it being used as a test track. The conditional use would have to be very well defines and strict and he feels that they need to do away with the jumps. He said that not only does it not conform to the zone ordinance but it doesn't comply with the revitalization plan. The other issue is we're trying to find a way to compromise but it needs to meet the noise abatement ordinances, the dust abatement ordinance, and in his opinion he doesn't see how jumps need to be part of the test tracks. He said that if we determine that a test track is ok in this case then we would need engineered drawings for landscaping, sprinklers systems, etc.

Kerry Schwartz said that the whole track should be landscaped and this only addressed buffering.

Gary Powell said that when they were riding on it they had a lot of comments on how nice that looked – but now that they're not riding on it, it looks like crap. He said that people on the freeway use to know it was Lehi because of the track but now they don't know Lehi because the track doesn't look nice like when they were riding it.

Jason Willes said that he is ok; not real happy but ok with a test track and some of the conditions would be; no jumps, engineered drawings which include the track itself, landscape and irrigation plan from licensed professional, address that the noise and dust abatement ordinances are met and no more that 2 riders be on the track at one time and no longer than 30 minutes at a time. He said since this is a compromise and with these conditions he would go for it. Jason said his main concern is that if we allow this in a Mixed Use zone then it can be applied for any where else in the city.

Kim Struthers said under item 1 it narrows it down with the intent that it will only be in that stretch of property.

Carolyn Nelson said that anyone that comes in to develop needs to have a site plan so we're not asking more than what we ask of any one else.

Marilyn Schiess said that you brought up some good points and maybe we need to talk to other motorcycle dealers and see what they have.

Jason Willes said he doesn't want it to be a practice track.

Kerry Schwartz said that it's important to capture the landscaping on the entire track besides the landscape buffering. There is an opportunity to tighten up items 1, 2 & 3. He said that we need to have clarified how long a customer can ride on the track for testing after they make a purchase so 6 months after they purchase that part there not still out that testing it. He said that none of us wanted to see a track out there; the Mixed Use did not include that. We need to make sure that the buildings around there look nice all the time as well.

Mark Johnson said that he tried to make this point to City Council; the City doesn't do code enforcement until there is some kind of complaint. If there is a complaint it has to be investigated and acted on – that's the law. This is a process to try to deal with that. The City Council said that they would look at it if it was a test track but this is the body that decides if it is appropriate or not. We have people come in for business permits and that is only step one of the process. They have to go through a site plan which includes different things. This process is necessary by code. The motor cycle shop has never had a site plan submitted.

Jason Willes said that we could call manufacturers on what they say about test tracks.

Gary Powell said we need all sizes of jumps and multiple jumps – that is a deal breaker.

Kim Struthers said that it should say that a site plan is required and along with the buffering there needs to be an onsite landscape plan also.

Brad Kenison said that as part of the site plan we need to see engineering on everything.

Jason Willes said that a landscape architect needs to stamp the plan so we will know that it is a plan that will take care of the issues. There also need to reference the noise ordinance and a limit on the number of bikes and the amount of time they can be on the track.

## **2. DISCUSSION OF PUBLIC FACILITIES ZONE.**

Kim Struthers stated that we have talked about this before. He stated that on our General Plan we have the Public Facilities designation which we have used for parks, school, etc. but we've never had an actual zone that correlates with that. This came up with the Peck's Park so we have decided that we need to create a Public Facilities zone.

Carolyn Nelson said that the citizens of Lehi need to know that there is a PF zone – so if we don't have one we need one – basically so people know. She said West Jordan had one in place.

Kim Struthers said that he will pull West Jordan's. He did pull Provo's and read what it said.

Discussed that it should just be for City owned property for public facilities only. Such as something with a structure of some sort. Discussed looking at each piece of property on a case by case basis. Exclude

churches and schools and include parks, fire stations, police stations, ball parks, etc. Discussed looking at other ordinances from other cities. Directed staff to draft some language and consider setbacks, etc.

**3. DISCUSSION OF MICRON PROPERTY.**

This item not discussed due to lack of time.

*Marilyn Schiess moved to adjourn. Second by Kerry Schwartz. Motion carried unanimous.*

Meeting ended at 7:10 p.m.

Date Approved\_\_\_\_\_

Chairman\_\_\_\_\_

Secretary\_\_\_\_\_