

## LEHI CITY PLANNING COMMISSION MEETING

Minutes from the Lehi City Planning Commission meeting held on Thursday, July 2, 2009 in the Lehi City Council Chambers.

Members Present: Ed James, Carolyn Nelson, Derek Byrne, Kerry Schwartz, Marilyn Scheiss, Jason Willes, Carolyn Player

Members Absent: Chris Bleak - unexcused

Others: Kim Struthers, Christie Hutchings, Brad Kenison, Council member Mark Johnson

Meeting began at 5:30 p.m.

Kerry Schwartz moved to make a resolution to recognize Dianna Webb's retirement from the City. The resolution was read as follows:

*Whereas, Dianna Webb, Planning Director, retired on July 1, 2009, after completing outstanding service to the City of Lehi Since July 1, 1983; and*

*Whereas, Dianna held responsible positions within Lehi City including her current position of Planning Director from 1983 – 2009; and*

*Whereas, Dianna has earned the admiration and respect of her colleagues for her dedication, enthusiasm, professionalism, sense of humor and hard work;*

*Now, therefore, be resolved by the Lehi City Planning Commission, it gives us great pleasure to recognize the significant professional achievements of Dianna Webb, and herewith expresses our sincere gratitude for the invaluable contributions she has made to the citizens of Lehi. We extend to her our best wishes and appreciation for her dedication to Lehi City and wish her a restful and enjoyable retirement.*

*Be it further resolved that this resolution be spread upon the permanent minutes of the Commission and that copies be sent to Dianna Webb to share with her family; and to other appropriate officials of The City of Lehi.*

*We hereby certify that the foregoing resolution as adopted on July 2, 2009 by the Lehi City Planning Commission.*

Second by Marilyn Scheiss. Motion passed unanimously.

## REGULAR AGENDA

- 1. Spring Creek HOA – Requests an interpretation of the Spring Creek Ranch Area Plan CC&Rs on what constitutes a hard surface exterior material on new homes being constructed in the Spring Creek Ranch Planned Community.**

Christie Hutchings presented the request and passed around pictures of the existing homes that have already been constructed in Spring Creek Ranch using this material. There is also a letter that has been presented from Dave Klock, the original developer of Spring Creek Ranch.

Jason Willes asked for a spokesperson to address the group.

Dave Johnson is on the Spring Creek Ranch HOA and architectural control committee. He indicated that the HOA is concerned with the LP SmartSide because they wonder if it is even classified as a "hard surface". They worry about the lifespan of the product. It was initially thought the LP SmartSide was similar to HardiPlank, which has been allowed by the Area Plan and considered to be a hard surface. Because the SmartSide consists of OSB, they are concerned it is not a "hard surface" and should not be allowed.

Ed James stated that since he was not here for the original approval, he would like to know what the understanding was at the time of approval of the area plan. He does not think this product meets the 80% requirement for "hard surface" as required by the Area Plan.

Dave Johnson agrees, and states that his concern is also that the SmartSide is not a "hard surface".

Kerry Schwartz asked what % is being used in HardiPlank currently.

Dave Johnson stated that there are no homes currently being constructed with HardiBoard. There are stone wainscots, but the majority of the material is all the LP SmartSide. He also stated that there is a discrepancy in the determination of the driveway needing to be the width of the garage.

Chris Salisbury with Salisbury Homes stated, in regards to the width of the driveway, that he feels the provision is open to interpretation and would like to meet with the president of the HOA to determine what is wanted. He also distributed a letter regarding the SmartSiding and he summarized the contents of the letter. He stated that he believes the SmartSiding is a superior product to both HardiPlank as well as stucco. In Plat H, there are 25 homes currently built out, and there are 4 homes remaining that still need to be signed off by the ARC. Salisbury has constructed homes out of both SmartSiding and HardiPlank. Chris also indicated that he had a conversation with Lynn Jorgensen, Building Official, regarding the used of SmartSide at Traverse Mountain.

Carolyn Player has a concern that the paint scratches off very easily.

Scott Brandner stated that the sample has been carried around for over 3 years and that is why it is scratching off. He understands the concern that the product is constructed out of wafer board. This is a new product in Utah, but it has been used in other communities. He believes this is a very solid product.

Dave Johnson stated that the aesthetics and architectural look with this material does not support the value of the existing stucco homes within Spring Creek Ranch.

Chris Salisbury stated that he feels the aesthetic issue is subjective.

Kerry Schwartz stated that the homeowners and HOA have credence, and does not want to discount their aesthetic concerns.

Jason Willes thanked both sides for their presentations. As he looks at the minimum home design and construction standards from the Area Plan, that have been recorded as a legal document. He specifically addressed item #1 that states a minimum 80% of hard surfaces on exterior, including brick, rock, or stucco; and #9 which states that hardi-panel is encouraged on house surfaces to contrast and accent stucco. He feels that the product has not been listed nor considered by the legally recorded Area Plan and CCRs, whether it be a superior product or not. He also sees that any changes that need to be made would have to be approved by both the Planning Commission and City Council. Once the Council approves it, then an amendment to the existing standards must be recorded again.

Ed James feels the same way. As he reads comment #9, he sees the material is to be used as an accent only, and not to be used as the primary material on the homes. He wants it made clear whether this request is to use the SmartSide as an accent, as he feels is the intent of the current area plan, or whether this is intended to be the primary material of the homes.

The commissioners had a discussion regarding this issue. They feel that even if hardi-panel was being used as the primary material, it would still be a violation of the Area Plan. It is currently allowed as an accent material only.

Mark Johnson stated that the City doesn't want to be involved with a disagreement between the HOA and the Builder; however he feels the only decision the City can make is whether or not the SmartSide can be classified as a "hard surface". He feels that the Planning Commission cannot approve the request until a determination can be made as to whether or not the SmartSide is a "hard surface".

Ed James believes that the fiber cement product is the only product currently approved.

Jason Willes stated that assuming the Commission approves this material as a "hard surface", then a change to the CCRs and Area Plan will still have to be approved.

Ed James stressed that it can only be used as an accent only.

Jason Willes does not know if this is a superior product to stucco. He does not feel this is "hard surface".

Kerry Schwartz does not feel this is a "hard surface".

Marilyn Scheiss also does not feel that this is a "hard surface".

Chris Salisbury asked for a definition of "hard surface".

Jason Willes also indicated that the listed materials all have some type of a cement base.

Carolyn Player does not feel this is a "hard surface."

Derek Byrne does not interpret this as a "hard surface" because it does not have a rock or cement base.

Carolyn Nelson does not feel this is a "hard surface."

Ed James stated this is not a "hard surface" as defined by the Area Plan. He also stated that, going back to the area plan, that the hardi-panel is only to be used as an accent or contrast only, and not as the primary building material that is replacing the stucco.

A discussion was held regarding the discussion of what constitutes "hard surface".

Gordon Crane asked the Commission how they can educate the Commission regarding this product.

The Commission offered suggestions on how to bring the information back.

*Ed James moved to reaffirm the original definition of "hard surface" materials being rock, stone and stucco, and that the material presented tonight does not fall within that grouping. Derek Byrne second. Motion passed unanimous.*

**2. Max Gerber – Requests approval of revisions to the approved Site Plan on the Mill Site commercial development at approximately 650 South Mill Pond Road in an existing LI (Light Industrial) zone (relocation of dumpster, handicap ramp, landscape and changes to the drainage).**

Max Gerber stated that this request is being made because the approved site plan did not have any handicapped parking stalls and that was curb and gutter in front of all entrances which would inhibit ADA access. This change creates the ADA parking and access, and also creates additional green space.

Ed James noticed that there are some small “pockets” that he suggests having landscaping extended to remove them. He also has a concern that there is a landscaping strip on one side of the property but not the other. He feels good with the other changes.

Kerry Schwartz suggested making a motion that if the changes do not meet code, then they can make any necessary changes.

*Kerry Schwartz moved to grant final approval of the revisions to the approved site plan as shown, including accommodation of additional handicapped parking if needed to meet code and including all DRC comments. Second Marilyn Scheiss. Motion passed unanimous.*

Carolyn Player moved to close the regular session. Marilyn Schiess second. Motion passed unanimous.

### **WORK SESSION**

**1. Discussion of the Lehi City General Plan Very Low Density Residential Agricultural (VLDR) land use designation.**

Kim Struthers stated that this was initiated in response to recent General Plan amendments regarding the VLDR area. Commissioner James forwarded an email this week regarding this issue.

Ed James stated that, as a planner who has written ordinances, he wonders what the VLDR is really trying to achieve. He feels that the current standard is ambiguous. If the intent is to preserve rural character, then the ordinance needs to clearly define it. He also suggested the use of clustering to create a true rural character – he does not feel that ½ acre lots creates a true rural character. He also feels that rural zones are used for buffering and as a land bank.

Kerry Schwarz believes that at the time the VLDR was created, the intent was to create lots that allowed for animal rights. The VLDR was created to preserve a “feel” and a “value”.

Ed James would like to see a more clear definition of the rural feeling that the VLDR is intending to create.

Kerry Schwartz wonders how to balance the economic value of the VLDR because of current economic conditions.

Ed James wonders if ½ lot developments create a true rural area.

A discussion was held regarding what a true rural area.

Derek Byrne believes we are creating a “managed rural” area – some animals and farming on a small scale. It is difficult to define rural, because it means something different to everyone.

Kerry Schwartz thinks Pioneer Crossing is going to create a bigger impact.

Ed James wants to create a clear understanding of where the City wants to go.

Jason Willes would rather see one or five acre lots. The half acre lots were a result of many public hearings. One of the intents was to create some open space/green space and to allow some of the property owners to have some form of animal rights.

A discussion was held regarding clustering, PRDs, and transfer of density.

Jason Willes believes this is still something that most residents of Lehi want to see, but the Commission must be flexible.

The Commission held a discussion regarding the possibility of using transfer of development rights

**2. Discussion of revisions to Chapter 19 Wind Energy Facilities.**

Kim Struthers presented the changes to the proposed wind energy ordinance. This change makes it simpler to allow people to have windmills.

Christie Hutchings highlighted the changes as per the DRC meeting.

Mark Johnson did some research regarding whether or not the wind mills are economically viable. He stated that it may reduce power bills by \$66 a year.

This item is currently scheduled for Planning Commission on July 9, 2009.

**ADJOURN**

*Carolyn Player moved to adjourn. Marilyn Schiess second. Motion passed unanimous.*

Meeting ended at 7:13 p.m.

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

Chairman\_\_\_\_\_

Secretary\_\_\_\_\_