

LEHI CITY PLANNING COMMISSION MEETING

Minutes from the Lehi City Planning Commission meeting held on Thursday, February 25, 2010 in the Lehi City Council Chambers.

Voting Members Present: Kerry Schwartz, Carolyn Nelson, Kordel Braley, Marilyn Schiess, Ed James, Derek Byrne, Carolyn Player

Non-Voting Members: None

Members Absent: Chris Bleak – excused

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

Meeting began at 7:00 p.m.

REGULAR AGENDA

3.1 KRISTAL CHRISTIANSEN – REQUESTS APPROVAL OF A MAJOR HOME OCCUPATION PERMIT TO OPERATE DISCOVERY PRESCHOOL FROM HER HOME LOCATED AT 704 NORTH 625 EAST IN AN EXISTING R-1-8 ZONE.

Christie Hutchings presented the request and stated that there is ample room for pick up and drop off. The applicant has stated that she would have 12 students in 2 hour sessions with each session 3 days per week.

Kristal Christiansen was present for the request and said that she would have sessions Monday, Wednesday and Friday from 12:30-2:30. She did pass her inspection.

Ed James moved to approve Kristal Christiansen's request for a Major Home Occupation permit to operate Discovery Preschool from her home located at 704 North 625 East in an existing R-1-8 zone with verification of the safety inspection. Second by Marilyn Schiess. Motion carried unanimously.

3.2 DAVID LARSEN – REQUESTS APPROVAL OF A MINOR REVISION TO THE GRAY FARMS PHASE 4 CONDOMINIUMS, ADDING WOOD DECKS TO THE REAR ELEVATIONS OF BUILDING #5, LOCATED AT 114 SOUTH WILLOW CIRCLE LOOP IN AN EXISTING PLANNED COMMUNITY ZONE. (Continued from January 28, 2010)

Christie Hutchings presented the request and stated that this was continued from the January meeting. The building had been half constructed when the bank took it over. They had hired a contractor to come in and finish it off. She said there were some things in the motion that you asked them to address. They will put shutters on as shown on the elevations. They are going to dress up the decks by replacing the wood railing with the metal and they would wrap the decks with similar fascia as the rest of the building. They got the structural engineering signed off.

Kim Struthers went through other multi-family plats with common areas – and staff's opinion is that the plat does not need to be amended for this. He did call and talk to Robin at the County and she said she has seen it more than one way - they could do an addendum to the CC&R's to add the maintenance for the decks.

Ed James suggested putting a 2' buffer so people know the decks are not for everyone's use. He said the decks need to be treated as impervious surfaces.

Kim Struthers said he thinks they will be putting a soffit underneath the deck surface.

Brad Kenison said that it appears that they have strengthened the beams – we just may want to get clarification on that.

Ed James asked if the Building Official had seen the structural drawings.

Christie Hutchings said he did feel comfortable with the report.

Paul Matthews with Holladay Bank and Mark Barlow representing Majestic Homes were present for the request. Paul Matthews said that the floors are butted up pretty close – so we just want to caulk those seams and seal them in like that.

Kerry Schwartz expressed a very strong concern that they will be set up for failure with just the caulking.

Ed James likes what they've done.

Kerry Schwartz said that if you're wrapping those posts you may want to bring the rock veneer up a little on the bottom of those posts.

Mark Barlow said he has an attorney working on the CC&R's and he doesn't see it being an issue. He said they could put in a low hedge around the bottom of that lower deck.

Ed James moved to approve David Larsen's request for a Minor Revision to the Gray Farms Phase 4 Condominiums, adding wood decks to the rear elevations of building #5, located at 114 South Willow Circle Loop in an existing Planned Community zone with the following conditions: 1) include DRC comments; 2) that the lower floor exterior posts be clad in the same material as the wanes coat of the building; 3) that an impervious material be applied to the decks on the second and third levels; 4) that a low landscaped hedge be installed around the patio areas of the lower units; 5) that the CC&R's include wording that the HOA maintain not only the power pad but the decks themselves; 6) and that it includes the shutters as shown. Second by Derek Byrne. Motion carried unanimous.

3.3 STEVE CRAIN/ CLEARWIRE – REQUESTS SITE PLAN AND CONDITIONAL USE APPROVAL FOR A WIRELESS INTERNET BROADCASTING ANTENNA THAT WILL BE COLLOCATED ON A 50' HIGH POWER POLE AT APPROXIMATELY 1675 NORTH 1200 EAST IN AN EXISTING RA-1 ZONE. (Continued from January 28, 2010)

This item was pulled by the applicant. He requested to be put on the March 25th agenda.

Derek Byrne moved to continue this item on March 25th. Second by Ed James. Motion carried unanimous.

PUBLIC HEARINGS

4.1 CHANDLER SIGNS – REQUESTS SITE PLAN AND CONDITIONAL USE APPROVAL TO CONSTRUCT A DRIVE-THRU SIGN AT SLIDER'S GOURMET LOCATED AT 1362 EAST SR-92, SUITE L, IN AN EXISTING COMMERCIAL ZONE.

Public Hearing opened at 7:00 p.m.

Christie Hutchings presented the request and said that typically we see the signage together with the business but since we didn't know who the tenant was we weren't sure about the sign. The sign is for the drive thru menu board and is within the bounds permitted.

Mark Madsen with Sliders Gourmet was present and said the correct location would be on the left side.

Public Hearing closed at 7:26 p.m.

Derek Byrne asked about having some kind of treatment on the posts to match the building.

Mark Madsen said we want to keep it cost prohibited. We can do it if required but we would prefer not to.

Derek Byrne moved to approve Chandler Signs' request for Site Plan and Conditional Use approval to construct a drive-thru sign at Slider's Gourmet located at 1362 East SR-92, Suite L in an existing Commercial zone with the condition that they put a material on the post of the sign that makes it look like the rock or brick material used in the building and include DRC comments. Second by Carolyn Player. Motion carried unanimous.

4.2 MACKAY JOLLEY – REQUESTS SITE PLAN AND CONDITIONAL USE APPROVAL TO OPERATE JOLLEY CONSTRUCTION FROM AN EXISTING BUILDING LOCATED AT 1315 EAST MAIN STREET IN AN EXISTING COMMERCIAL ZONE.

Public Hearing opened at 7:00 p.m.

Christie Hutchings presented the request and stated that this is adjacent to Tint Pro that we saw a few months ago. They have no employees. It's a family run business so they will just have an office with a small showroom. Most clients would be by appointment only. The owner has striped the parking stalls and the parking is more than adequate for their needs. It is an existing building but DRC did suggest planter boxes or something to be put out front to soften the façade.

Ed James said he may have a conflict of interest in this matter but he would like to continue to participate with the consent of the commission.

Mackay Jolley was present for the request and said that in the spring they'd put planter boxes in front. We could add another recessed light or something because right now there is just the sign light.

Kerry Schwartz said they need something to dress it up like a light fixture or something.

Ed James said that DRC suggested planter boxes – what do you think about putting in a landscape strip.

Mackay Jolley said there is not enough room. He said they do residential homes and small commercial jobs. He said they mostly just have equipment inside and maybe a trailer on the side of the building but the actual work takes place on site.

Public Hearing closed at 7:38 p.m.

Carolyn Nelson moved to approve Mackay Jolley's request for Site Plan and Conditional Use approval to operate Jolley Construction from an existing building located at 1315 East Main Street in an existing Commercial zone with the condition that they include DRC comments, upgrade the outdoor lighting and put in planter boxes. Second by Marilyn Schiess. Motion carried unanimous.

4.3 QUESTAR GAS COMPANY – REQUESTS SITE PLAN AND CONDITIONAL USE APPROVAL FOR A NATURAL GAS REGULATOR STATION WITH AN 8-FOOT PRECAST CONCRETE PANEL WALL AT APPROXIMATELY 1810 WEST 2100 NORTH IN AN EXISTING PLANNED COMMUNITY ZONE.

Public Hearing opened at 7:00 p.m.

Christie Hutchings presented the request and stated that there are two aspects to this request; one is to construct the station and the second is for an 8 foot fence. The additional two feet is needed for security of the site. There is an asphalt trail that DRC wanted to continue out in front of this. She said the applicant will address the landscaping.

Mark Johnson with Questar & Seth Plazier, the engineer, were present for the request.

Seth Plazier said that the fence will be 10 feet back for the PUE.

Mark Johnson explained where the fence would go.

Kordel Braley asked if the church would remove their fencing and just have the one fence.

Mark Johnson said we could approach the church to see what they would do with that; if not we would be coming within a foot of their fence and we would take care of that strip so it wasn't weeds. This lot was not a buildable lot in the subdivision because they thought that it would be a well site. There has been talk by the City about abandoning the well with the 2100 North corridor coming through there. We had a place to the south and then UDOT had secured this piece of property for us to expand services in this area.

Ed James asked about landscape requirements for this.

Kim Struthers said it's no different than commercial – we think it needs to be addressed.

Mark Johnson said they were thinking of using rock with a few boulders along the front. There will be an asphalt drive going into it. He said these are un-manned facilities so we have to keep this pretty maintenance free.

Ed James said that there are plants that are maintenance free that you could use.

Mark Johnson said that if we plant trees then we have to worry about the roots getting into the pipes.

Kordel Braley asked if they were given the access approval off 2100 North from UDOT since this will be under their control.

Seth Plazier said that UDOT said they would grant us access. UDOT said that anything within their right of way they will take care of as far as landscaping or anything.

Mark Johnson said they would be happy to submit a more detailed plan with the rock-scape showing the curvature in it.

Public Hearing closed at 8:05 p.m.

Ed James moved to approve Questar Gas Company's request for Site Plan and Conditional Use approval for a natural gas regulator station with an 8-foot precast concrete panel wall at approximately 1810 West 2100 North in an existing Planned Community zone with the following conditions: 1) DRC comments be addressed, 2) that the applicant submit a rock-scape plan to the Planning Staff for the front and that the

plan contain at least 3 elements of color and texture and that it be compatible with the material and treatment of the wall and that we include the style as in the handout, 3) conform to the UDOT palette, 4) we request that the applicant meet with the LDS church to see if there can be some accommodation to have their fence removed and have the one concrete wall, 5) that the wall be on all four sides, 6) that the gate be a wrought iron gate. Second by Carolyn Nelson.

Ed James moved to amend his motion that the wall be either compatible with the existing church fencing palette or the UDOT palette. Second stands. Motion carried unanimous.

4.4 FIRST UTAH BANK – REQUESTS PRELIMINARY SUBDIVISION REVIEW AND RECOMMENDATION FOR CRESTHAVEN TOWNHOUSES, A 122-UNIT RESIDENTIAL DEVELOPMENT LOCATED AT APPROXIMATELY 4200 NORTH TRAVERSE MOUNTAIN BLVD. IN AN EXISTING PLANNED COMMUNITY ZONE.

Public Hearing opened at 7:00 p.m.

Christie Hutchings presented the request and stated that we've had this same piece of property with more than one layout on it. The bank owns it now. She said that this is designated as HDR. The bank would like to keep the existing road structure with the exception of adding another access. They would still provide all the amenities required in the code. This would be about 9.98 units per acre and they could do up to 20 units per acre.

Kim Struthers said that there was a previous agreement so they know that by putting more in here it lowers the density elsewhere.

Ed James is concerned with the issue or term – incentive and the authority to do it. He is concerned with how the project is laid out and is concerned with the ordinance of the landscaping; one tree for every two units. He asked if we had required more landscaping in the past that what was required in the ordinance.

Christie Hutchings said that we have required more in the past for a buffer for conflicting land uses.

Discussed the landscaping and that we can require more – the code says a minimum of one tree per two units.

Nathan Anderson with First Utah Bank and Michael Leifson with CDG Homes and Development Group were present for the request. Michael showed the building architecture of what the buildings might look like. He explained the layout and design of the buildings. He said there is no requirement with Traverse Mountain as far as the percentages of each of the building materials used – most of these will be a two step vertical step.

Ed James said that in the back he has an issue especially on the west side being against single family. He wondered why they aren't staggered with a horizontal shift.

Michael Leifson said that we are open to doing that – maybe shifting a few units back.

Ed James said this project could be very successful if you soften it down with more landscaping.

Michael Leifson said that the challenge is with the existing utilities and the vertical step, especially with drive ways – but we would like to show trees in the front.

Ed James asked about the amenities that were suggested in the ordinance.

Michael Leifson said this will be maintained by the HOA. As far as the amenities; there will be the clubhouse (1200 sq ft on two levels), a pool, a sports court, walking trails, tot lots and more.

Kerry Schwartz asked to have Ed James, Kim Struthers and Mark Johnson to meet in the back room for a second. Kerry said that they were just clarifying a point on the by-laws.

Public Hearing closed at 8:44 p.m.

Nathan Anderson said that the transition from the single family homes is because we were focusing on the average household income in this area. It was important to take into consideration what FHA would take into consideration with the income. He said they don't want a rental situation on their hands.

Kordel Braley asked about the site layout with shared access and connectivity.

Michael Leifson said that the site to the south is being designed as a HUD apartment development. The canal to the west will be boxed in and they will be able to tie into that trail system but this is a difficult spot to try and connect. He said they do have connections into the park.

Nathan Anderson said that Jack Hepworth asked that that not connect through. The Home Owners Association with the apartments and the management of this PUD with their own HOA will be kept totally separate.

Kordel Braley asked about the visitor parking.

Nathan Anderson said it's outlined on the plat.

Kordel Braley asked if the access could be more of a 90 degree angle.

Matt Brown said they are well within those city ordinance limits – that was determined by the property transfer.

Kordel Braley asked about the north access and if there will be any site distance issues.

Matt Brown said that it's really flat up there and there's pretty good site distance.

Ed James asked about the vertical staggering and front to back staggering.

Michael Leifson said that almost all of the longer buildings have the two foot shift.

Ed James asked about the rear elevations and the landscaping.

Michael Leifson said they will match the single family elevations across the street and the landscaping is actually above and beyond the previous tabulations.

Carolyn Nelson asked about the fencing that will be going up against those 5 homes.

Michael Leifson said that fencing is already in but Traverse Mountain does have fencing requirements. The back is all common space and we have discussed having side panel fencing between units on the perimeter for some kind of privacy. They do have pads coming out of the ground level units.

Kerry Schwartz said that he didn't see any of that addressed in the CC&R's.

Michael Leifson said that it is in there on page 13 item 19.

Kerry Schwartz is looking for a statement that the walk out pads and steps will be maintained.

Michael Leifson said that would be taken care of by the home owners but the landscaping will taken care of by the HOA.

Ed James would like it to say that the private and open space landscaping is maintained by the HOA and he would like to see the landscaping increased and require two trees per unit with the priority to the single family to the north. He would also like more trees in the common area along Traverse Mountain Blvd. So he would like to see four times more that amount of trees to help with the buffering.

Kordel Braley feels that we need better connections in there because Traverse Mountain Blvd will be a busy road. He would at least like to make it so there is the ability in the future if not now for connectivity.

Matt Brown said that you don't want everyone coming through onto private roads – there's a liability issue.

Discussed the connectivity.

*Ed James moved to recommend approval of First Utah Bank's requests for Preliminary Subdivision review for Cresthaven Townhouses, a 122-unit residential development located at approximately 4200 North Traverse Mountain Blvd. in an existing Planned Community zone with the conditions as follows: 1) that the DRC comments be included, 2) that the wording be changed in the CC&R's page 13 item 19 Landscaping, that it read **all landscaping maintenance be the responsibility of the HOA either on Private or Common area**, 3) that the landscape requirement be 2 trees per unit and that the trees be a 2" caliper as per code and that they be distributed on the perimeter edge for buffering with the 1st priority to be on the north between the single family homes, the 2nd priority on the south, the 3rd on Traverse Mountain Blvd and then the 4th priority be on the canal side. Second by Carolyn Nelson.*

Ed James moved to amend his motion to 1" caliper trees at 2 per unit. Amendment dies for lack of second.

Discussed the cost of that many more trees and that it's above and beyond what the code requires. Discussed the buffering and who's responsible for that buffering. Discussed that on the south there will be a fence.

Derek Byrne said he would oppose the motion before us with the 244 trees at 2" caliper.

Ed James asked about having 61 trees at 2" and 61 trees at 1". He said the only way to soften down this project is with the landscaping.

Michael Leifson said they would go along the lines of the 61 2" caliper and 61 1" caliper trees.

Ed James moved to amend his motion that all the items in the original motion remain the same except for the 3rd condition on landscaping; change to 61 trees at 2" caliper and 61 trees at 1" caliper to be located at locations where buffering is needed and to let the developer decide where they will be most marketable. Second stands by Carolyn Nelson. Motion carried 6-1 with Kordel Braley opposed.

Kordel Braley asked if they would consider having an access for connectivity into the property to the south.

4.5 DJ INVESTMENT GROUP LLC – REQUESTS REVIEW AND RECOMMENDATION FOR A ZONE DISTRICT AND ZONE DISTRICT MAP AMENDMENT ON 94 ACRES OF PROPERTY LOCATED AT APPROXIMATELY 4000 NORTH 600 WEST FROM AN R-1-12 TO AN R-1-8 ZONE.

Public Hearing opened at 7:00 p.m.

Christie Hutchings presented the request and stated that the property was annexed about 4 years ago and at that time it was brought in as R-1-12 with the exception of the areas with steep slopes which were kept as TH-5.

Ed James asked about road plans for up in this area and if we have utility plans for up in here. He asked if we were ready for any increase up here.

Brad Kenison said that there are plans being discussed from the Micron side to extend those utilities across – otherwise this development would have to extend the utilities.

Steve Ackerlowe with Patera Realty was present for the request and said that they are aware of the utilities and are trying to coincide this with the widening of SR-92. He said they want to build custom affordable homes.

Marilyn Schiess asked if they plan to make all the lots 8,000 sq feet.

Steve Ackerlowe said that there will be a variety of lot sizes. He said they know they will have access points where we will lose a few lots and there will be some areas where we have to give up certain things.

Dave Mast said that they have two accesses from UDOT at about 600 West and 900 West.

Public Hearing closed at 9:57 p.m.

Discussed the justification for wanting to go to a higher density.

Dave Mast said that he doesn't know where the 12,000 sq ft lots come from. He said the justification is economy driven – he feels it's a reasonable compromise given what's next to this in Traverse Mountain. He didn't feel this was an offensive request.

Ed James said that the policy is to go for the lower density unless there is justification for that.

Dave Mast asked that consideration be given to our economic times and to the higher density that will surround us.

Kordel Braley said he thinks the access needs to be looked at a little more.

Ed James said we need to leave it as it is until we know more about what else is being developed.

Carolyn Nelson asked about this property being so isolated – who would build the road to get into this property.

Kim Struthers said that the developer would be responsible to run the infrastructure to that. He said that there would have to be a separate tank for the water.

Kordel Braley said that times have changed and it has high density on both sides so he doesn't think it's a big deal.

Kordel Braley moved to recommend approval of DJ Investment Group's request for a Zone District and Zone District Map Amendment on 94 acres of property located at approximately 4000 North 600 West from an R-1-12 to an R-1-8 zone and that we include DRC comments which cover some of the extra things talked about. Second by Carolyn Player.

Kim said that in the DRC comments there were only 78 acres that water shares were dedicated on so this could only include the R-1-12 part.

Kordel Braley moved to amend his motion to say this only covers the R-1-12 area and to add that as they go through this process they give serious consideration to open space and access. Second by Carolyn Player stands.

Brad said that infrastructure is not in place and there will be serious need for that and going from R-1-12 to R-1-8 it would make a difference in the system.

Marilyn Schiess moved to extend the meeting for 20 minutes at 10:30 p.m. Second by Ed James. Motion carried unanimous.

Ed James feels that there wasn't adequate justification for higher density – typically economics is not part of this. He said he would not support the motion.

Motion failed 2-5 with Kerry Schwartz, Carolyn Nelson, Marilyn Schiess, Ed James and Derek Byrne, opposed.

Ed James moved to recommend denial of DJ Investments Group's request for a Zone District and Zone District Map Amendment on approximately 94 acres of property located at approximately 4000 North 600 West from an R-1-12 to an R-1-8 zone based on the fact that the applicant did not demonstrate adequate justification for the zone change and include DRC comments. Second by Marilyn Schiess. Motion carried 5-2 with Kordel Braley and Carolyn Player opposed.

APPROVAL OF MINUTES

5.1 APPROVAL OF MINUTES FROM THE FEBRUARY 4, 2010 WORK SESSION.

Derek Byrne moved to approve the minutes from the February 4, 2010 meeting. Second by Marilyn Schiess. Motion carried unanimous.

5.2 APPROVAL OF MINUTES FROM THE FEBRUARY 11, 2010 REGULAR MEETING.

Carolyn Nelson moved to approve the minutes from the February 11, 2010 meeting. Second by Marilyn Schiess. Motion carried unanimous.

CITY BUSINESS

Kim Struthers said that we will provide food for our next work session on March 4th.

ADJOURN

Ed James moved to adjourn. Second by Carolyn Player. Motion carried unanimous.

Meeting ended at 10:36 p.m.

Date Approved_____

Chairman_____

Secretary_____