

## LEHI CITY PLANNING COMMISSION MEETING

Minutes from the Lehi City Planning Commission meeting held on Thursday, August 26, 2010 in the Lehi City Council Chambers.

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

Members Absent: Chris Bleak

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

Meeting began at 7:00 p.m.

### REGULAR AGENDA

#### **3.1 AMY WALKER – REQUESTS APPROVAL OF A MAJOR HOME OCCUPATION PERMIT TO OPERATE A DAYCARE FROM HER HOME LOCATED AT 1443 NORTH 1800 WEST IN AN EXISTING RA-1 ZONE.**

Christie Hutchings presented the request and said that the applicant will be taking 6 children. There is a 3 car driveway and the business will all be upstairs.

Amy Walker was present for the request and stated that the hours would be flexible but normal working hours. The yard is fenced except for into the house; there will be temporary fencing until we can put in permanent fencing.

*Carolyn Player moved to approve Amy Walker's request for a Major Home Occupation permit to operate a daycare from her home located at 1443 North 1800 West in an existing RA-1 zone including DRC comments and contingent on them getting the fences finished from the back sides to the house. Second by Carolyn Nelson. Motion carried unanimous.*

#### **3.2 LARA FANO – REQUESTS APPROVAL OF A MAJOR HOME OCCUPATION PERMIT TO OPERATE A PRESCHOOL FROM HER HOME LOCATED AT 1521 WEST 100 SOUTH IN AN EXISTING R-1-12 PRD ZONE.**

Christie Hutchings presented the request and stated that the applicant will have one session per day, 2½ hours per session with a maximum of 12 children. The preschool area will be in the family room and she has past her inspections.

Lara Fano was present for the request and stated that she will be having only one session for 2½ hour on Tuesday, Wednesday and Thursday mornings.

*Kordel Braley moved to grant final approval of Lara Fano's request for a Major Home Occupation permit to operate a preschool from her home located at 1521 West 100 South in an existing R-1-12 PRD zone contingent upon any final checks or inspections. Second by Ed James. Motion carried unanimous.*

#### **3.3 MERANIE KARREN – REQUESTS APPROVAL OF A MAJOR HOME OCCUPATION PERMIT TO OPERATE A PRESCHOOL FROM HER HOME LOCATED AT 422 NORTH WILLOW HAVEN AVE IN AN EXISTING RA-1 PRD ZONE.**

Christie Hutchings presented the request and stated that the applicant is using the basement and she does have two entrances. She is requesting one session 4 days a week for 2½ hour with 10 students. She is putting in the fence.

Meranie Karren was present for the request and said that she has passed her inspection. She said the sessions would be for 2 ½ hours on Monday and Wednesday mornings and Tuesday and Thursday in the afternoon. She said there will be a gate put in and it will be solid on the other side.

*Derek Byrne moved to approve Meranie Karren's request for a Major Home Occupation permit to operate a preschool from her home located at 422 North Willow Have Ave in an existing RA-1 PRD zone and include DRC comments. Second by Ed James. Motion carried unanimous.*

## PUBLIC HEARINGS

### **4.1 MICHAEL AND NATALIE BARRON – REQUESTS SITE PLAN AND CONDITIONAL USE APPROVAL OF A SMALL WIND ENERGY SYSTEM FOR THEIR HOME LOCATED AT 61 EAST 2200 NORTH IN AN EXISTING A-1 ZONE.**

Public Hearing opened at 7:00 p.m.

Kerry Schwartz said that the applicant has asked that this be tabled tonight but we will take public comment.

Reed Powell lives next door to the Barron's and said that he is not opposed to wind energy but is concerned with the noise level. He said that there would be 7 houses that do not have any obstruction as far as noise from this wind mill. He understands that it would be 40-45 decibels which is about the same as a compressor or air conditioner would produce; but on a 45 foot pole there would be no obstruction for the noise. He is concerned if the wind mill has any speed dampening and if it does, does the braking system cause noise? The wind mill on 1200 East sounds like a distant siren is going. He is concerned with the constant noise levels and the limitations that planning would put on those kinds of articles.

Kim Struthers said the noise levels are addressed in the Municipal Code. In the Development Code the regulations for wind energy have restrictions for 50 decibels maximum at any given time.

Kerry Schwartz said that we could ask the applicant to come back prepared to provide information on the noise levels.

Discussed the height and setbacks.

*Ed James moved to table Michael and Natalie Barron's request for Site Plan and Conditional Use approval of a small wind energy system for their home located at 61 East 2200 North in an existing A-1 zone until the September 9, 2010 meeting. Second by Carolyn Player. Motion carried unanimous.*

### **4.2 RENAISSANCE ACADEMY – REQUESTS SITE PLAN AND CONDITIONAL USE APPROVAL FOR THE ADDITION OF TEMPORARY PORTABLE CLASSROOM UNITS FOR THE EXISTING SCHOOL LOCATED AT 3435 NORTH 1120 EAST IN AN EXISTING COMMERCIAL ZONE.**

Public Hearing opened at 7:00 p.m.

Christie Hutchings presented the request and stated that they are proposing to remove one of the parking stalls for the walk way and add some more parking to address the DRC concerns. They have not added new classes at this time.

Joyce Bailey with Scholtz and Associates was present for the request.

Richard Veasey, Vice Principal, was also present for the request and stated that they had 659 students last year and 656 currently enrolled this year. He said they have two classes meeting in the computer lab rooms so this will free up that area. There is also a class using the mini-auditorium space right now. He said that this is only temporary until they can build new facilities. We have been approved by the State to increase our enrollment to 780 students. We will be extending between where the portables are and going up two stories. There are demands coming to the school and there is a waiting list to get in.

Ed James asked about the parking and stated that it looks like they're picking up additional stalls.

Joyce Bailey said they picked up an additional 8 parking stalls. She said they didn't want to put in a big parking area right now because it will be torn out in the next years.

Kordel Braley asked what the original enrollment was approved for.

Richard Veasey said it was probably 650. He said they will eventually have 3 classrooms for each grade level.

Discussed the amount of classrooms being used.

Kordel Braley asked if there was a traffic study done at the beginning or when the State increased the enrollment numbers. He feels the infrastructure may limit the increase.

Richard Veasey said that they do encourage car pooling. He said there is maybe 15 minutes in the morning and 20 minutes at the end of the day where there is traffic back up.

Public Hearing closed at 7:46 p.m.

Kerry Schwartz is also concerned with adding an additional wing to the school.

Ed James said it is a very bad location for access.

Christie Hutchings said we have to allow them to go anywhere they ask; they are a State funded school.

Richard Veasey said that they are looking at the property to the east but this would be part of the next addition.

Ed James moved to table this until the applicant can come back with an adequate access into the facility, preferably two accesses specifically to the east. Motion died for lack of second.

Richard Veasey said their plan is to move the classes out of other areas. They will not be increasing students with this change. He said they can look at early bird drop offs, etc.

Kerry Schwartz said since they're not increasing student capacity can we put restrictions on this approval tonight, like put a cap on the number of classrooms.

Kim Struthers said it's really a function of the parking. He said that any space being used for a classroom counts toward the number parking stalls.

Richard Veasey said that they will not increase their students until they get the new addition to the actual school – these modulars are temporary.

*Ed James moved to approve Renaissance Academy's request for Site Plan and Conditional Use for the addition of temporary portable classroom units for their existing school located at 3435 North 1120 East in an existing Commercial zone and as part of the approval 1) address all the DRC comments, 2) that the school be limited to 675 students in this Conditional Use, 3) that they be limited to a maximum of 30 classrooms, 4) provide 75 parking stalls with the finding of fact that the code provides for 2.5 parking stalls per classroom and that equates to 75 stalls and they have shown 75 stalls on their site plan. Second by Marilyn Schiess.*

Discussed whether it's legal to restrict the number of students.

Kim Struthers said that he understands that you can impose this in regards to having adequate parking and other things – we can check with the city attorney to see for sure.

Kordel Braley asked to add in that they submit some kind of traffic management plan.

Kerry Schwartz said there was one with the original approval.

Ed James said we haven't increased the number of students.

Kordel Braley said that traffic should not back up on 1200 East or 3200 North.

Discussed what the State looks at for these schools.

Richard Veasey said that the State has not asked about offsite conditions.

*Motion carried 6-1 with Carolyn Nelson opposed stating that she doesn't know if this is the right thing legally to do.*

**4.3 BRANDON RINDLISBACHER – REQUESTS SITE PLAN AND CONDITIONAL USE APPROVAL TO OPERATE JOYLEE, A RECREATIONAL VEHICLE SALES AND SERVICE BUSINESS FROM AN EXISTING BUILDING LOCATED AT 400 SOUTH MILL POND DRIVE IN AN EXISTING COMMERCIAL ZONE.**

Public Hearing opened at 7:00 p.m.

Christie Hutchings presented the request and stated that the applicant is requesting both uses which are conditional in the Commercial zone. She said the majority of business would be from internet sales. The applicant has stated that there may be 1-2 patrons a week. She said he will be leasing the loading dock in the rear. The DRC comments asking about number of employees and parking has been addressed.

Lynn and Brandon Rindlisbacher were present for the request. Lynn said that the loading docks are right behind the offices. He said that in our leases with each tenant we specify how many parking stalls can be used. There are still some extra parking stalls left and no one else is using the loading dock except for Flavors Gourmet. They are the only tenant that is using a loading dock. All display items will be in the back on the loading dock.

Public Hearing closed at 8:24 p.m.

*Kordel Braley moved to grant final approval of Brandon Rindlisbacher's request for Site Plan and Conditional Use to operate Joylee, a recreational vehicle sales and service business from an existing building located at 400 South Mill Pond Drive in an existing Commercial zone with the conditions that a*

*maximum of 3 trailers be stored in the back and include any other DRC comments. Second by Ed James. Motion carried unanimous.*

**4.4 CADENCE CAPITAL – REQUESTS PRELIMINARY SUBDIVISION REVIEW AND RECOMMENDATION FOR SPRING RANCH, A 22-LOT PLANNED RESIDENTIAL DEVELOPMENT WITH PARK BUY-BACK LOCATED AT APPROXIMATELY 2540 WEST 1500 NORTH IN AN EXISTING R-1-22 ZONE.**

Public Hearing opened at 7:00 p.m.

The applicant has requested that this be tabled.

*Carolyn Player moved to table Cadence Capital’s request for Preliminary Subdivision review and recommendation for Spring Ranch, a 22-lot planned residential development with park buy-back located at approximately 2540 West 1500 North in an existing R-1-22 zone until the September 9, 2010 meeting as per the request of the applicant. Second by Ed James. Motion carried unanimous.*

**APPROVAL OF MINUTES**

**5.1 APPROVAL OF MINUTES FROM THE AUGUST 5, 2010 WORK SESSION.**

*Carolyn Player moved to approve the minutes from the August 5, 2010 work session. Second by Carolyn Nelson. Motion carried unanimous.*

**5.2 APPROVAL OF MINUTES FROM THE AUGUST 12, 2010 REGULAR MEETING.**

*Carolyn Nelson moved to approve the minutes from the August 12, 2010 regular meeting. Second by Marilyn Schiess. Motion carried unanimous.*

**CITY BUSINESS**

Brad Kenison said that as an item of interest we put some counters out on Main Street a couple weeks before Pioneer Crossing opened and our best estimates before was about 28,000 cars a day. In the last 2 days there have been about 17-18,000 cars a day.

Kim Struthers said as a heads up Mr. Hepworth brought in a Concept Plan for Traverse Mountain. This is their 3<sup>rd</sup> attempt. This will be coming in September.

Ed James asked if we could discuss this at a work session.

**ADJOURN**

*Carolyn Player moved to adjourn. Second by Marilyn Schiess. Motion carried unanimous.*

Meeting ended at 8:36 p.m.

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

Chairman\_\_\_\_\_

Secretary\_\_\_\_\_