

## LEHI CITY PLANNING COMMISSION MEETING

Minutes from the Lehi City Planning Commission meeting held on Thursday, December 03, 2009 in the Lehi City Council Chamber.

Voting Members: Marilyn Schiess, Carolyn Player, Carolyn Nelson, Derek Byrne, Ed James, Kerry Schwartz (came late), Chris Bleak

Non-voting Members: Kordel Braley

Members Absent: Jason Willes – excused

Others: Kim Struthers, Noreen Edwards, Christie Hutchings, Brad Kenison

Meeting began at 7:06 p.m.

### PUBLIC HEARINGS

#### **4.1 LEHI CITY – REQUESTS PUBLIC COMMENT ON PROPOSED REVISIONS TO THE LEHI CITY ANNEXATION POLICY PLAN EXPANSION AREA MAP.**

Public Hearing opened at 7:06 p.m.

Christie Hutchings stated that Micron has expressed interest in doing a large project and would like to expand; but some of their property is in Draper City. It would need to be annexed into the Lehi City first before they can do anything. The main reason this is being amended is to add Micron and the property on the south (which is already annexed into the City) on our annexation map. This is just a public meeting and there will be a public hearing for Planning Commission and then onto City Council. This is the first of many meetings that we will be seeing this on. There is no action to take tonight just discussion.

Derek Byrne asked about that piece of Draper left detached.

Kim Struthers said that piece would have to be a part of the Micron annexation.

Ed James said that since we're taking care of this we need to look at all the other areas. Lehi needs to go to the county line as far as it can. We have this expansion area and we ought to propose to change the expansion area to the south to include that – this isn't good house keeping.

Kim Struthers said that he talked to Jamie Davidson and Ken Rushton and asked if we wanted to add any others while we're looking at this. They said we should just focus at this time on the Micron piece. The City isn't interested in anything that's been developed up above Micron, just the undeveloped areas, other wise we'd be getting into annexing houses and roads, etc. There are some minor revisions to the text as well.

Marilyn Schiess said that if there is any public comment you do have 10 days provide that.

#### **4.2 BRANDON LAYTON – REQUESTS CONDITIONAL USE AND SITE PLAN APPROVAL TO OPERATE AUTO IMAGE, AN AUTOMOBILE SERVICE BUSINESS FROM AN EXISTING BUILDING LOCATED AT 1317 EAST MAIN STREET IN AN EXISTING COMMERCIAL ZONE.**

Public Hearing opened at 7:06 p.m.

Christie Hutchings presented the request and stated that all the improvements are in. There is only one employee right now but he hopes to have a few more. They work on about 10 vehicles a day. She said the parking is enough for their busiest time.

Ed James said that he has a conflict of interest.

Marilyn Schiess said she doesn't see a problem with that

Ed James said that this is the situation that came up at the last meeting. He once again stressed that it would be good to have the owner in the discussion process. This is a gateway to Lehi and we need to be aware of this piece of property and encourage the owner to improve this over time.

Christie Hutchings said that he is going to put lighting outside the building and put planters out.

Brad Kenison said to make sure the striping against Main Street is part of the motion.

Brandon Layton was present for the request and stated that they will restripe the parking along Main Street.

Ed James asked if there was going to be any outside repair.

Brandon Layton said there won't be any outdoor repair here at this location.

Christie Hutchings said that our classification is a little broader than what they will be doing but it's not heavy repair.

Public Hearing closed at 7:28 p.m.

Ed James thinks we need to limit the use to what the applicant has stated and that there be no activity on the outside of the building.

*Ed James moved to approve Brandon Layton's request for Site Plan and Conditional Use to operate Auto Image, an automobile service business from an existing building located at 1317 East Main Street in a Commercial zone with the conditions stated in DRC and the second condition being that the use be limited to those types of service of after market and window repair and that no activity be conducted on the outside of the building. Second by Carolyn Player. Motion carried unanimous.*

**4.3 DAVID DARBY – REQUESTS CONDITIONAL USE AND SITE PLAN APPROVAL TO OPERATE CDS BIG RIG, A HEAVY EQUIPMENT REPAIR BUSINESS FROM AN EXISTING BUILDING LOCATED AT 98 NORTH 1200 EAST IN AN EXISTING COMMERCIAL ZONE.**

Public Hearing opened at 7:06 p.m.

Christie Hutchings presented the request and stated that the junk in the aerial has been cleaned up. The applicant has a small shop and he works on semi trailers but the assembly is on site. He doesn't do any welding or anything like that. Mr. Yates (the owner) has indicated that he has put in some landscaping and the improvements are already in.

David Darby was present for the request and stated that it's just rebuilding and repairing the tractor trailers – nothing outside – all inside where we work on them. He said there won't be any painting or engine re-builds or anything like that. It will be by appointment only.

Public Hearing closed at 7:37 p.m.

*Ed James moved to approve David Darby's request for Site Plan and Conditional Use to operate CDS Big Rig, a heavy equipment repair business from an existing building located at 98 North 1200 East in a Commercial zone with the conditions of DRC comments and second, no outdoor work allowed. Second by Carolyn Nelson. Motion carried unanimous.*

**4.4 TYLER LOVERIDGE – REQUESTS CONDITIONAL USE AND SITE PLAN APPROVAL TO OPERATE HORSEPOWER TOWING, AN AUTOMOBILE SERVICE BUSINESS FROM 1450 WEST 1850 NORTH IN AN EXISTING LIGHT INDUSTRIAL ZONE.**

Public Hearing opened at 7:06 p.m.

Christie Hutchings presented the request and stated that there is existing fencing. She said the area is 180' by 63'.

Tyler Loveridge was present and stated that Hadco had done this yard for Quality Towing and they decided not to come into Lehi – it was built to spec for them.

Ed James said he is concerned about the security – is there anything else that adds more security than the fencing.

Tyler Loveridge said they have lighting and there is barbed wire on top of the fence. There are also security cameras on all the light poles for Hadco and he has given permission to use the pole for our cameras as well.

Kordel Braley said that if we have tow trucks coming in and out in the middle of the night it might cause problem with that neighborhood right there.

Tyler Loveridge said there will be no customers coming to pick up in the middle of the night and they don't want to drop cars off at night either - in Lehi 90% will be just Lehi tows.

Public Hearing closed at 7:47 p.m.

Carolyn Player asked Brad about his DRC comment.

Brad Kenison said that it seems that there are a lot of little businesses popping in here – at what point in time do we need to require some improvements.

Ed James said at some point the site will need to be brought up to code.

*Derek Byrne moved to approve Tyler Loveridge's request for Site Plan and Conditional Use to operate Horse Power Towing, An automobile service business from an existing building located at 1450 West 1850 North in a Light Industrial zone with the DRC comments and that they have standard business hours. Second by Chris Bleak. Motion carried unanimous.*

Discussed that we need to have the owner in here to be able to ask if things can be done with the land – or to have them come to DRC.

**4.5 RAIN NUTRITION – REQUESTS CONDITIONAL USE AND SITE PLAN APPROVAL TO OPERATE AN OFFICE WAREHOUSE FROM AN EXISTING BUILDING LOCATED AT 1601 NORTH STATE STREET IN AN EXISTING MIXED USE ZONE.**

Public Hearing opened at 7:06 p.m.

Christie Hutchings presented the request and stated that the improvements are already in. They will be storing their inventory and will have a small office in the front. They have 3 employees and 14 parking spaces.

The applicant was not present.

Public Hearing closed at 7:56 p.m.

*Chris Bleak moved to approve Rain Nutrition’s request for Site Plan and Conditional Use to operate an office warehouse from an existing building located at 1601 North State Street in a Mixed Use zone with DRC comments. Second by Carolyn Player. Motion carried unanimous.*

**4.6 ROBERT WALL – REQUESTS CONDITIONAL USE AND SITE PLAN APPROVAL TO OPERATE ALPINE BIBLE CHURCH FROM AN EXISTING BUILDING LOCATED AT 628 EAST STATE STREET IN AN EXISTING MIXED USE ZONE.**

Public Hearing opened at 7:06 p.m.

Christie Hutchings presented the request and stated that this will be located in the Harding Shops building. The improvements are already in. There was discussion at DRC that they may have a parking issue and they do have a letter stating that on Sunday they would have shared parking since none of the other businesses are open. The applicant also mentioned that if the congregation grew they may need to look at another location.

Nathaniel Wall was present for the request.

Ed James said that the Sunday parking is fine for anywhere from 50-60 – but what about other midweek activities – there may be an issue about parking.

Nathaniel Wall said that the businesses will be closed if we do anything mid week – most of our activities are held in homes.

Public Hearing closed at 8:02 p.m.

Kordel Braley thinks the parking is fine and we should encourage this type of shared use.

*Ed James moved to approve Robert Wall’s request for Site Plan and Conditional Use to operate Alpine Bible Church from an existing building located at 628 East State Street in a Mixed use zone and that the comments of the DRC be included as condition of approval and when the congregation exceeds the amount of the capacity of the building they would have to demonstrate additional parking. Second by Carolyn Nelson. Motion carried unanimous.*

**4.7 TROY RAVEN – REQUESTS CONDITIONAL USE AND SITE PLAN APPROVAL TO OPERATE DISCOUNT FIREARMS AND PAWN FROM AN EXISTING BUILDING LOCATED AT 2540 NORTH 1200 WEST IN AN EXISTING COMMERCIAL ZONE.**

Public Hearing opened at 7:06 p.m.

Christie Hutchings presented the request and stated that this applicant formerly had this business at this location but the code says if they're gone for more than a year they have to re apply. Pawn shops are also regulated by the Municipal Code.

Troy Raven was present for the request and stated that firearms are regulated very close by the federal government – they are locked in a safe at night. As far as security there is an alarm and 16 cameras. The guns will be some that people sell to me and others would be pawned. The ATF inspects the site and there will not be any ammunition to sell on site.

Public Hearing closed at 8:12 p.m.

Chris Bleak asked about the improvements.

Brad Kenison said when this came through before they were required to put in the road improvements and it wasn't done.

Mr. Rowley, the owner, said that they thought that the road was going to be done a couple years ago. This property is also run on Utah Power and Light and they said they no longer want to service these buildings.

Paul Rowley was present and stated that the city owes them pavement, curb and gutter. He said they have signed agreements from the City regarding that.

Discussed the improvements.

Brad Kenison said that we would have to look into it. He said he would like to see the agreements so we can work this out. He said that we have allowed other developments that have come through in the past a time frame to do those improvements.

Paul Rowley said that they would be willing to have the pavement put in within 9 months after the road is put in.

Kordel Braley asked about reimbursement if they were to improve that site.

Discussed what will happen when that new interchange comes in for the freeway.

*Chris Bleak moved to approve Troy Raven's request for Site Plan and Conditional Use to operate Discount Firearms and Pawn from an existing building located at 2540 North 1200 West in a Commercial zone and include DRC comments with the exception of Brad's comments but noting that we've asked the City to meet with the property owner to work through those agreements and figure out what is going on with the road so that they can do what they said they'd do all along which is to pave and take care of that property once the road is completed – that was in the motion in 2004 - and also excluding Kim's comment #5. Second by Derek Byrne. Motion carried unanimous.*

#### **4.8 ALPINE SCHOOL DISTRICT – REQUESTS CONDITIONAL USE AND SITE PLAN APPROVAL FOR AN ADDITION TO MEADOW ELEMENTARY SCHOOL LOCATED AT 176 SOUTH 500 WEST IN EXISTING A-1 AND RA-1 ZONES.**

Public Hearing opened at 7:06 p.m.

Christie Hutchings presented the request and stated that currently there are 140 stalls and the addition will bring it up to 179 stalls and is adding additional pick up and drop off lanes. They will be removing the portable rooms and adding in the classrooms.

Clay Johnson with Alpine School District and Rob White with KMA Architects were present for the request. Clay Johnson said that the new drop off will be for buses and the preschool will be moved to the other end.

Rob White said it will be marked for 'buses only' during school hours.

Wes Christensen with KMA Architects described what they have done with the main entrance to the school. He said that there will be 6 foot safety fences put in place during construction. They have to surcharge the pad for the addition. They will also remove the house on 500 West during that time. There will be separate construction lanes.

Kerry Schwartz asked what parking will be taken out during construction.

Rob White said that all the construction traffic will go through where the house is.

Clay Johnson said that the preschool is not part of the school district but he thinks they are deciding whether to put in a new building, use an old portable or what. He said they will be done by the start of school 2010.

Kerry Schwartz expressed concern with the lack of sidewalks on the way to the school.

Calvin Urry lives next to the school and stated that he is covered on 2 sides by the busses. His property is directly to the south on 500 West. He would like to have some kind of a buffer other than a chain link fence – even landscaping would work – just something to help keep the fumes from the busses down.

Layne Downs lives across the street and he said there is a sidewalk on 200 South from 500 West to the swimming pool but he is concerned with the new exit which will line up with his driveway making it even harder to get out.

John Kopinsky owns property to the north and has livestock in that pasture. He said there have been problems with balls going over the fence and into the pasture. They have talked to the principal about some of the issues and now where they are putting that preschool over there – he is concerned that the kids climb over the fence to get the balls back. He is also concerned about the garbage during the construction – some of this comes over the fence and causes problems with the livestock. He would request that something be done and to have some kind of a barrier to keep the kids out of the pasture and keep from getting hurt. He is also concerned with the liability issues if kids do get in there and get hurt.

Layne Downs said that there is talk that they are going to close 300 South when the Fronrunner comes in. He said he would hope they leave that open.

Public Hearing closed at 9:06 p.m.

Rob White said that with Mr. Urry to the south – there is a 6' chain link fence going in there. There will be landscaping on the north of that lot with trees and on the west it will be a xeriscape area.

Clay Johnson said they can put shrubbery or something there.

Ed James said if you line up the bus road to the north – it would give you more room for the busses – and it would resolve problems with the neighbor next door.

Brad Kenison said that in DRC they told them they needed to do something with all the access points.

Kordel Braley thinks this is the best way to have the accesses – maybe put in more foliage for the neighbor on the south.

Ed James asked about a solid masonry fence along the property to the north and the one west side of the neighbor to the south.

Marilyn Schiess said that the only thing they can do is go back and talk with the school district to see what they'll do.

Calvin Urry said he needs it on the north – he has trees on the west side.

Brad Kenison said that they need to make sure that they tie into your site work with those drains.

Discussed the type of fencing. Whether to have a solid concrete wall or a no-climb fence where there is livestock to the north and what to do with the Head Start on that end. Discussed what type of fence, wall, or landscaping could be used to buffer the neighbor to the south. Discussed what we could require the school district to actually do.

*Ed James moved to approve Alpine School Districts request for Site Plan and Conditional Use for an addition to Meadow Elementary School located at 176 South 500 West in existing A-1 and RA-1 zones with the DRC conditions and that they be required to work with the property owners on the north and south sides on what type of fence would work best for them and that the applicants submit a letter of agreement on the solution of the fence. Second by Carolyn Nelson.*

*Ed James moved to amend his motion to include that the applicant be required to submit a construction and post construction safety plan giving consideration of safety issues with staging and construction and to evaluate off site safety issues. Second by Carolyn Nelson stands. Motion carried unanimous.*

Kerry Schwartz said he is concerned about safety issues with those kids crossing the train tracks.

#### **4.9 DISCUSSION OF SIGNAGE PLAN FOR THE HARWARD IRRIGATION RETAIL/COMMERCIAL BUILDING LOCATED AT APPROXIMATELY 4000 NORTH THANKSGIVING WAY IN AN EXISTING COMMERCIAL ZONE.**

Dallin Ward was present and stated that they would like to come up with a comprehensive sign plan for that location. He reviewed the different options for signage.

Discussed the EMD and whether it would be distracting from the freeway.

Ed James does not like the east elevation sign proposal, it is too cluttered. He likes the proposed north elevation. He feels you get more advantage by installing less costly signage once you've drawn people into the structure. He doesn't think you'll see those signs from the freeway.

Kerry Schwartz said that 'Now and Then' has a banner up right now and you do notice it.

Dallin Ward said that they'll cut back on the front signage if they can have the signage on the side.

Dave Millheim, owner of 'Now and Then' said that this already complies with the ordinance – that's why we want the signage on the north and south ends of the buildings so we can capture the freeway.

Dallin Ward said that they would like to have the top floor signs up to a 50 sq ft allotment and bottom signs allowed 15% which is allowed right now. They want to have the theme of all the signs tied together.

Marilyn Schiess said that's a good location for the monument sign and she likes all of it.

Kerry Schwartz said that the monument sign is within the code now. Also the front is less than what is allowed and so is the back – so we are looking at the sides. We need to give the applicant some guidance. He asked how all the businesses would be able to advertise on the monument sign where there are not 16 spaces.

Dallin Ward said that can be configured a lot of different ways to accommodate the businesses.

Kerry Schwartz said that there is over kill with EMD's on both the south and north sides.

Dave Millheim said that the north side is the important side. He said that on the south side we could shrink the size of the LED and keep the length the same (diagram on page 6 of 8)

Kim Struthers said that we normally don't allow EMD's as a wall sign – the applicant could accomplish all of this if the commissioners felt that this was an exception. But whatever exception is granted they still need to meet the intent. He said the exceptions part of the code allows that flexibility – you can say that we are re-allocating.

Dallin Ward said it's the EMD that's putting us over the edge.

Kim Struthers said that whatever we do approve – every other business is going to want what this one has.

Kordel Braley likes the idea of changing the ordinance instead of having exceptions – that way we stay consistent.

Chris Bleak agrees with Kordel – he doesn't have any significant issues. He would prefer this but would rather make some changes for 'freeway zones'.

Kordel Braley said it looks better there than on a pole sign.

Discussed that they would rather see it on a building than on a pole sign.

Kordel Braley said if it falls in the percentage allowed then it should be ok.

*Kerry Schwartz moved to extend the meeting at 10:30 p.m. for 15 minutes. Second by Carolyn Player. Motion carried unanimous.*

Derek Byrne said that we are all in agreement that an EMD on the north is acceptable and there are some that don't like it on the south side.

Kerry Schwartz thinks we can either change the Sign Ordinance now or send this through documenting that we have every intention of changing this in the future.

Kim Struthers said if you'd rather see it as a code change then we can draft that.



Discussed that we could put in the minutes to go forward with this sign package noting that the Planning Commission is going ahead with the ordinance change.

Marilyn Schiess said we can't act on this tonight because there is no application. We just need to tell them that they can go ahead with this and then we will change our code. She said we could just make the EMD on the north as a condition.

The general feeling of the Planning Commission is to go ahead.

## **CITY BUSINESS**

### **5.1 REVIEW OF THE PLANNING COMMISSION MEETING SCHEDULE FOR 2010.**

The commissioners decided to cancel the meetings for March 11<sup>th</sup> for the Library Gala and July 22<sup>nd</sup> for Pioneer Day holiday; and to keep May 27<sup>th</sup> because High School graduation is in the morning; and to move the meeting from November 11<sup>th</sup> to November 18<sup>th</sup> because of Veteran's Day.

Kim Struthers stated that the work session with the City Council will be on Tuesday, January 5, 2010 at 5:00 p.m. in the Senior Center. This will replace the work session on that Thursday.

Discussed sending out a reminder e-mail.

Noreen Edwards asked for a count of those attending the Christmas party.

Ed James – 2  
Carolyn Nelson – 0  
Carolyn Player – 2  
Kordel Braley – 2  
Jason Willes – gone  
Kerry Schwartz – 2  
Marilyn Schiess – 2  
Derek Byrne – 2  
Chris Bleak – 0

## **APPROVAL OF MINUTES**

### **6.1 APPROVAL OF MINUTES FROM THE NOVEMBER 5, 2009 MEETING.**

Carolyn Player said that she needs to be marked present for the meeting.

*Kerry Schwartz moved to approve the minutes from the November 5, 2009 meeting. Second by Derek Byrne. Motion carried 6-1 with Ed James abstaining.*

### **6.2 APPROVAL OF MINUTES FROM THE NOVEMBER 12, 2009 MEETING.**

*Chris Bleak moved to approve the minutes from the November 12, 2009 meeting. Second Derek Byrne. Motion carried unanimous.*

**ADJOURN**

*Kerry Schwartz moved to adjourn. Second by Chris Bleak. Motion carried unanimous.*

Meeting ended at 10:43 p.m.

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

Chairman \_\_\_\_\_

Secretary \_\_\_\_\_