

## LEHI CITY PLANNING COMMISSION MEETING

Minutes from the Lehi City Planning Commission meeting held on Thursday, January 27, 2011 in the Lehi City Council Chambers.

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

Members Absent: Janys Hutchings - excused

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

Meeting began at 7:00 p.m.

### CONSENT AGENDA

#### **3.1 APPROVAL OF REVISIONS TO THE PLANNING COMMISSION BY-LAWS.**

*Carolyn Player moved to approve the items on the Consent Agenda with the corrections on items 3.4 and 3.2. Second by Marilyn Schiess. Motion carried unanimous.*

#### **3.2 CAROLEEN JOHNSON – REQUESTS APPROVAL OF A MAJOR HOME OCCUPATION PERMIT TO OPERATE AN EMBROIDERY BUSINESS FROM HER HOME LOCATED AT 2745 NORTH 425 WEST IN AN EXISTING R-1-12 ZONE.**

Ed James wants included in the motion that this approval is subject to inspection.

*Carolyn Player moved to approve the items on the Consent Agenda with the corrections on items 3.4 and 3.2. Second by Marilyn Schiess. Motion carried unanimous.*

#### **3.3 APPROVAL OF MINUTES FROM THE JANUARY 6, 2011 WORK SESSION.**

*Carolyn Player moved to approve the items on the Consent Agenda with the corrections on items 3.4 and 3.2. Second by Marilyn Schiess. Motion carried unanimous.*

#### **3.4 APPROVAL OF MINUTES FROM THE JANUARY 13, 2011 REGULAR MEETING.**

Carolyn Player said on page 1, item 3.4, 'vie' needs to be 'vice'.

*Carolyn Player moved to approve the items on the Consent Agenda with the corrections on items 3.4 and 3.2. Second by Marilyn Schiess. Motion carried unanimous.*

### REGULAR AGENDA

#### **4.1 LAURA MAW – REQUESTS CONCEPT PLAN REVIEW AND RECOMMENDATION FOR PELICAN RUN, AN 11.08 ACRE PROJECT LOCATED AT APPROXIMATELY 3000 WEST 150 NORTH IN AN EXISTING TH-5 ZONE.**

Christie Hutchings presented the request and stated that whatever zone the property ends up as it will be a permitted use. We need to address where access to the property will come from. The proposal is in a 10

year time frame but before the applicant puts money down she wanted to make sure she could do this. There are currently no city utilities in the area but commercial uses can be approved with them on wells and septic through an approval process.

Ed James is concerned about two things: the environmental issues – do they grant septic this close to the river.

Christie Hutchings said that yes – there was a home on this property at one time.

Ed James asked about the use of the area so close to the river; is there any scenario on protecting the river from seepage, etc. He also asked about the access road.

Brad Kenison said that the Engineering Department recommended that something more permanent be done with an access road going in. We would have to address cross access which accesses the property to the north.

Laura Maw was present for the request and stated that the road was discussed but it was not conclusive. She said as far as access in – that road has been used for a very long time – otherwise there is a gate on the property line. The home to the north has an access to the west. She would like to develop the southwest area first. The retaining wall would have to go in. Then she would like to stock the pond and then put the arena to the northwest in. The round corrals would come in adjacent to that. That last structure would be in the center.

Derek Byrne asked about the road.

Laura Maw said it is terrible right now.

(Kordel Braley came in at 7:15 p.m.)

Laura Maw said there are a number of concerns with this property. The other property owners have been dumping their irrigation water onto this property – it's a swamp. The second issue is the well; there are water shares but the state doesn't recognize that well on their maps so that needs to be cleared up. There is a second well on the northeast side that has been used for stock water. There is an easement to the well from the Becksteads' and they feel that they own that well.

Marilyn Schiess said that with the land sitting low there are going to be water issues. A lot of those water issues will be taken care of with the roads going through.

Ed James asked if they had any percolation tests done on the site.

Laura Maw said that north of the pond she thinks they did a perc test but she has not had one done.

Carolyn Nelson asked if there would be trails on that side of the river.

Kim Struthers said that there is a trail planned through there.

Carolyn Nelson said she is also concerned about the septic especially if they are going to be having family reunions and things there.

Kim Struthers said that when we looked at this at DRC there are not any utilities out there and depending on what happens in that area, 1500 North would be one of the most logical place for the utilizes to cross. DRC did talk about it.

Brad Kenison said that prior to site planning they need to consider having any wetland areas delineated because it is very wet out there.

Ed James said that he applauds this kind of use along the Jordan River but he thinks the main emphasis on this is to make sure that road is adequate, the delineation of the flood plain and that there be a definitive line on that property so anything east of the stables be set aside for trails, etc.

Brad Kenison said that the plans need to show the FEMA flood plain lines.

*Ed James moved to recommend approval of Laura Maw's request for Concept Plan review for Pelican Run, an 11.08 acre project located at approximately 3000 West 1500 North in an existing TH-5 zone with the following comments: 1) include DRC general comments; 2) that findings of fact 1-3 from the staff report be incorporated into the motion:*

- *The proposed use is permitted by the current zoning of TH-5, and is a conditional use in the Business Park zone;*
- *The proposed use is consistent with the following goal of the Lehi City General Plan: Lehi City will maintain and support existing and future recreational and cultural activities for the use and benefit of all City residents.*
- *The proposed use is compatible with the General Planned trail across the eastern portion of the property;*

*3) that the site plan delineate the flood plain and the wetlands and as part of that study an area be designated for open space related to the equestrian use along the west side of the pond running south to 1500 North; 4) a study be done as far as fire access on an access road with the width acceptable to fire and other city services, and 5) emphasis on all other studies especially the percolation test to determine specific sewage capacity. Second by Carolyn Nelson. Motion carried unanimous.*

## **PUBLIC HEARINGS**

### **5.1 DAVID PICCUS – REQUESTS APPROVAL OF PICCUS SUBDIVISION, A 2-LOT SUBDIVISION WITH AN EXISTING HOME LOCATED AT 195 WEST STATE STREET IN A MIXED USE ZONE.**

Public Hearing opened at 7:00 p.m.

Christie Hutchings presented the request and stated that this is just to split the lots – all improvements are there and both lots will have homes on them.

David Piccus was present for the request.

Ed James asked if there was a reason why the applicant wants the panhandle part on the larger lot.

David Piccus said that it made lot 2 conform to the rest of the homes on 200 West and he has a shed on the back part of that panhandle piece. They usually use the entrance onto State Street. The other entrance on 200 West is for pulling in with the boat. The access off State Street goes right into the garage and carport.

Public Hearing closed at 7:39 p.m.

*Marilyn Schiess moved to grant final approval of David Piccus's request for Piccus Subdivision, a 2-lot residential subdivision with existing homes located at 195 West State Street in a Mixed Use zone including DRC comments. Second by Carolyn Player. Motion carried unanimous.*

**5.2 BRYAN FOX – REQUESTS REVIEW AND RECOMMENDATION OF A PROPOSED AMENDMENT TO THE LEHI CITY GENERAL PLAN FOR APPROXIMATELY 3.17 ACRES OF PROPERTY LOCATED AT 459 NORTH 500 WEST FROM MDR (MEDIUM DENSITY RESIDENTIAL) AND LDR (LOW DENSITY RESIDENTIAL) TO AN LI (LIGHT INDUSTRIAL) LAND USE DESIGNATION.**

Public Hearing opened at 7:00 p.m.

Christie Hutchings presented the request and stated that this is an odd piece of property. The existing General Plan shows it split with MDR and LDR. The zoning is also split LI in the front and the remaining half is A-1. When a parcel falls in more than one zone they have to conform to the more restrictive zoning.

Discussed the odd shape of the parcel.

Kordel Braley clarified that the applicant wants to make it LI on the General Plan and the Zone Change would also be LI. He asked that if the applicant wants to do his business as a Conditional Use would it not be allowed in an agricultural zone.

Kim Struthers said that LI zoning covers the rodeo grounds and the other uses around it.

Bryan Fox was present for the request and said he would like to eventually build a shop on the front piece. On the back piece he'd like to store work trucks and equipment. The only access is off of 500 West.

Marilyn Schiess said the AL Payne has to use that access to get into his parcel.

Bryan Fox said that he does use it but he may end up buying that piece too.

Kordel Braley asked how he would screen it from the landowners.

Bryan Fox said that he could put a fence in but the back part is very private. There are a lot of trees back there and the railroad tracks are behind it.

Discussed the other property owners and the waste ditch.

Kordel Braley asked if there was any other land use that he could achieve the same thing with.

Christie Hutchings said that perhaps Commercial but the storage yard makes it harder.

Kristin Wetzel, a realtor representing the Fox's and the people selling the property said that the one thing to note is that the owner has been trying to sell this property forever. Nothing else is ever going to happen on this property so unless this gets changed this piece of property will be useless. That back part is very secluded so it won't be intrusive on the property owners along there.

Brent Fox, a partner on the property, said the way that property is you can't use it for anything. We want to do something with it to make it look nicer.

Public Hearing closed at 7:57 p.m.

Kordel Braley feels it will be a good buffer between the houses and the railroad tracks. The only thing he worries about is that it may prohibit future development.

Ed James said that this is very typical of how things should have never happened. There is no real practical use for this other than what the applicant wants to use it for.

Kim Struthers said we allow a construction service in the Mixed Use, Commercial, Light Industrial and Industrial zones. The Mixed Use and Commercial don't allow outdoor storage except as a secondary use.

Ed James would feel more comfortable with it being Mixed Use or Commercial in the long run.

Kerry Schwartz said that he feels its fine as Light Industrial. He said we are locked in here as to what we can do.

Kordel Braley agrees with Ed James.

Kim Struthers said that we suggested Light Industrial because that is the only zone where he can put a contractor's storage yard.

Bryan Fox said that eventually he would build a shop but the immediate plans are for storage.

*Marilyn Schiess moved to recommend approval of Bryan Fox's request for a proposed amendment to the Lehi City General Plan for approximately 3.17 acres of property located at 459 North 500 West from MDR (Medium Density Residential) and LDR (Low Density Residential) to an LI (Light Industrial) land use designation with the following findings:*

- *The proposed amendment to the Lehi City General Plan is not detrimental to the public health, safety, and welfare of Lehi City;*
- *The proposed General Plan Amendment is in conformance with the purposes, intent, and provisions of the General Plan and its various elements;*
- *The proposed General Plan Amendment is consistent with the land uses and zoning of nearby and adjoining properties;*
- *The proposed General Plan Amendment will not have a substantial adverse effect on surrounding property;*
- *The affected site is physically suitable in terms of design, location, shape, size, operating characteristics, and the provisions of public services to accommodate any potential future uses, including all landscaping, loading areas, open spaces, parking areas, setbacks, buffering/screening, walls, fences, yards, and other required features;*

*And include the 3<sup>rd</sup> bullet point under the DRC General Comments:*

- *There are Lehi Irrigation Company easements and a piped ditch through the property.*

*Second by Carolyn Player. Motion carried 5-2 with Kordel Braley and Ed James opposed. Ed James justified his opposition saying that since this is a General Plan change he doesn't find it in the best interest for the City and he considers it spot zoning with the light rail bisecting that area.*

Discussed that any future building would have to meet the Design Standards and that fencing may be required.

**CITY BUSINESS**

Kim Struthers said that at the City Council meeting they authorized us to move forward with CRSA for the General Plan update for the City. We're thinking it may be a 6 month time frame. They do want to be able to meet with you as a commission to get your thoughts and ideas. Lara Hansen, the project manager, wondered if they could meet with us on February 10<sup>th</sup> – this will be a great opportunity to stand back and take a look at the whole General Plan. In the RFP it states that 15% of the total amount will be held until the project is finished so that will give us a little more of a guarantee that it will be finished.

Ed James said he thinks it's important for us to identify inconsistencies. The city is in the process of updating our utility plans as well.

Kim Struthers said that Adobe is starting to go into approval mode. They plan to submit a preliminary site plan where they show the site layout with rough grading and utilities and then a final one that shows all the other things. They want to submit in February and would also like to come for the February work session. Also Micron has filed their first segment of their Area Plan.

**ADJOURN**

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

Meeting ended at 8:30 p.m.

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

Chairman \_\_\_\_\_

Secretary \_\_\_\_\_