

LEHI CITY PLANNING COMMISSION MEETING

Minutes from the Lehi City Planning Commission meeting held on Thursday, February 10, 2011 in the Lehi City Council Chambers.

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

Members Absent: Carolyn Nelson - excused

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

Meeting began at 7:00 p.m.

CONSENT AGENDA

Kerry Schwartz explained the Consent Agenda.

Ed James wants discussion on item 3.1 so would like it pulled from the Consent Agenda.

Kordel Braley wants item 3.2 pulled.

3.1 WESLEY NORRIS – REQUESTS APPROVAL OF A MAJOR HOME OCCUPATION PERMIT TO OPERATE A FIREARMS SALES BUSINESS FROM HIS HOME LOCATED AT 2657 NORTH GARDEN DRIVE IN AN EXISTING RESORT COMMUNITY ZONE.

Christie Hutchings presented the request and stated that the applicant said only patrons that have previously discussed orders will be coming to his home. The applicant has worked with ATF and they are ready to permit this. He will be using an upstairs bedroom and has scheduled his inspection.

Kerry Schwartz brought up that there was recently one approved in Traverse Mountain.

Christie Hutchings stated that this is the 3rd one requested.

Wesley Norris was present for the request.

Ed James said that we looked at a similar request a while back and we had requirements like a locking system into the home and into where the guns were kept.

Wesley Norris said that when an order is placed and when the firearm is received it will go in his gun case. He will notify the customer and they would come and get it. There would be no inventory; it would be on an order only basis. He figures there might be 1 or 2 people coming a week. As far as the inspection – it did pass and the paper work has been signed.

Kordel Braley said that one concern he had is with the advertising material and if the address is put in there it could make it so his neighborhood may be a target.

Wesley Norris said that there is no address on any advertising.

Derek Byrne asked about a lock on the gun safe.

Wesley Norris said that there is a lock on the house and the gun safe.

Janys Hutchings asked if he has a home security system.

Wesley Norris said no.

Carolyn Player moved to approve Wesley Norris' request for a Major Home Occupation permit to operate a firearm sales business from his home located at 2657 North Garden Drive in an existing Resort Community zone. Second by Marilyn Schiess.

Ed James asked if Carolyn would add that any weapons that are part of this business be kept in the locked gun safe.

Carolyn Player moved to amend her motion to include that any weapons that are part of this business be kept in a locked gun safe. Second stands by Marilyn Schiess. Motion carried unanimously.

3.2 DAN NONNENMACHER – REQUESTS APPROVAL OF A MAJOR HOME OCCUPATION PERMIT TO OPERATE A LANDSCAPE AND LAWN CARE BUSINESS FROM HIS HOME LOCATED AT 971 WEST 550 NORTH IN AN EXISTING R-1-22 ZONE.

Christie Hutchings presented the request and stated that the applicant wants to operate a lawn care and landscape maintenance office from his home. He has two employees and an occasional client. There is parking available in the driveway. He said he has scheduled his inspection.

Marilyn Schiess asked about what type of equipment he could have there.

Christie Hutchings said that he can have a truck and trailer.

Kordel Braley asked about being limited to one employee.

Christie Hutchings said that the Planning Commission can allow more.

Dan Nonnenmacher was present for the request.

Ed James said he is concerned with the amount of equipment used for landscaping.

Dan Nonnenmacher said that he will have the equipment on site. He backs his trailer in the garage for the night so it's secure and there is one employee besides himself.

Marilyn Schiess asked about the type of equipment he would have.

Dan Nonnenmacher said only lawn mowers and trimmers.

Ed James asked if he stored any gas.

Dan Nonnenmacher said it's stored in the garage and there is usually a couple 5 gallon cans.

Marilyn Schiess moved to grant final approval of Dan Nonnenmacher's request for a Major Home Occupation permit to operate a landscape and lawn care business from his home located at 971 West 550 North in an existing R-1-22 zone and include the findings that they are in conformance and that we are authorizing the applicant to store his equipment in the garage. Second by Carolyn Player. Motion carried unanimous.

3.3 APPROVAL OF MINUTES FROM THE JANUARY 27, 2011 REGULAR MEETING.

Kordel Braley said on page 4, item 5.2 he wanted it clarified that the applicant wanted it Light Industrial. And on page 5, the Mixed Use and Commercial zones don't allow outside storage as the main use but they do allow it as a secondary use on the site.

Kordel Braley moved to approve the minutes from the January 27, 2011 regular meeting with the changes. Second by Ed James. Motion carried unanimous.

REGULAR AGENDA

4.1 CRSA – DISCUSSION OF LEHI CITY GENERAL PLAN LAND USE ELEMENT UPDATE.

Kerry Schwartz would like to see if we can rearrange so item 4.1 follows item 5.2.

Janys Hutchings moved to discuss item 4.1 after item 5.2. Second by Carolyn Player. Motion carried unanimous.

Kordel Braley disclosed that his company will be a sub-consultant in a minor role on this but he will not be working on this.

Kim Struthers talked to Ken Rushton and he thought it would be ok for Kordel to still take part.

Kerry Schwartz said it is appropriate for Kordel to continue to work on this. He said that this will be an introduction of the plan and we'll spend some time on the survey.

Jim Nielsen, senior principal of CRSA, and Laura Hansen were present for the request. Jim introduced the firm as having done extensive work throughout the area. He introduced Laura and said that she is well known and trusted and a well regarded planner in the area.

Laura Hansen presented the project. She gave an overview of what a General Plan is. She explained that the General Plan is a guide and they will be helping to update that map. They will try to implement the other documents that the City has in place. She went over a flow chart and said that this would be over a 7- 8 month process with 6 different phases. She said there are 4 public workshops coming up. They will do one workshop in each of the neighborhoods shown on the map. Laura asked for review of the survey.

Kerry Schwartz asked how they come up with the four neighborhoods.

Kim Struthers said that there is really no magic and we are willing to move those around. We wanted to base this on 4 geographical areas but you can break it up into more if you want. But for the purposes of this we thought we would just go with four.

Ed James has objections to the way it's shown. He said we can identify four different areas of the city. I-15 is a barrier and should be the beginning point of identifying areas and then above SR-92. There is the

historic area and then the Pioneer Crossing area. There is also the south side of SR-92 and east of I-15. We need to focus more on the transportation that is and will be going through the City. We need to reflect a city core and also what potential the Jordan River has for the City. He commented that the new Land Use Element should include a discussion on sustainable land uses to accommodate an additional 50-60,000 new residents in the city. He also said that the study should identify land use components and relationships that identify a major business, cultural and 'gathering place' center and identify neighborhood nodes. These types of land use nodes should also relate to the major transportation corridors and hubs being proposed in the city.

Laura Hansen said that maybe we should define the neighborhoods around the transportation areas.

Kordel Braley said that maybe break it up to more so we know more specifically where people are from and then they can come to any of the workshops.

Laura Hansen said that this will be included as an insert in the community newsletter. There will also be a link on the City website.

Derek Byrne said to maybe do a quick tally at the workshops.

Kerry Schwartz said that the only problem with that is that some people will go away with the feeling that that is where we're headed.

Kordel Braley suggested putting in a big map.

Kerry Schwartz said that he thinks the Mayor should do a little write up to explain the survey. He asked about the subgroups that we had been working with.

Mark Johnson said that he doesn't want to do anything to make people feel any more segregated than some already do. He doesn't want the revitalization plan to get lost in this either.

Kordel Braley asked where in the City we should develop with mass transit or public transportation in mind. What should we build around the transit to encourage people to use it?

Discussed using Survey Monkey and on line surveys.

Laura Hansen said that they can put up an online map or website. We can set it up and the City can share the maintenance.

Mark Johnson said if you want to build it then we can discuss taking care of it.

Jim Nielsen said we can come up with another version with the comments that we have received tonight.

Laura Hansen said that we need to have it in by the 15th.

PUBLIC HEARINGS

5.1 ANDREW BYBEE – REQUESTS REVIEW AND RECOMMENDATION FOR THANKSGIVING PARK PLAT D, A 5-LOT COMMERCIAL SUBDIVISION INCLUDING A VACATION OF LOT 2, THANKSGIVING PARK PLAT C, LOCATED AT 2802 WEST EXECUTIVE PARKWAY IN AN EXISTING RESORT COMMUNITY ZONE.

Derek Byrne moved to deny without prejudice per the applicants request. Second by Marilyn Schiess. Motion carried unanimous.

5.2 PER-OLE DANFORS – REQUESTS REVIEW AND RECOMMENDATION OF AN AMENDMENT TO THE LEHI CITY DEVELOPMENT CODE, SECTION 12.020.E2 AND SECTION 26.080, REGARDING SWIMMING POOL SETBACKS.

Public Hearing opened at 7:00 p.m.

Christie Hutchings presented the request and stated that this affects the setbacks for swimming pools. When DRC reviewed it they did not agree to a 0' setback but have agreed to a 4' minimum on the side and rear for pools. The fence is required by code so they asked that comment be stricken.

Discussed the utility easements around the backs of the lots and if there is one it would still need to be vacated.

Cassie Danfors, 1853 North 110 East, was present for the request.

Janys Hutchings said that depending on what size lot you put this on it could be right next to someone's house.

Ed James said he doesn't have a problem with the rear yard but the side yard may be a problem.

Janys Hutchings said it can be a nuisance.

Public Hearing closed at 7:28 p.m.

Ed James doesn't feel it's appropriate that it change for the entire city.

Kerry Schwartz asked about the research.

Cassie Danfors said that the other cities didn't have a reason for their setbacks other than the utility easement.

Kordel Braley said that we can't on one hand say we encourage smaller lot sizes and then on the other hand make the lot unusable. This allows people to use their property as they want to. Maybe we need to say it needs to be at least x number of feet from an adjacent owners home.

Derek Byrne said that when we set a distance it has caused problems down the road such as when you have a barn and someone builds next to it.

Kordel Braley is concerned with the integrity of a pool.

Carolyn Player said if you're going to put one in you're going to maintain it.

Ed James said a blanket 5' setback and then another 15 feet away from structures.

Mark Johnson said that the above ground pools have no setback.

Kim Struthers said that the rationale of DRC was that 4 feet was reasonable in that there would be some sort of an apron around the pool and you would have to dig around where the pool is going. If there was a

0' setback then there wouldn't be any room around the pool to do any work so that's where our comments came from.

Cassie Danfors said that her pool is 4 feet away from the other property.

Ed James moved to recommend approval of Per-Ole Danfors request for an amendment to the Lehi City Development Code, Section 12.020.E2 and Section 26.080, regarding swimming pool setbacks and require a 4 foot setback on the rear and on the side and that the pool cannot be any closer than 15 feet to any neighboring residents. Motion died for lack of a second.

Kordel Braley moved to recommend approval of Per-Ole Danfors' request for an amendment to the Lehi City Development Code, Section 12.020.E2 and Section 26.080, regarding swimming pool setbacks with the exception that we take out the fencing requirement as recommended by DRC and require the minimum offset of 4 feet as the DRC recommended and the findings of fact are that this Development Code Amendment will make peoples land more usable especially in the smaller lot size areas as that is the direction that the City is going. Second by Carolyn Player. Motion carried 5-2 with Ed James and Janys Hutchings opposed.

CITY BUSINESS

Kim Struthers said that we will still be having our joint work session with the City Council in May.

ADJOURN

Ed James moved to adjourn. Second by Marilyn Schiess. Motion carried unanimous.

Meeting ended at 8:55 p.m.

Date Approved_____

Chairman_____

Secretary_____