

## Smithfield City Planning Commission

April 17, 2013

### MINUTES

The Planning Commission of Smithfield City, Utah met at the City Council Chambers, 96 South Main, Smithfield, Utah at 7:00 p.m. on **Wednesday, April 17, 2013**. The following members were present constituting a quorum:

Chairperson	David Price
Commission Members	Bryant McKay
	Jackie Hancock
	Pete Krusi
	Steven Teuscher
	Jamie Anderson
	Steve Edwards

Planning Staff	Jon Wells
Deputy Recorder	Char Izatt
Engineering Staff	Clay Bodily
Minutes	Stacey Dority

City Council Member	Brent Buttars
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The notice was provided to the Herald Journal and delivered to each Commission Member and posted at the City Office Building, the Smithfield City Web Page and the Utah Public Meeting Notice web site.

**The meeting was called to order by Chairperson Price at 7:02 p.m.**

**Opening Ceremonies:** David Price

**Visitors:** Russ Elwood, James and Steffanie Burt, Travis Taylor, Paula and Barton Boothe, Bruce and Julie Godderidge, Gary Tyler; BPA, Alicia Christensen, Duane Williams, David Forrester

**Excused:** Douglas Archibald, Commissioner

**Resident Input:**

Mrs. Izatt reminded the commission members, who signed up for the training at USU on Friday, that they were registered and paid for.

Chairperson Price asked Char to set up the workshop next month with Jay Baker.

Mrs. Izatt said the workshop will be for the sign ordinance for 30 minutes at the beginning of the meeting.

**Consideration of Consent Agenda  
Minutes of March, 2013 Planning Commission Meeting**

Minutes were approved by consent.

**Travis Taylor, agent for Smithfield Ridges LLC, has requested time with the Commission to discuss Phase 1 of The Villas and the overall plan for the Smithfield Ridges Planned Unit Development located at approximately 1100 East and 300 – 400 South.**

Mr. Taylor approached the commission and presented a map of phase 1 and the original layout for the project. They have had difficulty with the size of the homes at 1030 East 600 South. They are looking at redoing the original plat of the villas phase 1. He would like to convert from patio homes into regular lots. On the 50 acres there were 150 lots approved.

Mr. Taylor had talked with Jim Gass of the city about the road network in and out of the subdivision. They have added extensions that would allow whomever develops on the opposite side to tie in anywhere along the road. He would lose a few lots until a road went through in the future. The extension will allow the lots to be developed and have a little bulb that could develop in the future.

Mr. Taylor mentioned all cities are going away from private roads.

Chairperson Price inquired if there is a change of density in the plan.

Mr. Taylor responded no.

Chairperson Price indicated when you lose that much driveway there has to be a loss of density.

Mr. Taylor explained the Villas had 20 ft. to the garage and a 105 ft. to the house in front. The Ridges are a front load garage 30 ft. on front and 25 in the back and 10 ft. on the side.

Mr. Wells indicated 25 ft. is less than standard, 30 ft. is minimum.

Mr. Taylor mentioned on the new version they have proposed 8 ft. side setback and 16 ft. between houses instead of 10 ft. In front we would propose 25 ft.; in accordance with a city standard street.

Chairperson Price inquired if building bigger homes would require more capacity and more parking issues than the Villas. He asked Mr. Taylor if he would build a different square footage of residency.

Mr. Taylor replied, the homes are like Mr. Champlain's retirement area; the same width with a functional backyard.

Chairperson Price was concerned with the traffic and parking access that would attract a different density.

Mr. Taylor stated they would have a standard garage with several styles of homes available.

Chairperson Price remarked that instead of a retirement home they have family dwellings and a lot more traffic going and coming. Is the road access sufficient for the traffic?

Mr. Taylor mentioned the demographics have changed for the Villas. It is regular families building the homes now.

Chairperson Price inquired if the homes would be using the secondary irrigation?

Mr. Wells replied there is no secondary water there.

Mr. Taylor mentioned the homes would still have the same square footage.

Mr. Wells cited there is no common area shown on the map.

Mr. Taylor mentioned they could reconfigure the pie wedge shape to make it more useable.

Mr. Taylor replied they have had issues with the Villas. Cardon Ridge on 1030 East needs to be reconfigured so it can be public and meet commission standards.

Chairperson Price mentioned this is all on the new water tank. He was not familiar enough with the statistics to change the master plan.

Mr. Wells indicated Mr. Taylor wants an idea on how the commission feels about the proposed changes before he starts the process again.

Chairperson Price informed Mr. Taylor the problem isn't so much with the density of the project but more with the road. How many lots will be in the orange section of the map?

Mr. Taylor responded, 70 lots.

Mr. Wells explained 60 lots on the roads.

Commissioner Anderson questioned if someone wanted to develop on the south side would it be too steep?

Mr. Taylor replied, yes they will have to complete the extra 20 ft.

Commissioner Anderson indicated where 600 south is existing it will run into the last property on the map.

Mr. Taylor summarized the land can be built on but the road will have to go directly east.

Chairperson Price clarified the two things the commission needed to decide on. 1) is the rearrangement of roads sufficient for the number of homes, 2) If they are converting away from the villa what does the commission allow as the narrow frontage. Do we enforce ordinance of 90 ft. frontage?

Commissioner McKay also added he saw one green space and if there are a lot of children in the area that would have to accommodate 270 kids.

Commissioner Edwards inquired how many acres this project includes

Mr. Taylor responded 20 acres. The original plan was for 60 villas and 90 single family lots. They found the pocket parks have an age range of 3-4 years old when they are used. Older children cause problems. It is big enough for a pavilion or something more community oriented.

Commissioner Hancock inquired what size of houses they would be building.

Mr. Taylor replied 1600-1700 sq. ft. front to back. The nice thing is the space in each lot is useable space. The backyards are really nice not too long and straight. I feel this will be a real desirable area.

Commissioner McKay mentioned at Cedar Ridge in Hyde Park you will see a pavilion with sand. He asked if they could develop an area for kids older than 3-4 years old.

Mr. Taylor indicated that is the intent, the pocket parks are so small there use is very narrow. We could put in sand volleyball, a tot lot or pavilion and open space.

Mrs. Izatt reminded the commission that Mr. Taylor will still need to go through the concept plan and preliminary plan amendment process and including phase one of the plan. Any amendments to the Planned Unit Development will also still need to go to city council.

Chairperson Price felt it was helpful for Mr. Taylor to know if the commission was generally in favor. He indicated he was not for the change.

Mr. Wells shared his concern with the deep back yards which would turn into sheds with accessories like boats and four wheelers. He is concerned with the access to the 8ft side yard with a garage in back. He was sure there would be restrictive covenants that wouldn't allow a person to put a boat in the front yard. How will the owner get past their house to the garage?

Mr. Taylor mentioned they can offer flexibility in the side yard or let them know the restrictions when they purchased the property.

Mr. Wells felt strongly that older people have a lot of toys and this narrow of a side yard would be a problem.

Mr. Taylor stated they could change to 10 ft. but didn't want to go less than five.

Chairperson Price indicated if the commission doesn't like the idea of the 8ft side yard they will lose a lot.

Mr. Taylor summarized he had to present a redevelopment because what they are doing isn't working.

Chairperson Price called for a yea or nay consensus on the change of plans from Villas to homes. Mckay; nay, Hancock; nay, Krusi; nay, Price; nay, Teuscher; nay, Edwards; nay. The consensus was unanimous.

Mr. Taylor commented that he didn't think he could come up with the 90 ft. frontage; however, he would come up with a new plan.

Commissioner Teuscher shared his experience at his home where he can't access his rear yard because of his garage and the limited side yard.

Mr. Taylor indicated he would bring in a plan with new widths and layout of the homes and re-address the issue.

Commissioner Edwards replied the commission will do their homework as well.

**Gary Tyler of Bott Pantone Architects, agents for the Pitcher Family Land LLC has requested approval of the Final Plat for a two (2) lot minor subdivision, containing 16.47 acres located south of 600 South to 800 South and east of 250 East. Zoned A-3, A-10.**

Mrs. Izatt introduced the two reasons we are addressing this approval: 1) the subdivision recommendation of the final plat and then 2) the conditional use permit.

Chairperson Price questioned if the church doesn't want to move forward without approval of the subdivision.

Mrs. Izatt responded the church can't move forward without the approval.

Mr. Tyler explained the church has been working with Jim Gass on this location. We need to subdivide from the property so the church property can be purchased as an individual property.

Mr. Tyler indicated at the last commission meeting he had presented a map which showed the division of the property for the Pitcher family to see what it would look like with the church on the property in question. The Pitcher family will have to apply for approval when they start to build.

Mr. Godderidge, from the audience, inquired how many acres were involved.

Chairperson Price responded 3.1 acres for the church 12.18 for the Pitcher family. Most of the frontage down 250 east. The only concern is what they will do with the little piece on 8<sup>th</sup> south.

Mr. Tyler indicated at some point there will be a road with homes there on that extra piece on 8<sup>th</sup> south, and the church property will be the back of those homes. We have made sure there is at least 100 ft. for that. It makes the property more useable rather than 400 ft. of fence along the road. It is nicer for the community and everyone who lives around the area not to have a church right on the corner.

Chairperson Price explained the commission will address the subdivision then the conditional use permit.

Mr. Wells responded if you look at the master plan this area is for larger lots; the size being one to two acre lots. He had a question regarding the 100 ft. space between the church and 8<sup>th</sup> south. It is a narrow strip. Could we rezone to a quarter acre lots?

Chairperson Price mentioned the only hang up is the piece on 8<sup>th</sup> east is non-conforming.

Mrs. Izatt reminded the commission there is still an application process, the Pitcher family could come in and rezone. She pointed out you can't anticipate something you are not sure of.

Chairperson Price felt the community wouldn't be concerned with the church lot; the concern would be with the choppy lots that will come around the church.

Mr. Teuscher inserted as the city grows we may have to allow for change.

Mr. Tyler stated at some point the Pitcher family will have to come and do a rezone then they would determine what size of lot the commission would allow.

Chairperson Price asked Mr. Tyler if they had kept the master plan in mind as they positioned the church.

Mr. Tyler responded they wanted to be away from the school zone and they worked closely with Jim at the city on dedicated road widths and he helped to dictate where would be the best place for the church building.

Commissioner Edwards stated, he didn't think one acre lots were appropriate in that section; they are too big to maintain.

Commissioner Anderson replied we can't tell the LDS church what they have to do.

Mrs. Izatt agreed that it is not our position to tell the church what to do; the commission needs to decide on approval for the church lot, not the rezone.

**MOTION:** Commissioner Anderson made a motion to approve the Final Plat for a two (2) lot minor subdivision, containing 16.47 acres located south of 600 South to 800 South and east of 250 East. Zoned A-3, A-10. A roll call vote was called for: Mckay; nay Hancock; yea, Krusi; yea Price; nay, Teuscher; yea, Anderson nay, Edwards; yea, a 5-2 motion passes. The motion was seconded by Commissioner Edwards.

Commissioners voting in favor: Hancock, Krusi, Teuscher, Anderson, Edwards

Commissioners voting against: McKay, Price

**Gary Tyler of Bott Pantone Architects, agents for the Church of Jesus Christ of Latter-day Saints, has requested approval of a Conditional Use Permit for a religious facility for Sunday and weekday worship, youth and adult activities located south of 600 South to 800 South and East of 250 East. Zoned A-3.**

Chairperson Price presented to the commission, this is our opportunity to decide if there is anything we want to address for the conditions of the church. He didn't think there were any conditions.

Commissioner Krusi inquired if there were any concerns from the city or Mr. Wells?

Mr. Wells replied he had no concerns.

Chairperson Price asked if it was church policy to have no access around the building.

Mr. Tyler responded yes, they will have a fence with vinyl slats. Legally the church can't have open access.

Commissioner McKay inquired if this building was similar to the bldg. on 10<sup>th</sup> west by ICON?

Mr. Tyler was not familiar with the church at that location, however he mentioned it is a new style of building that has a fan shaped chapel with a very nice flow inside. Outside is dry scaped which consists of a rock landscape, mulch and a drip system.

Mr. Wells informed the commission that the land had been irrigated. Will the church use secondary water purchasing with shares?

Mr. Tyler responded yes that has been worked out with the annexation.

Mrs. Izatt mentioned the commission would need to add to the motion, pending approval of city council.

Mr. Wells informed Mr. Tyler there are two church building lots in Smithfield that have been sitting for quite a while. A conditional use permit expires in 12 months' time and he will have to come back in for approval if they do not start building before the 12 month time period.

Mr. Tyler understood the expiration details.

**MOTION:** Commissioner Krusi made a motion to approve the request for a Conditional Use Permit for a religious facility for Sunday and weekday worship, youth and adult activities located south of 600 South to 800 South and east of 250 East. With the condition that the two lot minor subdivision is approved by the city council. Zoned A-3. The motion was seconded by Commissioner Teuscher and approved unanimously.

Commissioners voting in favor: McKay, Hancock, Krusi, Price, Teuscher, Anderson, Edwards

**Duane Williams, agent for David Lillywhite, has requested approval of a record survey for a two (2) lot minor subdivision containing 1.22 acres located at approximately 150 West 100 South. Zoned R-1-10.**

Mr. Williams approached the commission and stated the Lillywhites would like to split the large lot and then split the lot in half again and leave .16 acre per lot; similar to the lot right beside it.

Chairperson Price inquired if they were at the 81 ft. frontage.

Mr. Wells answered they are fine, the minimum frontage is 80 ft.

Chairperson Price inquired if the city had any concerns.

Mr. Williams indicated he thought there was a house on it before his time.

Mr. Wells replied the home is gone now. He mentioned they would not be able to waive any improvements, no curb and gutter and the sidewalk is in poor condition.

Mr. Bodily inserted the city would help.

Chairperson Price felt there was no reason for discussion.

Mr. Wells responded this was just a survey.

Chairperson Price inquired what the lot size would be.

Mr. Williams replied R-1-10 they would need to be a quarter acre.

**MOTION:** Commissioner Anderson made a motion to approve a record survey for a two (2) lot minor subdivision containing 1.22 acres located at approximately 150 West 100 South. Zoned R-1-10. The motion was seconded by Commissioner Hancock and approved unanimously.

Commissioners voting in favor: McKay, Hancock, Krusi, Price, Teuscher, Anderson, Edwards

**Alicia & Bryan Christensen have requested approval of a conditional Use Permit for a dog Kennel for up to three (3) dogs, located at 249 North 200 East. Zoned R-1-10.**

Mrs. Christensen approached the commission and told them they have three dogs ages 11, 5 and a six month old puppy. They are inside dogs and when they are outside they are on chains. They will place a kennel in backyard because of the bigger dog.

Chairperson Price explained that once she had the kennel the dogs could not run loose.

Mrs. Christensen repeated the dogs are only loose if they are playing with them.

Chairperson Price indicated a neighbor had called in that was opposed to the kennel license. There was no other discussion from the community. Mr. Price summarized they would have to have the fixed dog run up before the commission can approve the permit.

**MOTION:** Commissioner Anderson made a motion to approve conditional use permit with the condition of a fixed dog run be installed at the earliest convenience. The motion was seconded by Commissioner Edwards and approved unanimously.

Commissioners voting in favor: McKay, Hancock, Krusi, Price, Teuscher, Anderson, Edwards

**Paula Boothe has requested approval of a Commercial Conditional Use Permit for a Garage for Major automotive repair business located at 185 West 560 South, Unit 33. Zoned GC.**

Mrs. Boothe introduced the information she needed for the conditional use permit. The hours of the business would be 8:00 a.m. to 10:00 p.m. Monday through Saturday and they would have up to three employees working in their shop. Mr. Wells questioned how many parking stalls her business was allowed.

Commissioner Krusi verified the application showed six stalls available for her business.

Mrs. Boothe described the adjacent businesses do not have customers and there would be extra stalls available.

Chairperson Price explained they are still assigned parking in case the business changes. She can request a signed form that they approve of her using their parking spaces for overflow.

**MOTION:** Commissioner Anderson made a motion to approve a Commercial Conditional Use Permit for a Garage for Major automotive repair business located at 185 West 560 South, Unit 3; Zoned GC. The hours of operation from 8:00 a.m. to 10:00 p.m. Monday through Saturday with up to three employees. The motion was seconded by Commissioner Krusi and approved unanimously.

Commissioners voting in favor: McKay, Hancock, Krusi, Price, Teuscher, Anderson, Edwards

## **ADJOURNMENT**

**MOTION:** A motion was made by Commissioner Krusi to adjourn the meeting at 8:06 p.m. Commissioner Edwards seconded the motion.

Commissioners voting in favor: McKay, Hancock, Krusi, Price, Teuscher, Anderson, Edwards

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David Price, Chairperson

Attested:

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Charlene Izatt, Deputy Recorder