

Smithfield City Planning Commission

August 20, 2014

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, August 20, 2014**. The following members were present constituting a quorum:

Chairperson	Jamie Anderson
Commission Member	Jackie Hancock
	Pete Krusi
	Douglas Archibald
	Curtis Wall
	Steve Edwards
Engineering Staff	Clay Bodily
Planning Staff	Jon Wells
Deputy Recorder	Char Izatt
Minutes	Stacey Dority

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 Anderson at 7:00 p.m.

Opening Ceremonies: Commissioner Hancock

Visitors: Gary & Geraldine Niederhauser, Kolby Christiansen, Frederick Osmus, Jim Marshall, Jeff Jackson

Excused: Bryant McKay, Commissioner; Steven Teuscher, Commissioner; Brent Buttars, City Councilmember

Workshop Session:

The Commission will discuss questions and concerns in regards to parking in the business districts and other areas of concern.

Mrs. Izatt began by referring to section C; six pages into the ordinance. It talks about off-site parking spaces. The reason she is drawing attention to this section is the parking in the downtown area was a big concern in the last meeting. This section of the ordinance was an attempt the city made to help the new businesses coming into the downtown area that didn't meet parking requirements. If you read this section it does allow a 1,000 ft. range to give the business the ability to meet the city's requirements. You can't count street parking.

Chairperson Anderson examined if there had been any instances where someone wanted to invoke that clause? There are several requirements and he was wondering if all the requirements were feasible.

Mrs. Izatt explained the only problem she has had so far is with a business that had applied and the business they were going to lease parking stalls from hours coincided. They were both open at the same time period so it didn't work out. There are businesses like restaurants that have their busy hours in the evening and a retail store that would be closed by 5:00 p.m. It isn't a perfect ordinance but it was an attempt by the city to try to accommodate the businesses to come to Smithfield.

Chairperson Anderson considered if they wanted to explore these concerns a little deeper and what are the next steps if we want to do something like that?

Mrs. Izatt clarified there are only so many options, a lot of the businesses that the new business would be renting or leasing parking through are already established. The American Legion and military canteen area parking is open most of the time and could be leased. We did try to define areas of business that would be willing to lease parking spots.

Mr. Wells commented there have been a few spaces where the city has allowed parking and they have striped it in the public right of way for use. Areas like Sky View High School and the church on 100 west and 200 south. The biggest problem is businesses on Main Street. We can't designate the highway for their required parking. We don't have control of that road, it belongs to the State. I don't know if we should list it in this chapter that with permission from the City Council those businesses could get permission for their required stalls out in the public right of way.

Chairperson Wall probed if a good example would be where the Logan Cache Credit Union was established in the house behind Somebody's attic. Their clients parked out in the cul-de-sac when they came into the bank to do business.

Mr. Wells explained the Credit Union had determined they had a large enough driveway and the garage behind Somebody's attic was the Credit Unions as well. They used those areas for their employees and a few customers.

Mrs. Izatt stated the city wouldn't allow them to count the parking that was in the street.

Mr. Wells pointed out they came up with adequate parking between the garage and driveway.

Commissioner Wall was trying to get a feel for the area. The building was zoned commercial and he knows an insurance agency is looking into purchasing the home. He is trying to figure

out how another business would establish parking. He also referred to Somebody's attic and the insurance agency next door; did they share parking lots?

Mr. Wells replied they had an agreement with Somebody's attic to use the parking lot.

Commissioner Wall was concerned with the business side of the home behind Somebody's attic there is not going to be adequate parking for the next business to come in.

Mr. Wells felt most of the parking issues are right in the downtown area of Main Street, the buildings North of Manning's Music is one of the areas in need of more parking.

Chairperson Anderson reminded the commission that Chairperson McKay and Tuescher were the commissioners that brought up the issue of parking and maybe we should wait until they are here to finish discussing the concerns on this issue. There was also discussion on the parking stalls last month. Do we want to consider that area?

Mr. Wells described the old measurements for a parking stall was 9' wide and 20' long and it has been changed to 10' wide to 18' long. He would like to go back to 20' and keep the width the same. The developers look at the cost of asphalt and try to minimize the cost when putting in a new parking lot. They skim on the size, so it is easier to move around. There are a lot of full size pickup trucks in an 18' stall and it is too small.

Chairperson Anderson inquired if there were any concerns from the commission to change the language to 10' x 20' stall?

Commissioner Hancock was concerned about the businesses that already had parking spaces. Would they have to go to the cost to change all the lines.

Chairperson Anderson explained they would be grandfathered in.

Commissioner Krusi questioned what potential problems there would be by allowing businesses to count the right of way as part of their parking?

Mr. Wells felt the winter time parking would be of most concern and there is a safety issue of getting in and out of vehicles on a busy road. If you let one person park on the right of way you have to let everyone do it.

Chairperson Anderson would like to hear what the other absent commissioner's ideas were on improving the parking and then we can decide on if there is a language change needed.

Mrs. Izatt asked if everyone had a chance to look at the actual requirements to see if they seemed too little or too many for the specific uses. She would like everyone to peruse it again and get both of them finished as well.

Mr. Wells discussed the visitor parking in the multiple family complexes and planned unit developments (PUD). He knew it was a real sticking point for Rik Vernon, a previous Commission Chairperson. Rik felt we didn't have enough required parking for those kinds of places. Even when we changed it he wasn't very agreeable to what we have. Multiple family isn't in this chapter it is in the multiple family chapter but you may want to look at it as well as long as we are talking about parking. Do you think we have enough required parking for visitors?

Mrs. Izatt informed the commission the PUDs are booting the cars at \$75 a pop so it has created a discord among visitors. One individual had a house for sale and the Realtor parked in the driveway but the prospective buyer didn't and she was booted within five seconds. It is worth considering that Rik was right. If people don't know where the designated parking is and then park in a non-parking area, that will get them booted, then additional parking needs to be addressed.

Chairperson Anderson summarized the homework for next time is to review this ordinance one more time and looking at the matrix and how it is laid out as well as the PUD and visitor parking spots.

Mrs. Izatt will email the multiple family section to the commission.

Resident Input

Mr. Marshall approached the commission and wanted to talk about the gravel pit on the south side of upper canyon road. Fifteen years ago Parson's made an application to the city to expand their gravel pit eastward into that area. He felt they were trying to secure a supply of gravel for the project of widening Highway 91. A group of neighbors mobilized in opposition to that and made him their spokesperson and they met with the Planning Commission and City Council and expressed their opposition to having a gravel pit there.

Chapter 17 of the ordinance did not specifically address gravel pits and they made a change to a land use matrix and included it there as a Conditional Use in a manufacturing zone. The rationale for putting it in a manufacturing zone is that the noise and mechanism you get with a gravel pit is more consistent with a manufacturing area than it is with an agricultural area. That is now in the ordinance.

A developer came in with a request to zone that parcel of land from agricultural to residential and put single family housing there which was consistent with the cities master plan and so the rezone took place. As the commission considered his plat they were trying to balance two different interests. You have a developer who has something that is consistent with the master plan we also had a lot of citizens who have used that area for biking and jogging and walking and we knew it would be a significant impact to those that wanted to use that area.

The developer was asked to put a walking path through that subdivision. He didn't like the idea but he did it and that plat was approved. As soon as it was approved he put in a gravel pit and took it down 30-40 ft. The property was the same elevation as the bluff on the North side of that road. Now it has been taken down 30-40 ft. They hauled all the gravel out of it and sold it and made their money on it. When the developer came in and we approved the plat he said I am going to do some minor recontouring of the land so we can put houses and roads on it without too severe of a grade. It sounded reasonable to the commission and so it was approved. Now they are hauling filter back onto the property, building it back up and he assumes they will be building houses on it. It is obvious that the purpose of recontouring the land was not just to build homes it was for the gravel pit there.

Mr. Marshall felt that as he interprets the law; that was an illegal use of the property. It was something that occurred on a pretext. The developer mis-underestimated how much recontouring that would be needed. The city administration could have stopped that but they chose not to.

Mr. Marshall was here to let the commission know that he has a very strong interest in what happens in that development. When he was Chairman of the Planning & Zoning at the time it was approved he felt they did a good job at balancing interests with the neighbors and citizens in that area whose interests were impacted. He wanted to make sure the commission was aware of the history of that area. He would anticipate as that land is being developed folks may forget the fact that there was intended to be a walking path through there. That was recorded in the plat that was approved at the time. It is called the Lamp Lighter subdivision and was approved early 2006 before he resigned in April 2006 due to his work.

The developer has gotten what he wanted out of it and more and he would like to hold the developer to the obligations and promises he made at the time of putting the walking path in there. He hopes the commission will be vigilant and make sure it gets implemented in that way.

Commissioner Edwards questioned if there was any indication the developer was not going to follow through with the plan, as is recorded in the plat?

Mrs. Wells mentioned it is in the preliminary plat and we know that it expired in 2006. The downturn in the economy has caused the developer not to do anything at this point. They will have to start all over again and get the preliminary plat approved.

Chairperson Anderson inserted this area is part of the trail system as well and is still in effect. That would be part of the plat when it was approved. He asked who owns the property right now.

Mr. Wells stated Jared Nielson and his group.

Mrs. Izatt mentioned it is called Lantern Hill.

Commissioner Edwards mentioned that the full intent is to put the pathway in at Lantern Hills. It will be wide enough for a horse, bike or walking. It is on the brow of the hill of the canyon.

Mr. Bodily displayed a map of where the walking trail will be. He believes it is 10' wide. He brought it up because the commission will be visiting another 10' site. The city will be asking for the extra right of way for the trail. When the plat is recorded there will be more than the 10'.

Commissioner Krusi asked where the trail hooks up down below.

Mr. Bodily replied just on upper canyon road if he remembers correctly.

**Consideration of Consent Agenda
Minutes of July 16, 2014 Planning Commission Meeting**

After consideration by the Planning Commission, the Chairperson declared the consent agenda for the July 16, 2014 planning commission meeting minutes as approved.

Curtis Wall was sworn in as a Planning Commissioner.

Public Hearing to revisit/consider proposed Ordinance #14-02 which amends Title 17, Zoning Regulations: 17.04 070: "Definitions", 17.12.100: "Exceptions to Height Limitations"; 17.32.100" Special Provisions for Kennel/cattery Conditional Use", 17.36.060: "Permitted Signs; Permits, Not Required"; and 17.120.010: "Use Allowance Matrix".

The Public Hearing was opened at 7:33 p.m.

No public input.

The Public Hearing was closed at 7:34 p.m.

Mrs. Izatt commented she had a request for the motion when it is made. Whoever makes the motion if it is approved please add the commercial zones for the flag poles that will be going in the commercial area? It would be CB, CP, CC, GC, M-1 and the Gateway and she included manufacturing because she noticed Bountiful City had on their agenda a request for a 120 ft. high flag pole in a manufacturing area; it is a possibility to have the request come in.

MOTION: A motion was made by Commissioner Krusi to approve the ordinance #14-02 which amends Title 17, Zoning Regulations: 17.04 070: “Definitions”, 17.12.100: “Exceptions to Height Limitations”; 17.32.100” Special Provisions for Kennel/cattery Conditional Use”, 17.36.060: “Permitted Signs; Permits, Not Required”; and 17.120.010: “Use Allowance Matrix” and also flag poles to zones CB, CP, CC, GC, M-1 and Gateway. The motion was seconded by Commissioner Edwards. The voting was unanimous.

Commissioners voting in favor: Hancock, Krusi, Anderson, Archibald, Wall, Edwards

Mrs. Izatt requested the commission members each take one of the Assisted Living facilities listed in the packet to find out information needed to see if any of these facilities would be feasible in Smithfield. We picked these facilities because of the size. She checked with North Logan ordinance because she was curious as to what their zones were. They had a small residential health care facility. She called the chairperson and he wasn't sure what all the break downs are. It is in the packet as a comparison.

Assignments made:

Commissioner Edwards – Legacy
Commissioner Krusi – Pioneer Valley
Chairperson Anderson – Beehive House
Commissioner Hancock – Terrace Grove
Commissioner Wall – Williamsburg & Caring Hearts

Public Hearing to consider a request by Ironwood Development Group, LLC, agent for Cindy Archibald, property owner, for a rezone of property located at approximately Crow Mountain Road (600 East) and Upper Canyon Road, (Parcel# 08-045-0033, 2.47 acres) from A-10 (Agricultural – 10 Acre) to R-1-12 (Single Family Residential 12,000 sq. ft.)

The Public Hearing was opened at 7:44 p.m.

No public input.

The Public Hearing was closed at 7:45 p.m.

Chairperson Anderson questioned if this was the same property discussed last time.

Mrs. Izatt confirmed yes, just a different developer.

Mr. Jackson approached the bench and told the commission they are looking to do a six lot subdivision conforming to the homes that are right next to it. It is very straight forward.

Chairperson Anderson assessed if they had already been over all the requirements extending the right of way.

Mr. Bodily mentioned they have been over all the requirements but he would like the following information on the minutes. There is an existing 10 ft. walk required off the front and the developers for Ridge View and Summit Ridge have a prorated requirement to the water and sewer lines that they will request if they hook into the utilities. He wanted to make sure the requirements were known.

Mr. Wells had a question. If we put in a 10 ft. walk and a typical right of way has a 12 ft. back to curb to property, wouldn't it be 17 ft.?

Mr. Bodily replied instead of a 6 ft. planter strip it would be a 5 ft. planter strip and then the 10 ft. trail and then a foot of property.

Mr. Wells confirmed it would be 16 ft. It would actually be four more feet.

Mr. Jackson asked if this is consistent with the profile.

Mr. Bodily replied yes.

Mr. Wells responded it would be four more feet. He felt they are plenty deep.

Mr. Jackson said they are 180 ft. deep. They are plenty deep either way.

Chairperson Anderson confirmed this would all be addressed in the plat when it comes in we are approving the rezone now and then you will bring in the plans and say this is what it is going to look like. He called for questions from the commission.

MOTION: A motion was made by Commissioner Hancock to approve a request by Ironwood Development Group, LLC, agent for Cindy Archibald, property owner, for a rezone of property located at approximately Crow Mountain Road (600 East) and Upper Canyon Road, (Parcel# 08-045-0033, 2.47 acres) from A-10 (Agricultural – 10 Acre) to R-1-12 (Single Family Residential 12,000 sq. ft.) The motion was seconded by Commissioner Krusi. The voting was unanimous.

Commissioners voting in favor: Hancock, Krusi, Anderson Archibald, Wall, Edwards.

Gary & Geraldine Niederhauser, East Sky View Development Inc., have requested approval for Phase 17 (8 Lots) of the Final Plat for East Sky View Subdivision located at approximately 500 South and 660 East. Zoned R-1-12.

Mrs. Niederhauser thanked the commission for their help over the years. They are linking the south to the north with a road and finishing the last eight lots. They have been pleased with the subdivision. She hopes the city is pleased with the subdivision.

Chairperson Anderson asked for questions. Everything is pretty straight forward they are just finalizing everything.

MOTION: A motion was made by Commissioner Edwards to approve Sky View Development Inc., Phase 17 (8 Lots) of the Final Plat for East Sky View Subdivision located at approximately 500 South and 660 East. Zoned R-1-12. The motion was seconded by Commissioner Archibald. The voting was unanimous.

Commissioners voting in favor: Hancock, Krusi, Anderson, Archibald, Wall, Edwards.

Kolby Christiansen has requested approval of a Conditional Use Permit for a home based business to buy and sell Elk & Deer antlers; build European plaque mounts and air brush/decorate skulls, located at 660 East 380 South. Zoned R-1-10.

Chairperson Anderson called Mr. Christiansen to the front to tell the commission what he has in mind for the permit.

Mr. Christiansen likes to craft antler lamps and chandeliers. The plaque mounts is a white skull with mounts out of wood or horse shoes. It displays the skull on the table or the wall. Over 90% of what he gets is from taxidermist and he will go and get the product himself.

Chairperson Anderson asked if it would be based in the home or garage.

Mr. Christiansen stated in his garage.

Commissioner Krusi asked about the hours of operation. He listed 3:30 p.m. – 7:00 p.m. If extended he would have flexibility with his hours on weekends.

Mr. Christiansen would like to extend from 3:30 p.m. until 9:00 p.m. The only thing that would make noise is the air compressor. He wouldn't use the air compressor after 9:00 p.m.

Chairperson Anderson considered what days of the week. He explained it is best to set the days to the most days available so if neighbors complain you are covered.

Mr. Christiansen would like Monday through Saturday. Change the hours to 8:00 a.m. to 9:00 p.m. Monday through Saturday.

Chairperson Anderson wondered if there were concerns with parking. It is listed by appointment only.

Mrs. Izatt mentioned he has a driveway that would accommodate two vehicles.

Commissioner Wall asked if any treatment would be made to the skulls. Would UPS or FED EX be coming in for shipping?

Mr. Christiansen mentioned he might need backs for plaques to hang on the wall. He crafts with shed antlers

Chairperson Wall was concerned with the big UPS trucks coming around the cul-de-sac several times a day.

Mrs. Izatt reminded the commission he still needs building and fire approval so they will look at all the safety items closer.

MOTION: A motion was made by Commissioner Krusi to approve the Conditional Use Permit for Kolby Christiansen for a home based business to buy and sell Elk & Deer antlers; build European plaque mounts and air brush/decorate skulls, located at 660 East 380 South. Hours of operation will be 8:00 a.m. – 9:00 p.m. Days of the week will be Monday – Saturday. The motion was seconded by Commissioner Hancock. The voting was unanimous.

Commissioners voting in favor: Hancock, Krusi, Anderson, Archibald, Wall, Edwards.

Frederick Osmus, of Oneway Transmissions, LLC, has requested approval of a Commercial Conditional Use Permit for a garage for major repairs in particular Transmissions, located at 710 North Main Street. Zoned GC.

Mr. Osmus explained he has been in business in North Logan for 12 years and would like to move his business to Smithfield. He repairs transmission in every make and model of car, truck or bus. He is behind Carpets of America.

Chairperson Anderson assessed the hours of operation 7:00 a.m. – 8:00 p.m. Monday - Saturday with six employees maximum.

MOTION: A motion was made by Commissioner Krusi to approve a Conditional Use Permit for Frederick Osmus, of Oneway Transmissions, LLC, for a garage for major repairs in

particular Transmissions, located at 710 North Main Street. Zoned GC. Hours of operation 7:00 a.m. – 8:00 p.m. Monday – Saturday. Commissioner Edwards seconded the motion.

The motion was seconded by Commissioner. The voting was unanimous.

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

MOTION: A motion was made by Commissioner Hancock to adjourn the meeting at 8:03 p.m. The motion was seconded by Commissioner Archibald. The voting was unanimous.

Jamie Anderson, Chairperson

Attested:

Charlene Izatt, Deputy Recorder

**SMITHFIELD PLANNING COMMISSION
Smithfield City Council Chambers
96 South Main
Smithfield UT 84335**

NOTICE and AGENDA

Public Notice is hereby given that the Smithfield Planning Commission will hold a regular Planning Commission Meeting at 7:00 p.m. on **Wednesday, August 20, 2014** in the Smithfield City Council Chambers, **96 South Main**, Smithfield, Utah.

7:00 p.m. Opening Ceremonies

Workshop session:

The Commission will discuss questions and concerns in regards to parking in the business districts and other areas of concern.

Agenda items:

1. 7:20 p.m. Resident Input
2. 7:25 p.m. Consideration of Consent Agenda
Minutes of the July 16, 2014 Planning Commission Meeting

Swearing in Curtis Wall as a Planning Commissioner.

3. 7:30 p.m. **Public Hearing** to revisit/consider proposed Ordinance #14-02 which amends Title 17, Zoning Regulations: 17.04 070: "Definitions", 17.12.100: "Exceptions to Height Limitations"; 17.32.100" Special Provisions for Kennel/cattery Conditional Use"; 17.36.060: "Permitted Signs; Permits Not Required"; and 17.120.010: "Use Allowance Matrix".
4. 7:40 p.m. **Public Hearing** to consider a request by Ironwood Development Group, LLC, agent for Cindy Archibald, property owner, for a rezone of property located at approximately Crow Mountain Road (600 East) and Upper Canyon Road, (Parcel# 08-045-0033, 2.47 acres) from A-10 (Agricultural -10 Acre) to R-1-12 (Single Family Residential 12,000 sq. ft.)
5. 7:50 p.m. Gary & Geraldine Niederhauser, East Sky View Development, Inc., have requested approval for Phase 17 (8 Lots) of the Final Plat for East Sky View Subdivision located at approximately 500 South and 660 East. Zoned R-1-12
6. 7:55 p.m. Kolby Christiansen has requested approval of a Conditional Use Permit for a home based business to buy and sell Elk & Deer antlers; build European plaque mounts and air brush/decorate skulls, located at 660 East 380 South. Zoned R-1-10

7. 8:00 p.m. Frederick Osmus, of Oneway Transmissions, LLC, has requested approval of a Commercial Conditional Use Permit for a garage for major repairs- in particular Transmissions, located at 710 North Main Street. Zoned GC

8. 8:05 p.m. **ADJOURNMENT**

Posted this 15th day of August 2014 at the Smithfield City Offices, City Web Page and the Utah Public Meeting Notice web site. Notice provided to The Herald Journal this 15th day of August 2014.

Charlene Izatt, Deputy Recorder

ITEMS ON THE AGENDA MAY BE CONSIDERED EARLIER THAN SHOWN ON THE AGENDA.

In compliance with the Americans with Disabilities Act, individuals needing special accommodations (including auxiliary communicative aids and services) during this meeting should notify Charlene Izatt, Smithfield City Offices, at 435-792-7989 at least three working days prior to the meeting.