

# Smithfield City Planning Commission

February 18, 2015

## 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, February 18, 2015**. The following members were present constituting a quorum:

Chairperson	Jamie Anderson
Commission Members	Bryant McKay
	Jackie Hancock
	Pete Krusi
	Douglas Archibald
	Steven Teuscher
	Curtis Wall
Engineering Staff	Clay Bodily
Deputy Recorder	Char Izatt
Minutes	Stacey Dority
City Council Member	Brent Buttars

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 7:01 p.m.

**Opening Ceremonies:** Commissioner Archibald

**Visitors:** Jim Tippetts, Kim Tippetts, Lewis McCombs, Michelle Anderson, Chris Harrild, Keegan Harrild, Jesse Vega, Kristine Andersen, Paul Skinner, Allen & Karen Dawes, Ryan Reeves, Craig Winder, Steven Taylor, Jeff Adams, Jeff Jackson, Kim Dority, Jenna Dority

**Excused:** Commissioner Edwards, Jon Wells, Planning Staff

**Workshop Session:**

The Commission will continue review and discussion of the Sign Ordinance, Chapter 17.36.

Chairperson Anderson explained that comments from the commission were sent to Mrs. Izatt last month. Those that commented were Commissioner Krusi, Hancock and Wall. He asked Commissioner Krusi who manages a business and had a feel of what other business owners concerns were to discuss with the Commission what he thought needed to be changed.

Commissioner Krusi stated as far as the permanent signs he didn't notice a lot that needed to be changed. The temporary signs are more of the concern. He referred everyone to the temporary sign page 17.36.125 on page 12 about half way down. In section A it talks about temporary signs should not be placed over a public right of way and should not be attached to telephone poles, fences or trees. He understood the poles and trees but the fence was a person's property and would be a great place to hang a sign. Then the area where it states temporary signs can only be attached through the promotional period and no office premise temporary signs.

Commissioner Teuscher questioned if realtor signs and for sale by owner signs were considered temporary signs.

Mrs. Izatt mentioned yes it is a sign and the rules addressing these signs have to be content neutral.

Commissioner Krusi expressed most of the change he would like to see is in Section B; temporary signs requiring a permit. He asked Mrs. Izatt to explain the process of getting a permit for a temporary sign.

Mrs. Izatt explained the permit is for the special sales not for the holidays that are listed at the bottom of the sign page. There is no requirement for a permit for the Holidays. If you have a week event then you come in and get a permit for the 21 days. You can use all 21 days on the permit and then you would have to come back and get another permit for 21 days. The cost is \$25.25 each time you get a permit. One business in town splits it up because it is a seven day special. The city is very flexible with balloons and banners if they follow the rules for the signage.

Commissioner Krusi referenced the part that reads not to exceed seven days

Mrs. Izatt replied they let the people do the 21 day with the permit or they can pick the dates. They just need to be notified before the sign goes up.

Chairperson Anderson asked for clarification. If they use the 21 days during one period of the year are they done for the year on special signage?

Mrs. Izatt commented they have never been strict with that and she has never had anyone come back.

Chairperson Anderson stated if flexibility is the case we should write it in the ordinance.

Commissioner Krusi felt they should be as flexible as they can. They should write it in to make businesses aware.

Mrs. Izatt replied they don't receive a lot of requests for permits.

Chairperson Anderson inquired if businesses just put up signs without permits?

Mrs. Izatt responded yes and then the city has to take them down. Then the businesses are angry at them and she is not sure of the solution.

Commissioner Hancock questioned if the businesses know they need a permit.

Mrs. Izatt responded yes.

Commissioner Teuscher inquired if someone is under violation of having a sign are they contacted and made aware of the problem.

Mrs. Izatt explained she has a memo she sends out and then she attaches the temporary sign ordinance to it. Sometimes she has a little ticket form that has all the violations listed and then she can sign it and send it with an officer.

Chairperson Anderson responded paragraph B needs some rewording. He is okay with the 21 day. Does it help the tax base?

Commissioner Krusi would like to allow more periods than three periods; maybe six sales during the year. He would like to be as flexible as they can. He continued on Section C regarding the Holiday period. He felt they should extend the time period out with at least seven days on Holidays and then double the time for Thanksgiving and Hanukah.

Chairperson Anderson was in favor of extending the Thanksgiving time and giving them the whole holiday period; a week before Thanksgiving through New Years.

Commissioner Krusi explained a 14 day period would be great or an extension through December that would make it a six week period.

Commissioner Krusi responded this is just in accordance with temporary signs but a lot of the businesses would have a lot going on during the holidays.

Chairperson Anderson called for questions on temporary signs. He asked Commissioner Wall what he saw when he drove down Main Street.

Commissioner Wall's concern was the temporary signs. An example is the floral shop on the corner if he put up a banner for the whole Christmas Holiday and the wind blew it down. How could we keep the businesses more accountable for making sure the signs are looking good the whole time they are up? He would like more definition on the signs so people understand what is expected. He shared the North Logan's definitions and it was very clear on what could be done. We need to make the ordinance understandable to the businesses.

Commissioner Krusi questioned if there was mention of how to take care of a sign.

Mrs. Izatt felt it was human nature and the city has the right to revoke the sign if it isn't kept up.

Commissioner Krusi referred to the statement right after the Holiday periods stating that a banner or a portable sign is only allowed during these time periods not affixed to a permanent structure not to exceed 12 sq. ft. He felt that was too small. That is only a 6x2 ft. sign. The next concern was on the wind signs. They are not to exceed 6 times per year at 14 day intervals between displays. Are there a lot of request for those types of signs?

Mrs. Izatt mentioned they are only allowed during grand openings; while they are establishing the right for their free standing sign. It is not a standardized sign. The EMD signs cannot be on wheels or trailers they need to be permanent. These are the types of things we really need to confirm on section by section there are a lot of updates. She commented that she will not be here next month and would like to wait on the temporary signs so those of us that enforce signage can be in attendance. If there is another section that could be discussed next time and redo the definitions.

Commissioner Krusi felt they should increase the 90 day limit for permanent signs as they wait for a permanent sign. The smaller businesses may need more time to collect the funds to get a permanent sign. Possibly 120 days instead of 90.

Mrs. Izatt mentioned not all businesses go for a permanent sign. She used Valley Outlet as an example. She used a nice large banner instead of a sign. Do we want to be more professional, do we need to be stricter?

Chairperson Anderson questioned if the sign ordinance will be on the agenda next month.

Mrs. Izatt replied yes, if you took another section and clarified it and worked through that section.

Commissioner Krusi had a question on the prohibited signs, section F, where it talks about they can't park a vehicle or trailer with a sign on it including wrapped vehicles. Wrapped vehicles are becoming more and more popular. When the gentleman came in a few months ago it seemed silly to make him park his car in the garage just because it was a wrapped car.

Mrs. Izatt reminded the commission everything that is defined is for the whole city not just for a section. It might be good to visit with neighbors and see how they feel about having wrapped cars on the street. She referred to Logan and the Insurance agent with big sign on his trailer. He kept getting ticketed and having to move. They didn't want that trailer on their main street. If you're okay that every business has one then it is ok to put it in. You have to think of the city as a whole.

Chairperson Anderson assessed that if we go section by section that is fine but we will have to allow more than 10 minutes for future agendas. He asked the commission to go through sections 10, 20 & 30 which is scope of chapter enforcement and definitions which is 1/3 of the ordinance right there. If they will have that assignment done by the next meeting the commission can discuss it.

### **Resident Input**

No Resident Input

### **Consideration of Consent Agenda Minutes of January 21, 2015 Planning Commission Meeting**

After consideration by the Planning Commission, the Chairperson declared the consent agenda for the January 21, 2015 planning commission meeting minutes as approved.

### **Lewis McCombs requested time with the Commission to discuss the possibility of rezoning property on 125 West Center St. back to a Commercial zone. Zoned R-1-10.**

Mr. McCombs explained they purchased the property as a commercial property. They were told that was how they would be able to conduct their preschool business in Smithfield. The city went through and changed the zoning to residential several years later. We are looking at selling the property and trying to decide what it would be used for. If they let the property go to residential the business and the building has no parking around it. If it was kept as a preschool

people would drop off their children and leave and not have to park. It was used for dance studio and there was a problem for parking as they parked all up and down the street. There is property at 119 West Center that has been remodeled and there is a possibility we could join it and sell it all as one piece. What would he do if he goes to sell this under the pretense they can use it for another Preschool and Day Care and the zoning ordinance states you can't do that because it is residential. Residential laws have changed as well as parking ordinances.

Chairperson Anderson asked when the last time it was used as a Day Care and when was the zoning changed.

Mr. McCombs mentioned it has been a year since the Day Care was open.

Mrs. Izatt mentioned the zoning changed in 2005 or earlier.

Commissioner Krusi asked if the licensing was grandfathered in for him if it will change when the property is sold.

Mrs. Izatt replied he has kept up his licenses for the preschool and has a conditional use for the dancing so he can keep the use. If he lapses in the licensing then they would lose the current use. The business is currently non-conforming. He would like to go back to commercial zone so there are more uses allowed for the property.

Chairperson Anderson asked if this could be used as a home.

Mr. McCombs replied it would have to have remodeling in order to be used as a home.

Chairperson Anderson inquired when this was reversed to residential what was the purpose of that.

Mrs. Izatt responded that spot zones were a factor. At the time it changed it was mostly residential so the whole block is residential. There wasn't anything they could do to stop it because they were zoned that way throughout the city.

Commissioner Krusi wondered if the city still had spots throughout with different zones.

Mrs. Izatt replied we used to. The concept went away and it wasn't such a big requirement. It has loosened up a lot. The larger cities have a lot of mixed use zoning and that is where the spot zoning faded away and mixed use zoning came in and is very popular.

Mr. Teuscher replied he lives across the street from his property and if it isn't commercial there is not anything that it could be used for. He wouldn't be opposed to changing it back.

Mr. McCombs explained if it stays residential it would have to be torn down because it wouldn't be able to be used for anything else because of the limited parking. It is a great building so he hates to see it torn down.

Mr. Bodily interjected a question if it was rezoned and there was a commercial business there how would you acquire parking for that?

Commissioner Krusi stated someone would be limited on what they were able to do if it was commercial but a similar business would work well. If the licensing didn't lapse then it would all be in order.

Mrs. Izatt responded he is pretty protected because of the conditional use. You have to be selective with the type of commercial use. The parking can be 1000 ft. away so the funeral home could give him a lease.

Mr. McCombs assessed if they bought both lots and turned one into parking that would work for a different type of business. Mrs. Izatt stated she wasn't sure if people could buy it and run a business there.

Chairperson Anderson summarized the opinion that the commission would consider rezoning that as commercial. The person that buys that property should educate themselves on what the potential uses are that could be there and what the expectations are on that piece of property.

Mr. Buttars was curious why that building was even allowed in that area the way it is.

Mr. McCombs answered that building was the original Weeks Dairy with cows around it. It was a great little malt shop for the kids coming over from the school. He remodeled it and added another floor for more space. It has been a great income for his family. It was already a commercial property.

Commissioner McKay felt that when there was spot zoning it became a sore spot for the commission. He would vote against a rezone because of the premises of what happened in the past. He does see the benefit of going back to commercial.

Chairperson Anderson called for other comments. There were none. He moved to the next agenda item.

**Rigo Chaparro requested time with the Commission to discuss property on approximately 700 North on the west side of Main Street (Hwy 91).**

Mr. Chaparro explained he is looking at 4.6 acres on the north end of Smithfield on the west side of the highway and he would like to bring it into the city limits and have light commercial on the first two acres and storage on the back.

Mr. Bodily referred to the map and the blue line showing it is on the border of the city limits. There are homes there and he would have to get an easement from the Gyllenskog family because it is stubbed to the end. Water goes straight across the street and it slopes a little to the west.

Chairperson Anderson inquired what he wanted to do with the property.

Mr. Chaparro described he would like to build quality high end storage units for RV's and boats. The size would be 14x40 with 12x12 ft. doors. They would look nice as you come into the city.

Chairperson Anderson mentioned the setback for storage units from Main Street is 200 ft. He asked Mr. Chaparro if he would do anything with the front of the property.

Mr. Chaparro mentioned he has a prospective buyer with Prestige to build a building for light industrial. He met with Mr. Gass and Mr. Wells and they felt comfortable that this arrangement would be doable but they wanted him to meet with the commission first. Gary Anderson is the property owner at this point.

Chairperson Anderson didn't feel there was any problem with the annexation.

Commissioner Archibald questioned if there were any water rights available and if they would stay with the property.

Mr. Anderson replied yes there is irrigation and it would stay with the property.

Mr. Chaparro was concerned about the storage units if that would be okay with the city plan.

Chairperson Anderson explained they are an allowed use in the right zone. They would annex it for agricultural and then Mr. Chaparro would have to apply for a rezone to accommodate a storage unit.

Mr. Chaparro explained that is what he wants to get a feel for. It takes a lot of money to get things ready to bring to the commission and he doesn't want to spend a lot of money if he wouldn't be able to put the storage sheds on it.

Chairperson Anderson described that anytime there is a rezone there will be a Public Hearing and then they have to consider the impacts on the potential impacts to the people in that area.

Mrs. Izatt mentioned there are only two zones that storage units can go into that is manufacturing and GC. Rigo doesn't want to have a surprise. It is important to look at the land use matrix and see all that can be put there. Be aware of Gateway; we started a block further north and that worked out for him. The only thing she sees as being difficult for him is getting the Main Street approval. Prestige has been an excellent business here so there are not many negatives.

Commissioner McKay was concerned with access from the highway. The speed zone changes there and with big boats and RV's. There might need to be a turn lane for people to pull into as they enter the highway. How does UDOT control the traffic speeds in that area.

Mr. Bodily replied there is an 85% formula they use. They have raised the speed limit off of first north. It is a little beyond our control, we can give them our recommendations. UDOT will require a turning lane.

Mr. Chaparro's reiterated his main concern for this evening was to get a feel if they want storage units?

Chairperson Anderson reminded that if we rezone we have to think of all the possibilities that could go there. We have to accept all that is permitted there or could be a conditional use there.

Mrs. Izatt felt if Mr. Chaparro follows the requirements UDOT requires there shouldn't be a problem.

Mr. Bodily also pointed out that 800 north would be a good place for an intersection.

**Jeff Jackson, Ironwood Development Group, LC, agent for Jessica Tams Quinton, property owner, has requested approval of a Concept Plan for Smithfield Heights Subdivision (27 lots, 9.26 Acres) located at approximately 750 East and 550 North. Zoned R-1-12 (Single Family Residential 12,000 sf)**

Mr. Jackson referred to the map regarding the piece of property they are working with to rezone. They met with the city council and had the piece rezoned to R-1-12. Tonight they want to talk

about the concept and then preliminary plan. The concept is using the requirements of the zone using 27 lots. All lots meet the required 12,000 sq. ft. All utilities are designed to handle this subdivision. The improvements were intended to handle 130 homes in addition to the subdivisions by previous developers. They have done 33 of the 130 that have been master planned with the utility infrastructure for this area. They will buy the water from the city.

Commissioner McKay questioned if there would be enough water for all of the homes.

Mr. Bodily mentioned yes we do have enough water. They had a consulting firm do their water rights plan up to the year 2040 and even with a moderate increase in population we should be able to handle the water demand. Last year they updated the Birch well so it pumps 1,700 gallons a minute. He would also like to point out in the water rights and the dedication of water Mr. Jackson would have to buy that water.

Commissioner McKay inquired if it would be watered with culinary or secondary water.

Mr. Bodily reaffirmed there is no irrigation water it will be culinary. He referred to the profile regarding 730 east. If the profile, put more water on upper canyon road than anticipated they would like to address the storm water differently. If the profile comes back that there is a lot of water coming off of that they would like to revisit this. There is a drainage easement and in the future, as phase one comes in, we would like to have something in writing that states that easement is there.

Mr. Jackson mentioned there is a natural ravine on the big parcel in the middle that they will use as a detention basin. There will be a recorded easement to Smithfield City that will give them access to clean that out if it gives them problems. The ravine is ample enough to handle any amount of storm water that they will send down there and then they will have an overflow that will dump off on upper canyon road at a controlled rate as all the engineering requires.

Chairperson Anderson questioned if it will be done in phases.

Mr. Jackson replied yes in three phases. The first ten lots will be phase one. Lots 11-19 will be phase two and 20-27 will be phase three.

Chairperson Anderson called for questions or concerns from the commission.

**MOTION:** A motion was made by Commissioner Krusi to approve a Concept Plan for Jeff Jackson, Ironwood Development Group, Agent for Jessica Tams Quinton, property owner, Smithfield Heights Subdivision (27 lots, 9.26 Acres) located at approximately 750 East and 550

North. Zoned R-1-12 (Single Family Residential 12,000 sf) The motion was seconded by Commissioner Teuscher. The voting was unanimous.

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

**Public Hearing to consider a request by Jeff Jackson, Ironwood Development Group, LC, agent for Jessica Tams Quinton, property owner, for approval of the Preliminary Plat for Smithfield Heights Subdivision (27 lots, 9.26 Acres) located at approximately 50 East and 550 North. Zoned R-1-12 (Single Family Residential 12,000 sf)**

**The Public Hearing opened at 8:00 p.m.**

Mr. Jeff Adams lives in the north development by Smithfield Heights. He had a few questions on the storm water. If the drainage had the retention ponds at the bottom like the other subdivision that would be a nice way to complement the developments. He thought it would be harder to maintain the water naturally if it had to come across all the properties into the gully. He would like to work with Mr. Jackson on matching up on the current land use with fewer houses and more open space. As far as the water goes, it is a little different than what is typical for water use. It will put in quite a demand for culinary water. It would be nice if they could find some irrigation water for them to use.

Mr. Jackson explained the first six lots developed as Smithfield Highlands, storm drain was already calculated with Crow Mountain Road. He referred to the map and said the road on the red solid line drains out and where the road turns grey they do an invert elevation about a half of percent, where they turn the water and push it back to lots 9 and 8 and there are storm drain catch basins on both sides of the road. From there they go back to the natural grade of the land that slopes back up to the east. They use it all the time with developing. On upper canyon road the same concept is used right into the subdivision. The first 25 ft. of the subdivision will flow back to upper canyon road but then the road is crowned right there as well and then heads north which is the natural flow of the terrain. We don't have to create an invert because the natural slope heads back to that direction. All the drainage other than 25 ft. stays 100% on their property.

Mr. Bodily mentioned the city would like further discussion with Jeff about plans to extend the drainage line.

Mr. Jackson replied they had talked in meetings and in private with some of the land owners to the north of us but none of the owners to the west have been here to oppose this. This land is zoned R-1-12. As citizens we need to educate ourselves on what will come and what the potentials are for building around us. They aren't springing a surprise on anyone this isn't out of

the blue that they are trying to go beyond the master plan. He understands their concerns and he feels a lot of pressure to put restrictions on their property that benefits views and open space but they are not paying for that. The zone doesn't require open space and most cities are going away from pocket parks because the city doesn't like to maintain them. Most people would like open areas. He wants to be a good neighbor but at the same time they want to build as the zone allows.

**The Public Hearing closed at 8:15 p.m.**

Chairperson Anderson commented in regards to parks, what qualifies as a park or is there some type of criteria if the city wants the developer to spring for a park?

Councilman Buttars replied it is usually the developers that put in the park.

Commissioner Archibald commented that Dennis Peterson sold some property, right across from his home, to the Cache County Schools so there will be a school there at some point. There is also an LDS Church property on part of the Kartchner's property.

**Motion:** A motion was made by Commissioner Wall to approve the preliminary plat for Smithfield Heights Subdivision (27 lots, 9.26 Acres) located at approximately 750 East and 550 North. Zoned R-1-12 (single family residential 12,000 sf). The motion was seconded by Commissioner Hancock. The voting was unanimous.

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

**Public Hearing to consider a request by Ryan Reeves, agent for C & T Development LC, property owner, for a rezone of 8.17 acres located at 532 South Main, Parcel #08-110-0017, from CC (Community Commercial) to RM (Multiple Family Residential)**

**The Public Hearing Opened at 8:21 p.m.**

Mr. Paul Skinner, lives on Main Street and he is concerned about the traffic this new project will bring. The apartments behind Lee's and Chevron have increased the accidents on Main Street. He doesn't know how many multi-residential houses will be put in on 8 acres? There is a High School and several homes and the traffic will continue to be worse. He has trouble getting out of his driveway as it is.

Mr. Ryan Reeves referred to the map and showed the concept plan. They have proposed a 36 bed Assisted Living Center on Main Street. The back is more of a mixed use facility; 28 units

for 55 years and older restricted retirement community; behind that are 48 units of multi-family condo style homes. It is designed to keep the traffic interior. There are 4 acres in the back which includes Craig Champlain's piece that is already zoned multi-family on the southwest corner. We have included that in our master plan. You're welcome to go to Hyrum at 640 East and Main Street and see the exact type of facility as we have planned here. A description is 1400-1500 sq. ft. single level two car garage, 4 units per building with typical traffic coming out of this particular parcel. Approximately nine cars per day for the 55 retirement section and the assisted living center are about 6 cars per day. There are 48 units of town homes in the back. This is a preliminary concept plan. We were asked to provide a plan of what it could look like.

Commissioner Krusi questioned if there would be any more homes on the east side of 100 east?

Mr. Reeves replied 100 east is right next to Craig Champlain's community. He does own a 1/2 acre parcel on the south east end of 100 east. It is about .5 acres. He has no idea what his intentions are for that.

Commissioner Archibald discussed the possibility of all the vehicles coming out on Main Street.

Mr. Reeves responded the only access to Main Street is on 600 South. The traffic will be handled on 100 East and 600 South so they will go to the light on Main Street.

Commissioner McKay inquired if the city would take care of the roads in the winter time?

Commissioner Krusi questioned if the clubhouse, playground and pool would be part of the Home Owners Association (HOA).

Chairperson Anderson assessed if all units were involved in the HOA.

Mr. Reeves confirmed yes. There will be two separate HOA programs with shared access to the clubhouse.

Commissioner McKay could only see two places for parking stalls and a few on the top of the plan.

Mr. Reeves explained the roundabout coming off a 600 south is more separation to divide the retirement units and the family housing units. Assisted living is a single level 36 bed design.

Commissioner Krusi inquired about the developments on the north end. What kind of fencing will be put in against the homes that are there?

Mr. Reeves replied a 6 ft. solid vinyl fence all the way around. We try to handle everything interior. All walking paths are on the interior with an exit on 100 east and 600 south.

Mrs. Kim Tippetts, owner of Firehouse Pizzeria, supports the change if it is done right. It is better than the weeds and junk that accumulates on the property around them. The retention pond area would need to be maintained.

Mr. Allan Dawes property lines up behind this property being discussed. His concern is his view. He would like to keep the houses low so he could see the mountains and valley around him. The townhomes in the back would block that view.

Mrs. Kristine Anderson lives on 5<sup>th</sup> south. She would like to know what will happen to the property in between and how senior citizen centers will feel about being mixed with families with little children; how they will mesh together.

Mr. Bodily commented further by stating the storm water pond has to be maintained and that will be in the agreement according to the ordinance. The city has to go onto the property and inspect it and make sure it percolates into the ground. 100 East has always been scheduled to go through. That is the reason the homes were built how they are so the connection can be made.

Chairperson Anderson called for any other questions.

**The Public Hearing Closed at 8:40 p.m.**

Commissioner Archibald asked the developer how many bedrooms would be in the town homes.

Mr. Reeves stated three bedrooms.

Chairperson Anderson restated there would be a vinyl fence around the entire property; that would address how it would keep children out of the retirement property.

Commissioner Krusi requested what the height of the town homes would be.

Mr. Reeves replied two stories.

Chairperson Anderson summarized from his point of view that the business needs to be sold and we need to decide what is the best use of a CC zone for that property because something else

could come in that would not be as agreeable. The issue on the table is the multiple-family residential and an Assisted Care Facility that has been discussed at length. Let's make sure opinions and questions are on the table.

Commissioner McKay had a concern with the clubhouse and parking for those that work there and visitors. His father-in-law always had to walk to the clubhouse because there was no parking close to it. He wanted to make sure there is ample parking for families and visitors using the clubhouse.

Chairperson Anderson referred to the townhouse parking; will it have a garage attached to the townhouse or a carport?

Mr. Reeves explained there will be two car garages in the townhouse. The clubhouse is a big selling point but it is rarely used. There is an office for a manager part of the day.

Chairperson Anderson calculated there are 60 roughly parking spaces for overflow parking so that is almost one per unit. He inquired if all the units would be for sale or will there be an opportunity to rent or lease?

Mr. Reeves replied that avenue has not been pursued as of yet.

Commissioner Wall commented he drives by the Hyrum location every day. As a citizen it looks very nice and encouraged the commission to go and look at the area.

Chairperson Anderson assessed if they approve this rezone to multiple residential it doesn't mean what is being proposed tonight will end up there. If we do rezone it we have to take into account that something may come in here that is not very appealing to us as a multiple family residential.

**MOTION:** A motion was made by Commissioner Krusi to approve the rezone from Community Commercial to multi-family residential for Ryan Reeves, agent for C & T Development LC, property owner for a rezone of 8.17 acres located at 532 South Main, Parcel #08-110-0017, from CC (Community Commercial) to RM (Multiple Family Residential) The motion was seconded by Commissioner Teuscher. The voting was unanimous

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

Chairperson Anderson stated it had been approved and is now ready to go to the City Council.

**The Commission will continue discussion on Assisted Living Facilities with emphasis on zoning and the Land Use Matrix.**

Mrs. Izatt would like to finalize zone definitions. Mr. Gass indicated we needed to concentrate more on the Land Use Matrix and definitions and not meaty text. We need to determine where to place the facility and what type of facility we would like. We currently address Nursing Homes and residential facilities for the elderly and disabled. How distinctive do we want to get?

Commissioner Krusi asked if she liked how they group dwellings in Section B.

Mrs. Izatt commented they address group dwellings in the ordinance so it is a matter of putting in what the commission thinks would work best. It will still go to the City Council and Mr. Gass will be writing the ordinance. She would like to give Mr. Gass a solid basis on how you feel. Then he will take it from there and it will come back to us as an ordinance.

Commissioner Wall wondered if the next meeting, with Carmen Richins from the state, will have a lot of information that will help the commission make a better decision. He wanted to consider what the state requirements and regulations are and how they govern these types of organizations.

Mrs. Izatt hoped the information would help in the decision process. The schedule of her coming didn't coordinate with today's discussion. Mrs. Richins has a lot of information for next month and will really help the commission understand the requirements better. Mrs. Izatt still would like something more solid. There has been a lot of discussion.

Chairperson Anderson referred to the discussion a few months ago, he thought they talked about the small homes that could have one or two people being assisted; which would be okay in a residential zone. He thought he mentioned he was okay with Assisted Living Facilities in any type of commercial zone.

Mrs. Izatt commented at one point Chairperson Anderson had said to do the same as they did with nursing homes. Did he want a smaller or larger home?

Chairperson Anderson still felt it would be okay to make them the same. He wasn't sure the definition of smaller or larger.

Mrs. Izatt said a 10 or 11 bed facility; similar to the Beehive Assisted Living. That is a standard size for the small homes. The 36 bed keeps coming up but we need to state the definition.

Chairperson Anderson clarified if this needed to be done before we hear from Mrs. Richins.

Mrs. Izatt emphasized that things seem to continue to be pushed back and we need to take some action at some point.

Commissioner Teuscher indicated he didn't understand exactly what was needed. For example, the 36 bed unit what is that classified at and is that in a commercial zone.

Mrs. Izatt concurred that is how she is feeling.

Commissioner Wall explained they had discussed level one, two and three care. Everyone has been out and looking at the different facilities.

Chairperson Anderson assured Mrs. Izatt he could come up with a cut at something by the next meeting but he felt listening to Mrs. Richins would solidify what they wanted to do.

Commissioner Krusi pointed out the approval they just made on the assisted living and the multi-family zone. He was concerned if we limited the assisted living to commercial and then they had just approved this plan on multi-family.

Commissioner Wall described it would come back to the level of care. If they are talking about 55 and older, those people are still driving cars.

Commissioner Krusi explained the very front part of the plan was the Assisted Living Center.

Mrs. Izatt gave an example of Mr. Reeves coming in to her desk and stating his rezone had been approved and he wanted to move forward on the assisted living. She has nothing to give him according to where it could be located, how big it could be & etc.

Chairperson Anderson indicated the only thing they have to fall back on now is what the nursing home requirements are.

Mrs. Izatt reminded them it is not a nursing home. Therefore she needs information to give out to those that come inquiring of Assisted Living Facilities. Can we try to pinpoint the zones for the facilities?

Commissioner McKay stated maybe they shouldn't have approved Mr. Reeve's property all together.

Commissioner Krusi interjected if they would have left the front commercial they would have done something different.

Mr. Bodily replied they would have had to subdivide the land at that point.

Chairperson Anderson remarked it was a concept plan. When he comes in with the final plat we could say we don't want Assisted Living there.

Mr. Bodily summarized that is what Mrs. Izatt is saying, do you want it conditional use in multi-family and commercial?

Commissioner Krusi replied he would say that on a multi-family he would require a conditional use permit.

Chairperson Anderson asked what the difference between level one, two and three were.

Commissioner Wall informed them it was the amount of care required. Level one you could have your mother in your home. Level two does not have a nurse on staff. Level three has CN's and RN's give shots and medicine.

Commissioner Krusi inquired what level he thought Mr. Reeves would need for his concept plan.

Commissioner Wall felt a level two to start. He inquired what the zoning was on the property in Hyrum that Mr. Reeves is building on now. It is certainly in a residential area across from the Cemetery. He is right on Main Street for his access.

Commissioner Krusi was comfortable with the small homes can be in a residential zone that could be given a Conditional Use Permit. The next size could require a conditional use in a multi-family.

Mrs. Izatt felt they should all require a conditional use permit. Sunshine Terrace would fall under the cities Nursing Home definition it would be allowed as a conditional use in a CC, GC and in the Gateway layout.

Chairperson Anderson suggested they make Level twos and threes in those same zones with conditional permits. Level one could be in residential or multi-family residential as a conditional

use. He asked if the commission wanted an Assisted Living Facility like Mr. Reeves proposed in a multi-family residential as a conditional use.

Commissioner Krusi replied he would conditional use it.

Commissioner Wall agreed he would approve it also, but he referred to Sunshine Terrace and Williamsburg, they are right in the middle of town. Most of their parking is in front of houses.

Chairperson Anderson restated the changes made. Level one could be residential or multi-family residential as a conditional use, Level two and three in those same zones with conditional permits.

Mrs. Izatt inquired if he meant all residential including residential Ag?

Commissioner Wall inserted all we need to do is to find where we want to put the facility. The state will give the requirements to meet the ordinance and the Department of Health and Welfare will help govern the care. Mrs. Richins will inform us of all of the rules when she comes next month. The state really regulates senior care. How often a patient is seen, how many nurses and staff a facility has there. He inquired if the facility like Mr. Reeves suggested brought in more revenue to the city than the commercial.

Mrs. Izatt replied residential always costs the city. The idea is when you establish residential commercial is supposed to come. She referred back to the assisted living facility and explained she didn't want to micro manage each facility she would like to do is get a separation so when a person comes in we have something in place to hand to them.

Chairperson Anderson felt if you have something in a residential zone you have to limit the number of people.

Mrs. Izatt referred to the page from North Logan's Assisted Living Zones. Some facilities are in mixed use zones, some are in professional zones.

Commissioner Krusi established we need to focus on the size and let the state regulate the rest.

**MOTION:** A motion was made by Commissioner Krusi to adjourn the meeting at 8:29 p.m. The motion was seconded by Commissioner McKay. The voting was unanimous. Commissioners voting in favor: McKay, Hancock, Krusi, Anderson, Archibald, Teuscher, Wall.

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Jamie Anderson, Chairperson

Attested:

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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, February 18, 2015** in the Smithfield City Council Chambers, **96 South Main**, Smithfield, Utah.

**7:00 p.m. Opening Ceremonies**

**Workshop session:**

The Commission will continue review and discussion of the Sign Ordinance, Chapter 17.36.

**Agenda items:**

1. 7:10 p.m. Resident Input
2. 7:15 p.m. Consideration of Consent Agenda  
Minutes of the January 21, 2015 Planning Commission Meeting
3. 7:20 p.m. Lewis McCombs requested time with the Commission to discuss the possibility of rezoning property on 125 West Center St. back to a Commercial zone. Zoned R-1-10

4. 7:25 p.m. Rigo Chaparro requested time with the Commission to discuss property on approximately 700 North on the west side of Main Street (Hwy 91).
5. 7:30 p.m. Jeff Jackson, Ironwood Development Group, LC, agent for Jessica Tams Quinton, property owner, has requested approval of a **Concept Plan** for Smithfield Heights Subdivision (27 lots, 9.26 Acres) located at approximately 750 East and 550 North. Zoned R-1-12 (Single Family Residential 12,000 sf)
6. 7:35 p.m. **Public Hearing** to consider a request by Jeff Jackson, Ironwood Development Group, LC, agent for Jessica Tams Quinton, property owner, for approval of the **Preliminary Plat** for Smithfield Heights Subdivision (27 lots, 9.26 Acres) located at approximately 750 East and 550 North. Zoned R-1-12 (Single Family Residential 12,000 sf)”
7. 7:45 p.m. **Public Hearing** to consider a request by Ryan Reeves, agent for C & T Development LC, property owner, for a **rezone** of 8.17 acres located at 532 South Main, Parcel # 08-110-0017, from CC (Community Commercial) to RM (Multiple Family Residential)
8. 7:55 p.m. The Commission will continue discussion on Assisted Living Facilities with emphasis on zoning and the Land Use Matrix.
9. 8:05 p.m. **ADJOURNMENT**

Posted this 13th day of February 2015 at the Smithfield City Offices, City Web Page and the Utah Public Meeting Notice web site. Notice provided to The Herald Journal this 13th day of February 2015.

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.