



SMITHFIELD CITY PLANNING COMMISSION MINUTES October 20, 2021

The Planning Commission of Smithfield City met in the City Council Chambers
96 South Main, Smithfield, Utah at 6:30 p.m. on Wednesday, October 20, 2021

The following members were present constituting a quorum:

Members Present: Brooke Freidenberger, Scott Gibbons, Bob Holbrook, Stuart Reis, Juli Weber

Members Excused: Katie Bell, Hutch Daniels, Jasilyn Heaps

City Staff: Brian Boudrero, Clay Bodily, Jon Wells (City Councilmember), Mayor Barnes

Others in Attendance: Brody & Mindy Kaae, Jim Daniels, Zane Hyer, Sue Hyer, Brittany Andrus, Josh Runhaar, Bill Wrigley, Karl Lambert, Kris Monson, Diana Brown, Mark Woodward, Kate Woodward, David Frandsen, Merrilee Wells, Caralee Stokes, Roger Davies, Debbie Zilles

6:32 p.m. Meeting called to order by Chairman Gibbons

Consideration of consent agenda and approval of meeting minutes

After consideration by the Commission, Chairman Gibbons declared the meeting agenda and the minutes from the September 15, 2021 meeting to stand as submitted.

RESIDENT INPUT - None

AGENDA ITEMS

Public Hearing, no sooner than 6:35 p.m., for the purpose of discussing Ordinance 21-31, an Ordinance amending the Smithfield City Municipal Code Title 17 "Zoning Regulations", by amending Chapter 17.60 "RM Multiple-Family Residential Zone", Section 17.60.040 "Height Regulations", Chapter 17.64 "CB Central Business District Zone", Section 17.64.040 "Height Regulations", Chapter 17.68 "CC Community Commercial Zone", Section 17.68.040 "Height Regulations", Chapter 17.72 "GC General Commercial Zone", Section 17.72.040 "Height Regulations" and Chapter 17.81 "Master Planned Community (MPC) Zone", Section 17.81.050 Development Standards".

6:36 p.m. Public Hearing Opened

Bill Wrigley asked about the changes. The ordinance (with the changes indicated) was displayed on the screen for the public to view. Chairman Gibbons explained that it would allow up to a 50' maximum height (from the current 35' allowance) in certain zones. This will not change residential zones.

6:38 p.m. Public Hearing Closed

Discussion and possible vote on Ordinance 21-31

This proposed ordinance will adjust the maximum allowable height in the Multiple Family, Central Business District, Community Commercial, General Commercial, and Master Plan Community zones will be 50' rather than the existing 35'. Chairman Gibbons pointed out that it will be measured "*from the threshold of the main entrance at street level to the highest point of the roof*".

Karl Lambert is not in favor of the 50' proposal and believes it will create a shadow on the adjacent structures. He suggested only allowing it on certain-sized lots. Chairman Gibbons reminded him that this will not be applicable in residential zones.

Kris Monson questioned the reason for this consideration and is concerned it is being proposed to accommodate the MPC zone. She does not think 50' should be allowed in the MPC because single-family homes will be in this zone. Commissioner Holbrook agreed that this is a valid concern and suggested removing the MPC zone from consideration. The Commission agreed.

MOTION: Motion made by Commissioner Holbrook to **forward a recommendation to the City Council to approve** Ordinance 21-31, an Ordinance amending the Smithfield City Municipal Code Title 17 "Zoning Regulations", by amending Chapter 17.60 "RM Multiple-Family Residential Zone", Section 17.60.040 "Height Regulations", Chapter 17.64 "CB Central Business District Zone", Section 17.64.040 "Height Regulations", Chapter 17.68 "CC Community Commercial Zone", Section 17.68.040 "Height Regulations", Chapter 17.72 "GC General Commercial Zone", Section 17.72.040 "Height Regulations" and Section 17.81.050 Development Standards" **with the removal of "Chapter 17.81 "Master Planned Community (MPC) Zone"**. Commissioner Weber seconded the motion. **Motion approved (4-0).**

Vote:

Aye: Gibbons, Holbrook, Reis, Weber

Absent: Bell, Daniels, Freidenberger, Heaps

Public Hearing, no sooner than 6:40 P.M., for the purpose of discussing Ordinance 21-32, an Ordinance amending the Smithfield City Municipal Code Title 17 "Zoning Regulations", by amending Chapter 17.56 "R-1 Single-Family Residential Zone", Section 17.56.030 "Area, Width and Yard Regulations".

6:47 p.m. Public Hearing Opened

Chairman Gibbons clarified for Karl Lambert that this ordinance would allow for a 15' minimum front setback from the property line. There have been requests for larger backyards and more flexibility in home designs. He explained that garages will require a 25' minimum setback to ensure there is enough room for vehicles to park in the driveway without hanging out over the sidewalk. Mr. Lambert asked if this would create/allow for smaller lots. Chairman Gibbons confirmed that this does not affect lot sizes.

6:50 p.m. Public Hearing Closed

Discussion and possible vote on Ordinance 21-32

This ordinance will adjust the setbacks in the R-1 and Single-Family Residential zones to differentiate between the resident setback and the garage setback. Commissioner Weber feels comfortable with the proposal because the Commission has discussed it for the last several months.

MOTION: Motion made by Commissioner Weber to **forward a recommendation to the City Council to approve** Ordinance 21-32, an Ordinance amending the Smithfield City Municipal Code Title 17 “Zoning Regulations”, by amending Chapter 17.56 “R-1 Single-Family Residential Zone”, Section 17.56.030 “Area, Width and Yard Regulations”. Commissioner Reis seconded the motion. **Motion approved (4-0).**

Vote:

Aye: Gibbons, Holbrook, Reis, Weber

Absent: Bell, Freidenberger, Daniels, Heaps

Public Hearing, no sooner than 6:45 P.M., for the purpose of discussing Ordinance 21-33, an Ordinance rezoning Parcel Number 08-059-0018 from RA-1 (Residential Agricultural 1-Acre) to RM (Multiple Family Residential). The parcel is located at approximately 265 North 300 East and is 0.36 acres.

6:52 p.m. Public Hearing Opened

Mindy Kaae is proposing to rezone the empty lot located at 265 North 300 East to Multi-Family Residential. The lot is currently zoned RA-1 (Residential Agricultural 1 Acre). The lots to the west and south are currently zoned RA-1, including the Jack Parson Company pit directly across the street to the east. The lot to the north is zoned Multi-Family and contains two (2) townhome structures. Her objective is to build a multi-family unit there in the future.

6:53 p.m. Commission Freidenberger arrived.

6:54 p.m. Public Hearing Closed

Discussion and possible vote on Ordinance 21-33

Mr. Bodily confirmed for the Commission that based on the zone, lot size, and requirements, only a maximum of three (3) units could be on the parcel.

Commissioner Freidenberger asked about the PUD Overlay. Mr. Boudrero said that option would allow for higher density.

Chairman Gibbons said this request fits with the area around it.

MOTION: Motion made by Chairman Gibbons to **forward a recommendation to the City Council to approve** Ordinance 21-33, an Ordinance rezoning Parcel Number 08-059-0018 from RA1 (Residential Agricultural 1-Acre) to RM (Multiple Family Residential). The parcel is located at approximately 265 North 300 East and is 0.36 acres. Commissioner Weber seconded the motion. **Motion approved (4-0).**

Vote:

Aye: Gibbons, Holbrook, Reis, Weber

Abstain: Freidenberger (due to arriving after the discussion had begun)

Absent: Bell, Daniels, Heaps

Public Hearing, no sooner than 6:50 P.M., for the purpose of discussing Ordinance 21-34, an Ordinance rezoning Parcel Number 04-006-0005 from CC (Community Commercial) to CBD (Central Business District). The parcel is located at 1215 South Main and is 3.00 acres.

6:58 p.m. Public Hearing Opened

7:00 p.m. Public Hearing Closed

Discussion and possible vote on Ordinance 21-34

Dan Sundstrom is proposing a rezone of two (2) parcels that are currently zoned Community Commercial. All of the property to the north, east, and west of these parcels are zoned Community Commercial and the parcels to the south are outside the City limits. Mr. Sandstrom said the City would like to have the road extend through his property, with the current zone and setback rules, he would like to dedicate the road to the City, which would help him with the setback and frontage issue and not lose as much land. He would like to put commercial buildings in, and this change would allow the buildings to be closer to the new road.

Mr. Bodily said there is a need for an east-west road to connect with 4100 North and allow access to the lots.

Commissioner Weber asked about the main differences between Community Commercial (CC) and Center Business District (CBD). Councilmember Wells said the main difference is the front yard setback, the uses within the matrix are similar.

MOTION: Motion made by Commissioner Freidenberger to **forward a recommendation to the City Council to approve** Ordinance 21-33, an Ordinance rezoning Parcel Number 08-059-0018 from RA-1 (Residential Agricultural 1-Acre) to RM (Multiple Family Residential). The parcel is located at approximately 265 North 300 East and is 0.36 acres. Commissioner Holbrook seconded the motion. **Motion approved (5-0).**

Vote:

Aye: Freidenberger, Gibbons, Holbrook, Reis, Weber

Absent: Bell, Daniels, Heaps

Discussion and possible vote on the request by S & H Development for approval of the Final Plat for The Meadows at Sky View, Phase 2, a (25) lot/unit subdivision located at approximately 340 East 900 South.

Brice Sadler said they would like to get Phases 2 and 3 approved. They are still working on the sewer issue, if that cannot be worked out, they will put in a lift station. Mr. Bodily said this has been reviewed by the Subdivision Technical Review Committee (STRC) and it meets all applicable requirements.

MOTION: Motion made by Commissioner Gibbons to **approve** the request by S & H Development for approval of the Final Plat for The Meadows at Sky View, Phase 2, a (25) lot/unit subdivision located at approximately 340 East 900 South. Commissioner Freidenberger seconded the motion. **Motion approved (5-0).**

Vote:

Aye: Freidenberger, Gibbons, Holbrook, Reis, Weber

Absent: Bell, Daniels, Heaps

Discussion and possible vote on the request by S & H Development for approval of the Final Plat for The Meadows at Sky View, Phase 3, a (54) lot/unit subdivision located at approximately 340 East 900 South.

Mr. Sadler said there are no changes from the preliminary plan, all the sidewalks, trails, and amenities as previously discussed are included.

MOTION: Motion made by Commissioner Weber to **approve** the request by S & H Development for approval of the Final Plat for The Meadows at Sky View, Phase 3, a (54) lot/unit subdivision located at approximately 340 East 900 South. Commissioner Freidenberger seconded the motion. **Motion approved (5-0).**

Vote:

Aye: Freidenberger, Gibbons, Holbrook, Reis, Weber

Absent: Bell, Daniels, Heaps

Public Hearing, no sooner than 7:00 P.M., for the purpose of discussing Ordinance 21-35, an Ordinance rezoning Parcel Numbers 08-044-0034, 08-044-0035, 08-044-0033, 08-044-0084, 08-044-0030, 08-044-0037, 08-044-0039, 08-044-0038, 08-044-0040-08-044-0002 and 08-064-0012 from R-1-10 (PUD) (Single Family Residential 10,000 Square Feet/Planned Unit Development Overlay Zone), RA-1 (Residential Agricultural 1-Acre) and A-10 (Agricultural 10-Acre) to MPC (Master Planned Community). The parcels are located at approximately 510 East 680 North and total approximately 99.77 acres.

7:12 p.m. Public Hearing Opened

Kris Monson has a great deal of concern about this development. If approved, there will have been over 1,000 building units approved in the past year. The infrastructure, roads, water, and schools are not equipped to handle this much growth so quickly. She would like more time to make correct decisions and does not believe this is the right use for this property at this time.

Chairman Gibbons confirmed for Karl Lambert that an MPC zone allows for more density than a residential zone. Mr. Lambert said there needs to be more input from the neighbors. This could change what they were expecting to be around their homes and possibly impact housing values. He would like more thought put into this before the project is approved.

Bill Wrigley asked how many units there could potentially be. Chairman Gibbons said this is almost 100 acres of land and could result in approximately 410 units as it is proposed.

David Frandsen agreed with the comments expressed. He has experienced problems with groundwater for years. The water is not coming from any pipes. He has had to regrade his yard twice and replace his patio. He is concerned that when development begins, and the ground is shifted it will make things worse. He has sent emails to the Mayor and has not received any response.

Brittany Andrus said there is a dire need for homes, and this will provide a great opportunity.

Diana Brown moved from California and is concerned about the traffic. She cautioned the Commission to not take for granted what Smithfield has and to carefully consider what is approved and at what rate; uncontrolled growth will ruin the community. She asked the Commission to consider the long-term vision.

Sue Hyer agreed with the concerns that have been voiced and expressed concern about the roads.

Caralee Stokes agreed with Ms. Brown's comments that Smithfield is a very special place. She thinks the growth is too fast and the schools and roads will not be able to handle it. There is a need for housing, however, she would like to see the growth controlled and slowed down. It is very important that residents are in attendance and have their voices heard.

Merrilee Wells appreciates this proposal. Neighborhood Nonprofit provides opportunities for people to use sweat equity to be able to afford a home. This type of program matters for those who need it. Affordable housing is very difficult to find.

Kate Woodward does not necessarily disagree with the project. Although she appreciates the program, she questioned whether more of these types of developments are needed and expressed concern with this particular location, especially with only one road in/out. This area of Smithfield is filled with Neighborhood Nonprofit housing. There might be a better location rather than overloading the northeast part of town.

Roger Davies lives in the neighborhood, has been a beneficiary of, and is grateful for the NNHC program, however, there is more green space and parks needed in the area. It is important to have a diverse mix of housing types so the area will be maintained. He thanked the Commission for their role in the planning of the City.

7:34 p.m. Public Hearing Closed

Josh Runhaar, from Neighborhood Nonprofit Housing Corporation (NNHC), is requesting to rezone several parcels from R-1-10 (Single-Family Residential 10,000 SF) PUD, RA-1 (Residential Agriculture 11 acre), and A-10 (Agriculture 10 acre) to the MPC zone. They began this about a year ago with the intent of having it within a PUD and decided to wait until the MPC zone was completed and approved. In addition to the ~400 units, 12.5 acres of open, usable space is proposed (including trails). The model is to build 16-32 homes (single-family and townhomes) per 12-18 months with an overall 12-15-year completion. The northwest portion will be senior housing (as requested by the City and market demand) which will not be built by the “self-help build” model. They are looking into an option that might allow for a higher-income bracket. The STRC asked for the phasing to be switched to create an east-west connection first. The sewer lines have been moved down to the utility corridor; the water lines will go in as the roads are built. The proposal is for 12 phases to finish the entire development; each phase will take 12-18 months to complete. There will be parking stalls around the park, trails will connect through the development with sidewalks throughout.

Mr. Runhaar answered for Commissioner Freidenberger that 3-4 acres will be “flat” open space. He explained that cluster homes (single-family homes that face a joint open space with rear-loading garages) have become quite popular. An HOA will maintain the open space.

Commissioner Freidenberger asked about the flooding concern. Mr. Runhaar thinks it might be linked to a pipe that feeds the spring, as infrastructure is put in all the pipes will be checked. The spring is located on a parcel that NNHC does not own.

Mr. Runhaar explained that Phase 1 will finish many of the truncated roads, they will then move along the north corridor (he outlined the new phasing plan). Commissioner Freidenberger asked why this road plan was chosen (moving north rather than taking 680 North down), Mr. Runhaar said it is was due to the topography and the slope.

Commissioner Freidenberger said the cluster housing road seems quite narrow, she is more comfortable with 60'+ roads. Mr. Runhaar said the 26' private drives are only for the rear-loaded garages and not intended for traffic travel. The HOA will maintain the alleys and open spaces. Each unit will have a 2-car garage. All the main roads meet the City standards.

Commissioner Weber asked about the density difference between a PUD and MPC. Mr. Runhaar said the density allocation for a PUD would be 5.25 units/acre, they are asking for 6.26 units/acre. The change to MPC would allow approximately 60 more units overall. Chairman Gibbons said the MPC was designed for this type of development. There is a demand for housing, and this will utilize less land. Mr. Runhaar said growth is often hard to contemplate. Most of the clientele in this type of development are hardworking people such as teachers, nurses, firefighters, etc. This provides an opportunity for those who cannot afford large homes and lots. Townhomes are considered the new single-family starter homes. The market demands a variety of homes with a variety of yard sizes and HOA options.

Mr. Runhaar said the average size lot will be 8,500 SF, some may be as small as 5,000 SF (with a narrower, 2-story style home). The cluster-style homes will be approximately .66 acre. The open space will have a pavilion with playscapes and trails. Turfgrass will be limited and there will be more native plantings. The north side will have a trail with a landscaped berm for a buffer. Mr. Bodily confirmed that the open space meets the requirements. The Commission needs to consider the 3% density bonus that has been proposed which is predicated by the trails and open space.

Commissioner Freidenberger is concerned with the road widths. She would like to see more 70' roads. Mr. Runhaar pointed out that the only difference between a 66' road and a 70' would be more asphalt and would not increase travel width or capacity. Commissioner Freidenberger said smaller roads have created a nightmare with regard to on-street parking; her desire for wider roads is related to more are for parking.

Commissioner Reis noted that controlled growth can be subjective. Commissioner Holbrook agreed that growth cannot be stopped, like it or not. The City needs to provide a certain amount of affordable housing.

Commissioner Freidenberger is a beneficiary of the NNHC program and lives in the area. Her main concern is related to roads, access, and traffic, especially on Main Street. Commissioner Weber said the traffic is not all Smithfield residents. Commissioner Freidenberger would like to see more intersection lights. Mayor Barnes said there is a long-term plan for one on 400 North; however, that is determined by UDOT.

Commissioner Freidenberger pointed out that this land is already purchased and can be used for smaller lots, the discussion is to try and figure out what is best for the area. She is hesitant with the cluster homes. Commissioner Weber said there might be people who want to live in the cluster home style, there should be options for all home buyers. Mr. Runhaar noted that the homes are market price, the difference is the owners will be doing "sweat equity" to help offset the price. The point is to offer and provide for different housing options.

Chairman Gibbons said the Commission has worked hard the last year on the MPC zone, which has been designed for this very reason. This proposal offers a diversity of housing types, which is necessary. The senior housing element provides an additional option.

Commissioner Reis said groundwater is a concern. Mr. Runhaar said groundwater will be handled like stormwater (will be underground) and will have to meet all applicable requirements.

Mr. Frandsen said if this project causes more problems with groundwater, NNHC should be responsible. Mr. Lambert said a water study should be done to address the concerns. Mr. Bodily said a soil study can be required. Mr. Runhaar pointed out that the spring is not on their property, there are no water sources on the property owned by NNHC. A Geotech report and environmental analysis have been completed. The irrigation system in the area is piped.

There was a question from an audience member about fire danger. Chairman Gibbons said the Fire Department reviews all proposals.

Sue Hyer said another road is needed, there is currently only one road which is not acceptable.

Commissioner Freidenberger asked if there are Fire/EMS requirements about accesses. Mr. Bodily said the Fire Chief has reviewed and approved the project. Mr. Runhaar explained a fire second access is required at the point of 500 homes. Councilmember Walls said sometimes what people perceive as overcrowding is not the threshold that is necessary for additional roads. He understands the frustration and concerns, but the standards in the Code are being met. There have been times when the City has added improvements and/or put roads in certain areas when necessary.

MOTION: Motion made by Commissioner Freidenberger to **continue** Ordinance 21-35 to the November meeting. Chairman Gibbons seconded the motion.
(Motion failed due to lack of a quorum vote (4) required to pass a motion). (3-2).

Vote:

Aye: Gibbons, Freidenberger, Weber

Nay: Holbrook, Reis

Absent: Bell, Daniels, Heaps

MOTION: Motion made by Chairman Gibbons to **forward a recommendation to the City Council to approve** Ordinance 21-35, an Ordinance rezoning Parcel Numbers 08-044-0034, 08-044-0035, 08-044-0033, 08-044-0084, 08-044-0030, 08-044-0037, 08-044-0039, 08-044-0038, 08-044-0040-08-044-0002 and 08-064-0012 from R-1-10 (PUD) (Single Family Residential 10,000 Square Feet/Planned Unit Development Overlay Zone), RA-1 (Residential Agricultural 1-Acre) and A-10 (Agricultural 10-Acre) to MPC (Master Planned Community). The parcels are located at approximately 510 East 680 North and total approximately 99.77 acres. Commissioner Reis seconded the motion. **Motion approved (4-1).**

Vote:

Aye: Gibbons, Holbrook, Reis, Weber

Nay: Freidenberger,

Absent: Bell, Daniels, Heaps

MEETING ADJOURNED at 8:46 p.m.

Minutes submitted by Debbie Zilles

Scott Gibbons, Chairman