SMITHFIELD CITY
PLANNING COMMISSION

City Council Chambers
96 South Main
Smithfield, Utah 84335

The Planning Commission of Smithfield City met in the City Council Chambers at 96 South Main, Smithfield, Utah at 7:00 p.m. on Wednesday, August 21, 2019

The following members were present constituting a quorum:

Chairman:	Andrew Soelberg
Members Present:	Kelly Luthi
	Jackie Hancock
	Jasilyn Heaps
	Scott Gibbons
	Hutch Daniels
	Nathan Wright
Members Excused:	Greg Gardner
	Casey McCammon
City Engineer:	Clay Bodily
City Planner:	Shari Phippen
City Councilmember:	Curtis Wall
City Mayor:	Jeff Barnes

Attendance: Beth Larchar, Dennis Thornley, Bart Caley, Saje Birky, Jody Nilson, Debbie Zilles

7:00 p.m. Meeting called to order by Chairman Soelberg.

Bart Caley led the Pledge of Allegiance.

Consideration of Consent Agenda and approval of Meeting Minutes:

After consideration by the Commission, Chairman Soelberg declared the meeting agenda approved and minutes from the July 17, 2019 meeting to stand as submitted (with one minor change corrected prior to the meeting).

PUBLIC COMMENT - None

AGENDA ITEMS

PUBLIC HEARING to receive comment concerning a request by Jody Nilson to rezone Parcel 08-105-0038, a 2.10-acre parcel located at approximately 373 West 400 South from Residential Agriculture RA-1 (1 acre minimum) to Residential R-1-12 (12,000 SF minimum).

7:02 p.m. Public Hearing Opened

7:03 p.m. Public Hearing Closed

Discussion and consideration of a request by Jody Nilson to rezone Parcel 08-105-0038, a 2.10-acre parcel located at approximately 373 West 400 South from Residential Agriculture RA-1 (1 acre minimum) to Residential R-1-12 (12,000 SF minimum).

Mr. Nilson explained that his desire is to subdivide the property into three building lots and build a home near his father's existing home.

Ms. Phippen explained that one access would be from 400 West and the other from 400 South. The existing home does not have the frontage to do it any other way.

Commissioner Heaps said the request fits well in this area.

MOTION: Motion made by Commissioner Gibbons to recommend approval to the City Council to rezone Parcel 08-105-0038, a 2.10-acre parcel located at approximately 373 West 400 South, from Residential Agriculture RA-1 (1 acre minimum) to Residential R-1-12 (12,000 SF minimum). Commissioner Heaps seconded the motion. Motion approved unanimously (7-0).

Vote
Aye: Luthi, Hancock, Heaps, Soelberg, Gibbons, Daniels, Wright

PUBLIC HEARING to receive comment concerning a request by Jeff Champlin/CKC Properties, LLC to rezone Parcel 08-109-0016, a 9.88-acre parcel located at approximately 900 South 200 West from Agricultural A10 (10 acre minimum) to General Commercial (no minimum lot size).

7:07 p.m. Public Hearing Opened

Dennis Thornley owns property to the west of this site and is worried about what might be built in the General Commercial zone. He expressed concerns about groundwater pollution as there are culinary wells in the area. There is already quite a bit of noise and pollution from Metal Vision located at 155 West 700 South. He would like a requirement that trash be contained (he currently gets a lot of garbage in his yard). The City portion of the road ends at 600 South, he is concerned about how maintenance of the road will be handled. The road is narrow and there is quite a bit of farm traffic. He represents Smithfield Irrigation Company and there is a pipeline on the property that needs to be protected.

7:13 p.m. Public Hearing Closed

Discussion and consideration concerning a request by Jeff Champlin/CKC Properties, LLC to rezone Parcel 08-109-0016, a 9.88-acre parcel located at approximately 900 South 200 West from Agricultural A10 (10 acre minimum) to General Commercial (no minimum lot size).

Commissioner Luthi shared the concern regarding the narrow road and the truck traffic.

Ms. Phippen said Mr. Thornley's concerns, as well as road issues, will be addressed during the site plan approval stage of the process. The canal easement is recorded. She reminded the Commission that this is only a request for a rezone. Future development will be reviewed.

Commissioner Heaps advised that the Land Use Matrix determines the allowable uses in the General Commercial zone.

Chairman Soelberg said the rezone appears to fit with the future plans for the area.

MOTION: Motion made by Commissioner Heaps to recommend approval to the City Council to rezone Parcel 08-109-0016, a 9.88-acre parcel located at approximately 900 South 200 West from Agricultural A10 (10 acre minimum) to General Commercial (no minimum lot size). Commissioner Wright seconded the motion. Motion approved unanimously (7-0).

Vote
Aye: Luthi, Hancock, Heaps, Soelberg, Gibbons, Daniels, Wright

Discussion and consideration of a conditional use permit for Alpine Cleaning & Restoration, located at 177 S. Main. The application seeks to expand the conditional use permit currently in place to allow Alpine to act as a firearms dealer. (Applicant: John Moss/Alpine Cleaning & Restoration).

Bart Caley explained that this is a renewal process. After an incident (such as a fire or flood), personal possessions are brought to the warehouse to be stored, which can include firearms. The Bureau of Alcohol, Tobacco & Firearms requires a Federal Firearms License (FFL) for storage of firearms.

If firearms are damaged, they are replaced and the damaged property is auctioned off. There are a few occasions when firearms are sold to the homeowners, employees and licensed law enforcement officers and first responders. The sale of firearms is not to the public.

MOTION: Motion made by Commissioner Luthi to approve the request for a conditional use permit for Alpine Cleaning & Restoration, located at 177 S. Main to expand the conditional use permit currently in place to allow Alpine to act as a firearms dealer with the conditions that all regulations put in place by the Bureau of Alcohol, Tobacco & Firearms be strictly adhered to. The sale of firearms be limited to the current business practice and not be expanded to sell to the public. Firearms inventory kept on the site be under secure lock and key at all times, unless that specific weapon is being worked on. Commissioner Daniels seconded the motion. Motion approved unanimously (7-0).

Vote
Aye: Luthi, Hancock, Heaps, Soelberg, Gibbons, Daniels, Wright

Discussion and consideration of a conditional use permit for Tumble Bees, a children's tumbling instruction home-occupation, located at 358 Saddleback Rd. (Applicant: Saje Birky)

Saje Birky is planning on providing tumbling classes in her home one day per week, for a total of 4 hours. There will be between 6-8 students per hour. They will be putting in a pull-through drive; however, the current driveway can accommodate up to four cars.

Commissioner Gibbons said, based on previous discussions related to traffic on Saddleback Road, he would be in favor of the request, as long as drop-off/pick-up and parking is off the street.

Ms. Birky will encourage traffic to use 600 West when it is completed.

MOTION: Motion made by Commissioner Hancock to approve the request for a conditional use permit for Tumble Bees, a children's tumbling instruction home-occupation, located at 358 Saddleback Rd with the requirement that drop off be done either in the driveway or on the property and that classes be limited to three days per week with no more than eight students per class. Commissioner Wright seconded the motion. Motion approved unanimously (7-0).

Vote
Aye: Luthi, Hancock, Heaps, Soelberg, Gibbons, Daniels, Wright

Discussion and consideration of a conditional use permit for Learn & Play Pre-K, a home occupation preschool, located at 618 E 590 N. (Applicant: Kelina Heath).

Ms. Phippen explained that this is a corner lot with ample room for curbside drop off. Ms. Heath walks each child to/from the car to the preschool to ensure the safety of the students. No cars will be allowed to do U-turns in front of her home, they will need to turn around in the driveway or at the end of the cul-de-sac. The yard is fully fenced with an entrance to the preschool at the back of the home. Her plan is to hold classes three days per week for 2.5 hours in the morning.

MOTION: Motion made by Commissioner Hancock to approve the request for a conditional use permit for Learn & Play Pre-K, a home occupation preschool, located at 618 E 590 N with the requirement that all policies stated in her application, with respect to arrival and departure of students, be strictly adhered to. Commissioner Luthi seconded the motion. Motion approved unanimously (7-0).

Vote
Aye: Luthi, Hancock, Heaps, Soelberg, Gibbons, Daniels, Wright

Discussion and consideration of a conditional use permit for Summit Creek Place, LLC, a mixed-use project located at 451 N. Main (Applicant: Obodo Development)

Ms. Phippen explained that in reviewing the recently-approved subdivision, it came to staff's attention that a conditional use permit had not been put in place prior to the subdivision being presented to the Commission and Council. The City Attorney recommended, as a technicality, that the Commission formally grant a conditional use permit (this is in relation to the use and not the zone; the use is listed in the matrix as a conditionally-permitted use). The applicant will not be required to reapply for the subdivision.

Merlin Humphreys asked what was happening. Chairman Soelberg explained that this will be a 32-unit townhome subdivision. Mr. Humphreys asked when it would begin, Chairman Soelberg said it would be determined by the developer.

MOTION: Motion made by Commissioner Gibbons to approve the request for a conditional use permit for Summit Creek Place, LLC, a mixed-use project located at 451 N. Main with the requirement that the conditions and suggestions put in place as part of the subdivision approval be adhered to. Commissioner Hancock seconded the motion. Motion approved unanimously (7-0).

Vote
Aye: Luthi, Hancock, Heaps, Soelberg, Gibbons, Daniels, Wright

Workshop: Discussion of an ordinance regulating Master Planned Communities in the City of Smithfield.

Ms. Phippen provided a draft ordinance for review and discussion. Commissioner Heaps complimented her on putting all the information together in a clear format.

Page 1:

Commissioner Wright questioned the requirement for "attractive entrances" and said it would be difficult to define and enforce. He suggested either clarifying exactly what is desired, or removing it as a requirement. Commissioner Gibbons said it could be something with the name of the development. Mayor Barnes said there is a Senior Living development on 600 South that has a nice stone moniker at the entrance. Councilmember Wall said Stonehaven also has one. Commissioner Wright is not opposed to the idea, however, is concerned that it is a requirement. Chairman Soelberg suggested that if the entrance is a common open space area, it should be landscaped. Ms. Phippen explained that development is reviewed and approved at various stages. She suggested rather than including an "attractive entrance"; if the goal is for landscaping it should be required in the open space section (possibly a minimum percentage of landscaping). The Commission agreed to remove "attractive entrances" from paragraph 2.

Page 2-3:

Ms. Phippen included the current land use definitions for consideration. Because this will be a zone rather than an overlay she suggested changing Base Density (paragraph 5) to "The minimum number of residential units per acre of developable land outlined in this ordinance, prior to awarding any density bonuses".

Chairman Soelberg likes the current definition for a dwelling unit. Commissioner Heaps likes the element regarding "nonpaying guests". Ms. Phippen said there could be some concern that it might eliminate the option for an individual to have a roommate. She suggested not allowing accessory apartments in this zone, because it is already dense to begin with. The Commission agreed to use the existing definition of Dwelling Unit.

Ms. Phippen said definitions, once determined, will be put in the Title 17 Introduction so there is one set of land use definitions located in one central place.

Chairman Soelberg suggested allowing the definition of Multiple Dwelling "to be occupied by 3 or more families" instead of 4 as defined in the current definition. The Commission agreed with the suggestion for "3 or more families" rather than 4 on Multi-Family Dwelling definition. The Commission agreed to use the current definitions for Single-Family, Two-Family and Dwelling.

Commissioner Heaps asked if a parking lot aisle would be the same as an alleyway. Commissioner Wright explained that a parking lot aisle is the drive lane between parking stalls.

Commissioner Wright asked how "demonstrate excellence in architecture, site design and walkability" would be quantified. Ms. Phippen said it is subjective and is something that can be removed. Commissioner Heaps said it seems to indicate the importance of the expectations. Ms. Phippen changed the wording to read "Additionally, as part of the rezone request, the developer shall demonstrate to the City Council how the proposal addresses and fulfills the specific goals and values related to architecture, site design and walkability, which are found in the Smithfield City General Plan and the purpose statement of this Chapter".

Page 4:

Commissioner Wright recommended excluding "commercial uses" from the Primary Use section. The focus of this ordinance is residential, a commercial component can be achieved either through a rezone or using the Mixed-Use overlay.

Ms. Phippen asked for the Commission's thoughts on the percentage of single-family detached housing. Commissioner Wright said 60% had been discussed, it is also being limited by units/acre. The Commission's consensus was to use 60%.

Commissioner Wright recommended changing the net acreage from 6 to 4.5. He also questioned whether lot size minimums are necessary because it will be based on units/acre. Ms. Phippen said the most important thing is that setbacks are met. She will put together some sketches for further discussion at the next meeting regarding Section F - Lot Size Minimums.

Page 5:

Chairman Soelberg said sometimes lot widths can limit what can be done. Ms. Phippen said she can do some research on this point; depending on the layout of the parcel there may be opportunities where creative things can be done. She will find some examples from Independence at the Point, a MPC located in Bluffdale. Commissioner Wright is concerned with maintenance issues surrounding flag lots. Chairman Soelberg suggested restricting flag lots in this zone. Ms. Phippen said an inner block and/or infill component could require that access be a certain size and that it be contained in the ownership of the lots. Commissioner Wright said he would be willing to consider reducing the lot size to allow for flexibility, especially with irregular-shaped lots. Ms. Phippen pointed out the lots on the east side of 200 South in Logan (south of Center Street) as a good example. She will work on examples for the next meeting.

Mr. Bodily suggested coming up with appropriate side setbacks. Chairman Soelberg said 7.5' might be appropriate (allowing a 15' separation). The Commission agreed.

Page 6:

Ms. Phippen said there should be some caution, with regards to dwelling unit minimum size, to avoid tiny homes, so she added a ground floor minimum of 850'.

Commissioner Wright is opposed to regulating architectural elements. Ms. Phippen said the market will dictate this issue to a certain extent. The Commission agreed to remove the section about Architectural Materials.

Page 7:

Chairman Soelberg pointed out that trash is dictated by Logan City's Environmental rules. Ms. Phippen changed the wording to read "The placement of trash containers shall be reviewed and approved by the entity designated by Smithfield City to provide waste management services."

Ms. Phippen asked for thoughts on parking ratios. Mr. Bodily said currently the City requires 2.25 parking stalls per dwelling unit, he encouraged not reducing the parking requirement. Ms. Phippen said it is common to require parking based on the number of bedroom units in multi-family developments; the challenge is finding the right balance. Commissioner Gibbons recommended keeping what is already in place. Commissioner Wright asked about single-family detached developments. Ms. Phippen said the ratios listed are above what is provided, for example, most townhomes have 2-car garages and would still be required to provide for guest parking. Commissioner Wright asked about townhomes without garages. Chairman Soelberg suggested doubling the required number of stalls with no garage. Commissioner Wright likes the idea of parking based on bedrooms. There will be more discussion at the next meeting.

Commissioner Wright asked about the difference between open space and common space. Ms. Phippen said open space implies that it is commonly held. Commissioner Wright suggested 5% as a minimum; 25% could be difficult to maintain. Additional open space can be obtained through density bonuses. Chairman Soelberg said open space in the PUD ordinance did not specify that it be common space. Ms. Phippen will create a definition. The Commission agreed that the percentage should be based from the net, rather than gross, acreage.

Staff Report/Miscellaneous

Councilmember Wall informed the Commission of the Utah League of Cities & Towns Conference to be held September 11-13 in Salt Lake. He, Mayor Barnes and Councilmember Hunsaker will be attending. Commission members are welcome to attend on Thursday, September 12 (agenda was reviewed).

Ms. Phippen noted that BYU has an Urban & Regional Planning program that helps communities work on master planned elements. This may be an asset that can be taken advantage of in the future.

Beginning next month, the meeting time will change to 6:30 p.m.

MEETING ADJOURNED at 9:03 p.m.

Minutes submitted by Debbie Zilles

_____
Andrew Soelberg, Chairperson

_____
Attested: