Smithfield City Planning Commission
June 17, 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, June 17, 2015.** The following members were present constituting a quorum:

Chairperson	Jamie Anderson
Commission Members	Bryant McKay
	Curtis Wall
	Stephen Teuscher
	Doug Archibald
	Steve Edwards - arrived at 7:11 pm excused at 8:00 pm
Engineering Staff	Clay Bodily
Planning Staff	Jon Wells
Deputy Recorder	Char Izatt
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 7:06 p.m.

Opening Ceremonies: Norman Larsen

Visitors: Jon Hoy and Norman Larsen of CarSmart; Jeff Barnes-City Council member; Joee Witter of Phantom Fireworks; Don Barringer; Austin Birky; Diane Esplin of Trout Properties; Lane Parker of Smithfield Livestock Auction; Jeff Jackson of Ironwood Development Group; Nan & Lowdy King of Tout Properties and Brent Lawyer of Prestige.

Excused: Stacey Dority and Commissioners: Peter Krusi & Jackie Hancock

Resident Input

No resident input.

The commission discussed possibly moving the Planning Commission meetings to begin at 6:00 pm. Commissioner Archibald stated he could not attend the meetings if they begin at 6:00 pm

Commissioner Wall questioned the reason for the changed time.

Mr. Bodily explained they would be able to get done earlier. The council members had questioned why we waited until 7:00 pm.

All other commissioners were okay with either time.

Consideration of Consent Agenda
Minutes of the May 20, 2015 Planning Commission Meeting

Minutes were approved by consent, as written.

Joee Witter, agent for Big Bear of Utah "Phantom Fireworks" has requested approval of a commercial conditional use permit to allow a Fireworks stand (outdoor temporary tent & on-site metal storage container) to be located at 885 South Main Street. Zoned CC

Joee Witter introduced himself and stated that they have been looking for a place in Smithfield to set up his firework stand. He was contacted by the landlord of Dollar Tree and they would like to set up the temporary tent to sale consumer grade fireworks.

Chairperson Anderson clarified the application for the permit and confirmed that the highest amount of employees would be four from 10:00 am to 10:00 pm all days of the week starting from 6/26/2015 – 7/5/2015 and starting again 7/22/2015 – 7/24/2015.

Mr. Witter explained there isn't enough demand to sale in between holidays so they shut down on the fifth and open on the 22nd. They do stay open in the grocery stores but the tents become too hot and there isn't a lot of business so it is better to shut down.

Chairperson Anderson inquired if there was a need to contact the Fire Marshal about this.

Mrs. Izatt explained as soon as Mr. Witter gets the tent set up the Fire Department will go out and inspect things and then let her know it has been inspected and then the permit can be given.

Mr. Witter offered the information about the safety guidelines their company puts in place. Most cities use the Fire Marshal sign off as their ability to open.

MOTION: A motion was made by Commissioner Teuscher to grant the Fireworks stand (outdoor temporary tent & on-site metal storage container) to be located at 885 South Main Street. Zoned CC. The motion was seconded by Commissioner McKay. The voting was unanimous.

Commissioners voting in favor: McKay, Wall, Anderson, Archibald, Teuscher & Edwards.

Public Hearing to consider a request by Jonathan Hoy, agent for Norman Larsen of CarSmart for approval to allow an expansion of a structure occupied by a nonconforming use, located at 110 North Main. Zoned CB

The Public Hearing was opened at 7:15 pm

Jonathan Hoy introduced himself and stated CarSmart had outgrown the building they are currently in and would like to expand to the north and add a shop in the north part of their lot.

Chairperson Anderson clarified if it was just additional bays they were building.

Mr. Hoy replied yes. They will move the office from the existing building into the north building and make it larger.

Chairperson Anderson inquired if there was any public input.

No public input

The Public Hearing was closed at 7:16 pm

Commissioner Teuscher questioned if their building would be the same as the picture provided.

Mr. Hoy replied yes. The picture is of the Logan location and they will match it with the red stucco and stone bottom.

Mr. Wells had a question regarding the parking lot behind the new building. Where would the access road be?

Mr. Hoy explained the access will be north and will be all fenced in by the trailer park.

Chairperson Anderson reminded the commission this is a non-conforming use.

MOTION: A motion was made by Commissioner Teuscher to approve the request by Jonathan Hoy, agent for Norman Larsen of CarSmart for approval to allow an expansion of a structure occupied by a nonconforming use, located at 110 North Main. Zoned CB. The motion was seconded by Commissioner Edwards. The voting was unanimous.

Commissioners voting in favor: McKay, Wall, Anderson, Archibald, Teuscher & Edwards.

Don Barringer has requested approval of Barringer Minor Subdivision, a two (2) lot minor subdivision located at 354 Saddleback Road. Zoned RA-1

Don Barringer stated they have met all the requirements to move forward with the subdivision.

He had a meeting with Mr. Bodily and has a formal survey on the property.

Chairperson Anderson confirmed that Mr. Bodily was satisfied with all the completed conditions.

Mr. Bodily explained the road for the future 400 has been dedicated to the city and Mr. Barringer has designed the entire infrastructure. You can't make sewer run through a field so they are not requiring sewer. The second acre is .9 which will allow a 10% reduction.

Chairperson Anderson considered if the sidewalk requirement was going to be waived?

Mr. Bodily replied if you want to waive it you will need to forward the approval in your email.

Mr. Wells interjected along with the curb and gutter.

Commissioner McKay replied sewer, curb and gutter will have to be installed sometime in the future; Why wouldn't you install it right now?

Mr. Barringer explained in order to put in a city street with 60 ft. they would either have to take out all of the trees and the neighbors front yard or move it to the west when that property develops. In talking to Mr. Bodily, eventually the road will get realigned when the property develops across the way and at that time a sidewalk could be put in. We still think of ourselves as agriculture and we still have hay on the ground and bring equipment in and out and so for our purposes we wouldn't want to have a sidewalk there.

Mrs. Izatt inquired if the commission had noticed that the ordinance is attached to the application?

Chairperson Anderson replied yes.

Commissioner McKay asked Mr. Bodily if the city would have to incur the costs down the road when the sidewalk was put in?

Mr. Bodily replied yes that would be an expense the city would incur.

Mr. Barringer informed the commission he is a developer also and if he were to purchase the piece of ground across the way I'm sure the city would require him to put in the sidewalk there because that is where the extra room is. The road has to be realigned when the property is developed. He is sitting far enough off the road and has twenty year old trees he hates to take out as well.

Mr. Wells commented on the property across the street. The reason it wasn't developed along with the Park place subdivision is because the sewer won't drain that property. There was one home in the Park place subdivision that pumps the sewage out of their basement and there is another home that is way up out of the ground so they don't have to do that. Because the sewer doesn't drain he felt it will be a long time before that property is purchased. Park place was purchased by the same people who own the property we are discussing and they had worked out that they could put residential homes in that parcel. They would have purchased more property and extended the Park place subdivision further if they wouldn't have run into the drainage problem. That is why the Park place subdivision stops where it does. He further explained you would not be able to have basements there and even if you went one lot further or another 100 ft.

Mr. Barringer responded maybe it will stay undeveloped then.

Mr. Wells imagined it would be a long time before it is developed.

Chairperson Anderson called for other questions or comments on Mr. Barringer's proposal. He reminded the commissioners that the motion needed to include the fact that according to the ordinance we are choosing to waive the curb, gutter and sidewalk for that area.

MOTION: A motion was made by Commissioner Archibald to approve the request by Mr. Barringer for a two (2) lot minor subdivision (Barringer Minor Subdivision) located at 354 Saddleback Road with a proposal to waive the curb, gutter and sidewalk for that area. The motion was seconded by Commissioner Wall. The voting was unanimous.

Commissioners voting in favor: McKay, Wall, Anderson, Archibald, Teuscher & Edwards.

Ironwood Development Group, LLC, agent for Real Estate Investment Vehicle 1, LLC & Ironwood Development Group, LLC, for approval of the Final Plat (11 Lot) Black Rock Commercial/Industrial Subdivision, located at approximately 75 West 800 South. Zoned CC (Commercial Community) & GC (General Commercial)

Mr. Jeff Jackson explained as far as the development goes not a lot has changed from last month. The detail that will be different is they have addressed the storm drain and how they would take care of that. He has worked with Paragon Medical where there is no storm drain outlet to the south until pump house road gets extended and improved. They have designed their storm drain to retain the 100 year storm on their site and the only water that would exit their site is any time over the 100 year flood which is standard. There shouldn't be any time the water exits their site. He showed an overflow they had designed that if they did go over the 100 year flood it would sheet out over Paragon Medical's ground that is back behind their building and they are fine with it and Paragon Medical will write a letter stating their position.

Chairperson Anderson questioned what the distance was from the overflow to Paragon's building.

Mr. Jackson responded about 500 – 600 ft. from their building. It should never be a problem. He knows that it is temporary and when pump house road is developed from the south then their system is designed to tie into that system. That is the only engineering challenge on this side. Other than that it is just extensions of existing utilities. He has visited with Mr. Lane Parker, from the auction, on his concerns and they will be working together on the manhole on lot 5. They stop the sewer on the south end of lot 5. He is working with Mr. Parker to extend that sewer to 700 south so when he moves forward with a development in the future he will be able to tie into it.

Chairperson Anderson inquired where the contour of the land would take the water.

Mr. Jackson responded the contour will shift the water further west before it ever gets to Paragon Medical.

MOTION: A motion was made by Commissioner Wall to approve the Final Plat (11 Lots) for Black Rock Commercial/Industrial Subdivision, located at approximately 75 West 800 South. Zoned CC (Commercial Community) & GC (General Commercial). The motion was seconded by Commissioner Teuscher. The voting was unanimous.

Commissioners voting in favor: McKay, Wall, Anderson, Archibald, Teuscher & Edwards.

Jeff Jackson, agent for Ironwood Construction LLC, has requested approval of a commercial conditional use permit to allow any new building being constructed at Black Rock Commercial Subdivision, located at approximately 100 West 800 South, to use metal insulated panels on the exteriors of the new buildings. Zoned CC (Commercial Community) & GC (General Commercial

Mr. Jeff Jackson produced siding products they are considering using. He feels there is a big push to move away from stucco. He wants permission to use other things than just the insulated metal panel. The condition for the zone was to remove the galvanized metal. The product he showed was a lot better than stucco as well. On the bottom is the adobe or stucco texture and on the top is more of a flat panel. It gives you a modern contemporary look on the top and more of the adobe stuck look on the bottom. There is a choice of colors. He showed 4 colors they are considering using. They have bold colors available but they will stay with earth tones.

Chairperson Anderson assessed from a code standpoint such as earthquake are they all squared away.

Mr. Jackson replied yes

Commissioner McKay replied there had been discussion last month that there might be rock or brick on the buildings to make it look nice is that still a possibility.

Mr. Jackson responded on the building they are designing right now it has not been talked about. They will still have traditional stucco on the front. The look they are going for is temporary or modern. When you start putting brick and rocks into that design it doesn't give the same effect. There will definitely be buildings that have rock and brick but not this first one.

Commissioner Teuscher asked about the durability of the product. Will it look nice long term?

Mr. Jackson mentioned the steel on a flat panel is a 22 gauge steel if you go with adobe texture it is a 26 gauge steel. It is good heavy steel. If a vehicle runs into it there will be a dent but as far as durability it will hold up better than traditional stucco.

Commissioner Archibald declared this is the same panel Lower Food's used on their buildings and it has been there for a long time.

Mr. Jackson informed the commission you can replace panels due to accident or damage to keep things looking new.

Commissioner Archibald inquired what type of business the buildings would be used for.

Mr. Jackson reminded him the target is retail/warehouse. There is a push with the internet where there is a lot of shipping and warehousing needs but a need for a retail store up front. That is the businesses he feels they will attract. He can't say for sure there won't be manufacturing but if they do it will be light manufacturing.

Commissioner Wall really liked the product.

Chairperson Anderson stated they are setting precedence with this siding product for any other businesses that would like to build, they could use this product.

Mr. Wells clarified that this product will be used throughout the entire subdivision.

Mr. Jackson would add that when talking to Mr. Wells there is still an element of design review that needs to go through the staff.

Chairperson Anderson just wanted to make sure that if anyone else wanted to build this type of building we would have to allow the use of this same material.

MOTION: A motion was made by Commissioner Wall to approve a commercial conditional use permit to allow any new building being constructed at Black Rock Commercial Subdivision, located at approximately 100 West 800 South, to use metal insulated panels on the exteriors of the new buildings. Zoned CC (Commercial Community) & GC (General Commercial. The motion was seconded by Commissioner McKay. The voting was unanimous.

Commissioners voting in favor: McKay, Wall, Anderson, Archibald, Teuscher & Edwards.

Continuation of the request by Lowell & Nanette King, agents for Tout Properties LLC, to amend the Preliminary Plat for Apple Creek Commercial Subdivision located approximately between Main St & 150 East and 800 South & 1000 South. Zoned GC (General Commercial) and CC (Community Commercial)

Mr. Lowell King explained they have changed a lot.

Chairperson Anderson clarified that phase 3 has now become lot 9, 10 and 11.

Mr. King mentioned those are the lots they need a final approval on. When it is done they will have to put in curb, gutter and storm drain and they will have to go across the road to 900 south and put in a drain in for phase 4 lot 12. Because they split the lots they will have to run a drain down to the corner. Now they need the approval.

Chairperson Anderson reminded them the curb and gutter was the hold up last time. Is everything okay with the curb and gutter this time?

Mr. King explained they dropped the lot because it is too much money and they can't do it now. The mall is only half rented and they haven't had enough income to do anything anyway. He decided he wasn't going to give all the money to the city. Maybe if he can get the lots approved this way he can sell it to a developer and let him accommodate the requests.

Chairperson Anderson questioned if he was developing lot 9.

Mr. King replied no he wants to sell any one of them.

Chairperson Anderson called for questions from the staff members.

Mr. Bodily wanted to make sure Mr. King understood this was a preliminary and he would have to come in for the final.

Mr. King was aware this was a preliminary.

Mr. Wells reminded Mr. King he has two years to get the lots sold.

Mrs. Izatt informed Mr. King if they don't record the final plat it will also default. It needs to be recorded in 6 months' time.

Mr. King summarized a person can buy the whole property or it can be split up into thirds. It depends on the footage and what they are building and how much they can afford. This allows the option to sale smaller pieces. Originally they were set up to 100 x 300 and that was about 20 years ago. It went all the way down to 10th south. On the (formally) Paragon buildings we put two lots together.

MOTION: A motion was made by Commissioner Teuscher to approve the Preliminary Plat for Apple Creek Commercial Subdivision located approximately between Main St & 150 East and 800 South & 1000 South. Zoned GC (General Commercial) and CC (Community Commercial). The motion was seconded by Commissioner Archibald. The voting was unanimous.

Commissioners voting in favor: McKay, Wall, Anderson, Archibald, Teuscher & Edwards.

The Commission will continue review & discussion of the Sign Ordinance: Sections 17.36.040; 17.36.050; 17.36.060; 17.36.070; 17.36.080 & 17.36.090.

Commissioner Teuscher read over the ordinance and felt it was in order.

Chairperson Anderson felt they had already covered the flag and flagpole a few months ago. Commissioner Edwards questioned what the decision was on the flag pole ordinance.

Chairperson Anderson clarified you can have three flag poles.

Commissioner Wall was interested if there were any concerns about the fireworks business that was approved today.

Mrs. Izatt replied he can only advertise right by his tent.

Mr. Wells interjected he is limited to that special events or temporary permit.

Mrs. Izatt mentioned he is limited to temporary signage permit. He can have signage on his tent but they can't go off premise and put them all over Main street. She felt there was adequate room for signage.

Commissioner Teuscher questioned if the Bullfrog Spa's wrapped truck counts as a temporary sign.

Commissioner Archibald had the same question if they pull in with a truck and trailer with the business name on it.

Mrs. Izatt summarized where this is a temporary business it is okay for trucks, trailers and signs close to the tent. The city is negotiable; they just like to know what the business owners are doing. She talked about how Smithfield Implement comes in for temporary signage during their sales. People can get really out of hand with signage. There has to be some type of control to keep a clean Main Street.

Chairperson Anderson inquired if there were questions on the grand opening and closing signs. 14 days before the event and signs removed 7 days after the event. It states the total time limit of 30 days but that doesn't add up to 30 days.

Mr. Wells explained that allows advertising before the two week period they are beginning the grand opening.

Chairperson Price moved to section 70 on prohibited signs. He questioned the "Go slow Children Here" signs, are they covered under this ordinance.

Mr. Wells felt they would be a permitted sign, under letter D on the first page. That sign would be considered there along with handicapped child.

Commissioner Archibald inquired who brings this to the city's attention.

Mr. Wells said a lot of times it is brought to their attention through employees of the city and they go investigate and contact the person over the signs.

Mrs. Izatt usually contacts the person dispersing the signs and lets them know the signs need to be removed or if the city removes the sign they try to contact the person and let them know where they are. For a time there was a big problem with the singles.com signs. The number did not get you to a person so they ended up collecting all of those.

Chairperson Anderson moved to section 70 paragraph F and asked if that is where a better definition for a car wrap would be placed.

Mrs. Izatt placed the definition of a car wrap in the definition section as discussed but it could be addressed again in this area. She inquired if he wanted to strike F out of that section.

Chairperson Anderson didn't want to strike it out however he felt the need to define what they will allow and what will not be allowed. Paragraph F has bearing on what is allowed on the sides of the streets. Or maybe we refer paragraph F back to what was stated in the definition for clarification.

Commissioner McKay inquired about fundraisers with the posters on the car advertising a car wash. Does the city get involved with that?

Mrs. Izatt replied not with fundraisers but the City does with the one day events.

Chairperson Anderson assessed if any changes needed to be made in the ordinance. He was okay with the advertising on buses and he mentioned it might be good to add you can't park a vehicle for the purpose of advertising.

Commissioner Teuscher was in agreement.

Commissioner Archibald discussed the process for food vendors in receiving permits. They can't just park on the road can they?

Mrs. Izatt replied no the food vendors can't park on the road. They come in and receive a permit and let us know where they will be located. They usually work out a lease with the business they work in front of. They also list the hours of operation. The bigger cities have the manpower to check out the vehicles for the backup lights and signals. The Health Department gets in there and regulates. Here we check out as much as we can and when they comply we allow them to open up.

Chairperson Anderson summarized with the few changes discussed he thinks they will be okay. For the next meeting lets discuss sections 100-150. Section 155 is about EMDs and that may be its own discussion.

Commissioner Wall reminded the commission when they discuss the EMDs Matt Redd with Sign Pro would be a great resource to learn from.

Mrs. Izatt will contact Mr. Redd for a discussion possibly in July.

ADJOURNMENT

MOTION: A motion was made by Commissioner McKay to adjourn the meeting at 8:06 pm. The motion was seconded by Commissioner Teuscher. The voting was unanimous.

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

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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, June 17, 2015 in the Smithfield City Council Chambers, 96 South Main**, Smithfield, Utah.

7:00 p.m. Opening Ceremonies

Agenda items:

1. 7:01 p.m. Resident Input

2. 7:06 p.m. Consideration of Consent Agenda
Minutes of the May 20, 2015 Planning Commission Meeting

3. 7:08 p.m. Joee Witter, agent for Big Bear of Utah "Phantom Fireworks" has requested approval of a commercial conditional use permit to allow a Fireworks stand (outdoor temporary tent & on-site metal storage container) to be located at 885 South Main Street. Zoned CC

4. 7:15 p.m. **Public Hearing** to consider a request by Jonathan Hoy, agent for Norman Larsen of CarSmart for approval to allow an expansion of a structure occupied by a nonconforming use, located at 110 North Main. Zoned CB

5. 7:20 p.m. Don Barringer has requested approval of Barringer Minor Subdivision, a two (2) lot minor subdivision located at 354 Saddleback Road. Zoned RA-1

6. 7:30 p.m. Ironwood Development Group, LLC, agent for Real Estate Investment Vehicle 1, LLC & Ironwood Development Group, LLC, for approval of the Final Plat (11 Lot) Black Rock Commercial/Industrial Subdivision, located at approximately 75 West 800 South. Zoned CC (Commercial Community) & GC (General Commercial)

7. 7:35 p.m. Jeff Jackson, agent for Ironwood Construction LLC, has requested approval

of a commercial conditional use permit to allow any new building being constructed at Black Rock Commercial Subdivision, located at approximately 100 West 800 South, to use metal insulated panels on the exteriors of the new buildings. Zoned CC (Commercial Community) & GC (General Commercial

8. 7:40 p.m. Continuation of the request by Lowell & Nanette King, agents for Tout Properties LLC, to amend the Preliminary Plat for Apple Creek Commercial Subdivision located approximately between Main St & 150 East and 800 South & 1000 South. Zoned GC (General Commercial) and CC (Community Commercial)

9. 7:50 p.m. The Commission will continue review & discussion of the Sign Ordinance: Sections 17.36.040; 17.36.050; 17.36.060; 17.36.070; 17.36.080 & 17.36.090

10. 8:00 p.m. **ADJOURNMENT**

Posted this 12th day of June 2015 at the Smithfield City Offices, City Web Page and the Utah Public Meeting Notice web site. Notice provided to The Herald Journal this 12th day of June 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.