** PLANNING COMMISSION MINUTES**

**April 10, 2018**

The meeting was called to order at 7:00 p.m. by Commission Chair Trevor Wood. Commission Members attending: Trevor Wood, Art Adcock, Kylie Lance, and Jessica Tolman

Others present: Community Development Director Jason Bond, and EIT Jon Lundell.

**Invocation/Inspirational Thought:**

Commissioner Adcock offered an invocation.

**Pledge of Allegiance:**

Commissioner Lance led the pledge of allegiance.

**Public Forum:** Commission Chair Wood opened the Public Forum at 7:03 p.m. and closed it at 7:03 p.m.

**Secondary Access Request:**

Mr. Bond explained that this proposal is for a secondary driveway access at 931 Valley View Drive. The applicant is proposing to locate it on the North Side of their property. Mr. Bond explained that City ordinance requires a drive way access to be at least 20 feet from the neighboring driveway. If the applicant is able to meet this restriction, there are no other issues with this proposal meeting the ordinance.

The applicant Mitzi Macleod explained that her updated plans curve the driveway in order to meet the 20-foot requirement.

Commission Chair Wood informed the attending public that 30 minutes of public input will be allowed for residents to voice their opinions.

**Public Input:**

Brian Burke stated that he owns the property adjacent to Ms. Macleod. He asked if Ms. Macleod has the required 20 feet on either side of the proposed driveway. Commission Chair Wood confirmed that there is enough space to meet the required 20 feet on either side. Mr. Burke explained that he didn’t receive the Public Notice for this request and is concerned that he wasn’t notified. He stated that this will affect where he can push snow in the winter. Mr. Burke stated that he is concerned about a gas meter that is close to the proposed driveway. He stated that he doesn’t feel that there is enough space to safely park an RV by the gas meter. He also stated that the property line between their homes needs to be determined.

Mary-Elizabeth Mcsorley stated that she lives to the South of Ms. Macleod. She expressed concerns about the possible effects on the neighborhood such as traffic, and environmental impacts due to the slope to the back of the property. She asked if engineering needs to be done in order to prevent drainage Issues. She stated that there are a lot of children in the area and is concerned about an increase in vehicles. Ms. Mcsorley asked what the next step of this project will be. Mr. Bond explained

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that secondary driveways require a conditional use permit from the Planning Commission. If the Planning Commission approves it, the project can begin after that. Ms. Mcsorley asked if this project will need to be engineered. Mr. Bond explained that any retaining wall over 4 feet will require engineering.

Marilynn Pickard asked if the Planning Commission is aware of the Summit Ridge HOA requirements. She explained that they require motor homes to be parked behind a fence, and set back from the home. Ms. Pickard is concerned that if this project isn’t engineered correctly it may cause flooding.

Mitzi Macleod responded to some of the mentioned concerns. She stated that there is 25 feet from the gutter to the driveway. She explained that she is careful driving her RV, and stated that she purchased this home with the understanding that she could install a second driveway. She explained that she doesn’t have enough space to have the driveway on the South side of her home. Ms. Macleod stated that she plans to install an engineered gutter for proper draining, and will ensure that the property line is determined and maintained.

Brian Burke stated that he would like to see a copy of the engineered plans before the work begins. He also asked who enforces engineering standards. Mr. Bond explained that when the engineered plans are submitted the building official will review them. Residents may come to the City offices and request to view the plans. Mr. Bond explained to Mr. Burke that public notifications are sent based on information from the Utah County Parcel map. He explained that the Burke’s mailing address on the Utah County website is listed in Payson and so the notice was sent there. Mr. Burke asked how the 20 feet between driveways is measured. Mr. Bond explained that it is measured from access to access.

Nellyn Burke stated that she is concerned that the secondary driveway will create a blind driveway for her home and impact the safety of the neighborhood. She expressed concern about possible drainage issues because Ms. Macleod’s property slopes towards hers. Mr. Lundell read the email that Ms. Burke sent to the Community Development Department regarding her concerns. The Letter mentioned the following concerns; Drainage issues, safety hazards if the slope is not properly engineered and retained, issues with snow removal, gas line being too close, and the removal of mature trees near their property line.

Mr. Lundell explained to Ms. Burke that Ms. Macleod will be responsible for her storm drainage. He stated that any retaining wall over 4 feet must be engineered. Mr. Lundell explained that snow removal and gas line issues are addressed through the 20-foot requirement.

Roy Davey explained that he works in construction, and believes that this project can be done correctly. He stated that most of the questions and concerns will be answered by an engineer, and that a drain can be installed to correctly divert the water from the neighboring yard.

**Commission Chair Wood closed the Public Input period at 7:33 p.m.**

Commissioner Lance asked Ms. Macleod if anyone will be living in the motor home. Ms. Macleod replied that no one will be living in the motor home. Commissioner Lance asked if she is planning to put up a fence. Ms. Macleod stated that she needs to install a fence in order to meet HOA requirements. She also

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explained that she is planning to keep as much of the existing landscape as possible. Commissioner Adcock asked what the distance is from the back corner to the front corner. Mr. Bond stated that it’s around 38 feet deep. Commissioner Adcock asked Ms. Macleod if she plans to install a barrier around the gas meter. Ms. Macleod stated that she wants to install a barrier to prevent any accidents. Commissioner Lance suggested that there is something in between the driveways to mitigate the flooding.

Commissioner Wood asked Ms. Macleod to address the slope in the back corner of the home, and asked her if it will require retaining. She answered that it will require retaining, but she doesn’t know if it will be 4 feet tall or not.

Commissioner Wood explained that this is an administrative decision, and the Planning Commissions job is to ensure that the plans meet City Code. Commissioner Lance stated that the driveway being angled should help maintain the line of site for the neighboring driveway. She asked if the revised plan meets City Ordinance. Mr. Bond stated that it does, and that the City will monitor the curb cut.

**Motion:**

Commissioner Lance motioned to approve the secondary driveway proposal for Mitzi Macleod, subject to the proposal meeting the Cities current ordinance. Commissioner Tolman seconded.

**Roll Call Vote:**

Commissioner Adcock Aye

Commissioner Tolman Aye

Commissioner Wood Aye

Commissioner Lance Aye

The vote passed unanimously 4 to 0.

**Parking Lot Access Requirements Amendment:**

Bruce Fallon of WPA Architecture explained that City ordinance currently requires two access points for parking lots that have 20 parking stalls or more. He is proposing to base the requirement off of use rather than the number of parking spots. Mr. Fallon presented a chart of rough numbers, of traffic trips generated per day by buildings of a similar size; office building 60 trips, medical building 106 trips, shopping center 786 trips, and fast food 2356 trips.

Mr. Fallon stated that Provo City requires 2 access points if the building generates 250 or more trips per day.

**Public Hearing:**

Commissioner Wood opened the public hearing at 7:46 p.m. and closed it at 7:46 p.m.

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Commissioner Adcock asked if the new criteria would be applied if the building expands in the future. Mr. Fallon explained that once the extension is built they will provide additional parking and a second access point to the South. Commissioner Adcock stated that he is concerned that if the secondary access is not a requirement upon expansion it won’t happen.

Mr. Bond stated that an ordinance amendment will impact the entire City not just Central Valley Medical Center. He explained that Mr. Fallon attended a DRC meeting, and the DRC felt that this proposal makes sense.

Commission Chair Wood stated that he likes the proposed language, he asked if the usage of a building were to change what standard it will be held to. Mr. Bond explained that if the usage is changed the higher standard must be met.

Commission Chair Wood asked how basing access points off of usage rather than parking spots will work if traffic is consolidated at one time of day (for example a commercial daycare). Mr. Bond stated that every use is different and trip calculations factor this in.

Commissioner Lance asked if one access point can accommodate two vehicles at once, one coming in and the other going out. Mr. Lundell stated that the access point must be at least 26 feet wide to meet fire code, and is adequate to handle two cars at once.

Proposed language:

“Any Development with a single point of access (ingress and egress) shall have a maximum ADT (Average Daily Trips) of two hundred fifty (250) trips. Any development that exceeds an ADT of two hundred fifty (250) trips shall provide a secondary access for ingress to and egress from the site.”

Current Language:

“Any development which will have a parking area which is designed to accommodate more than twenty (20) vehicles shall provide a secondary access for ingress to and egress from the site.” (Ord. 07-01-2016, 7-6-2016, eff. 7-7-2016)

**Motion:**

Commissioner Lance motioned to forward a positive recommendation to the City Council to approve the proposed verbiage for Parking Lot Access Requirements. Commissioner Tolman seconded.

Roll Call Vote:

Commissioner Adcock Aye

Commissioner Tolman Aye

Commissioner Wood Aye

Commissioner Lance Aye

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The vote passed unanimously 4 to 0.

**Application for a Major Home Occupation:**

Mr. Lundell explained that this conditional use permit request is tied to a business license application submitted by Ted and Linda Kenison for a home business located at 390 N. and 100 W.

Ms. Kenison explained that there is an existing accessory building that they would like to run their business from. It is an 1800 square foot building.

Commissioner Lance asked if there will the animals be onsite. Ms. Kenison answered that there won’t be animals on the property. She explained that they have done that in the past, but have decided that yarn is more profitable. She stated that they will be closing on the property in the next two weeks. The accessory building will be used as shop space for the yarn making. She explained that there is no foot traffic for their business, and no store on site. The materials are either mailed or delivered by UPS.

Commissioner Lance asked how many employees they will have. Ms. Kenison stated that currently she and her husband are the only employees. Commissioner Adcock asked if they plan to have more employees in the future. Ms. Kenison answered that they may have one or two at the most.

Commissioner Adcock asked if this will be a minor or major home Occupation. Mr. Lundell explained that because they are requesting additional square footage in an accessory building it will be classified as a major home occupation. Commissioner Adcock asked if this business will create noise. Ms. Kenison stated that the spinner is slightly louder than a vacuum cleaner. Commissioner Adcock asked if there are any fire hazards. Ms. Kenison answered that the yarn is not flammable.

Mr. Lundell explained that they will be required to meet applicable building, and fire codes associated with a business license. Ms. Kenison stated that they need to run water, sewer, and gas lines to the accessory building. Commissioner Lance asked how big the lot is. Ms. Kenison answered that it’s .45 of an acre.

Mr. Lundell explained that the sewer lateral will need to connect before it reaches the house. One water meter can service both the home and accessory building. Mr. Lundell stated that staff is recommending that a grease trap is added. Ms. Kenison stated that alpaca wool doesn’t produce grease. He explained that this will need to be confirmed with building official and public works.

Mr. Lundell explained that staff recommends that the Planning Commission approves as requested based on the findings.

**Motion:**

Commissioner Adcock motioned to approve the conditional use permit for Crooked Fence based on staff’s recommendations; that it meets the requirements of title 10, a grease trap is added to the sewer lateral if necessary, and that they meet applicable building and fire codes. Commissioner Tolman seconded.

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Roll Call Vote:

Commissioner Adcock Aye

Commissioner Tolman Aye

Commissioner Wood Aye

Commissioner Lance Aye

The vote passed unanimously 4 to 0.

**Home Occupation Ordinance Amendment Review:**

Mr. Bond explained that he wants to make sure that the language reflects the Planning Commission’s recommendation. Mr. Bond explained that none of the language has changed. He stated that the height language was removed and instead states that vehicle height may not exceed 11 feet. He explained that this was changed, because of staff’s findings regarding box truck measurements. He explained that a CDL license isn’t required until 26,000 GVW so this language has been removed.

Commissioner Adcock clarified that no fence is required for a truck that is 11 feet high or less. Mr. Bond clarified that a truck that is 11 feet high or less will be classified as a minor home occupation and will not require a fence.

Mr. Bond explained that a change was made to update language stating that the City Council reviews home occupations, since that is no longer the case.

Commissioner Wood stated that Commissioner Adcock would like to see a motion since there has been a change in language.

**Motion:**

Commissioner Adcock motioned to forward a positive recommendation to the City Council to accept the amendment to the Home Occupation Ordinance. Commissioner Tolman seconded.

Roll Call Vote:

Commissioner Adcock Aye

Commissioner Tolman Aye

Commissioner Wood Aye

Commissioner Lance Aye

The vote passed 4 to 0.

**Approval of Minutes:**

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Commissioner Adcock motioned to approve the minutes from March 27th 2018. Commissioner Tolman seconded. The vote was unanimous in the affirmative.

**Planning Commission Business:**

Mr. Bond stated that the accessory buildings on a corner lot amendment was approved by the City Council. Centennial Park received preliminary approval from the City Council.

Mr. Bond stated that the City is working with the LDS church for their new church building on 4th East. Commissioner Lance asked if the road will be completely finished. Mr. Bond explained that the frontage of the church property isn’t the entire length of the road. He stated that the road will be finished across the entire frontage that the church owns.

Mr. Bond stated that CVMC and Crabby’s to Go are moving forward. Commissioner Adcock asked if there is any definitive news on the grocery store. Mr. Bond stated that there isn’t an update.

Commissioner Lance asked if Bella Vista has submitted an application. Mr. Lundell explained that the Planning Commission reviewed Bella Vista a few years ago and it received Preliminary approval from the City Council. There is a new owner under contract that doesn’t feel that the approved townhomes are applicable. He stated that they are looking at building single family homes instead. Mr. Bond explained that they will be meeting with the new Owner on Thursday to discuss this further.

Commissioner Adcock stated that he won’t be in attendance at the next Planning Commission Meeting. Mr. Bond stated that he won’t be in attendance at the next meeting either. He stated that the agenda for the next meeting is fairly light and the meeting may be cancelled. Mr. Bond asked that Planning Commission members give at least 48-hour notice if they won’t be in attendance. Commissioner Lance stated that she won’t be in attendance on the 24th.

Commissioner Lance asked for an update on the soccer fields. Mr. Lundell stated that it is in design phase with the goal of beginning construction this year. Commissioner Wood asked if there is a deadline. Mr. Lundell explained that the deadline isn’t for a few years.

**Adjournment:**

Commissioner Tolman motioned to adjourn at 8:33 p.m.

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Trevor Wood, Commission Chair Kira Petersen, Deputy Recorder