



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, September 20, 2017

The following members were present constituting a quorum:

Chairperson: Jamie Anderson
Commission Members: Mindy Spackman
Jackie Hancock
Wade Campbell
Stephen Teuscher
Casey McCammon
Andrew Soelberg

Excused: Bart Caley

City Engineer: Clay Bodily
Deputy Recorder: Charlene Izatt
City Councilmember: Curtis Wall

Notice was provided to the Herald Journal, delivered to each Commission member and posted at the City Office Building, on the Smithfield City webpage and the Utah Public Meeting notice website.

The meeting was called to order by Chairperson Anderson at 7:00 p.m.

Opening Ceremonies: Scott Madsen led the Pledge of Allegiance.

Attendance: Monte McCulloch, Brian Lyon (Alliance Consulting Engineers), Jeanne Nielsen, Bruce Godderidge, Cy Nielsen, Lindsay & Scott Madsen, Julie Godderidge, Jeanne Sorensen, Jeff Barnes (City Councilmember), Debbie Zilles

Agenda Items

Resident Input: Scott and Lindsay Madsen explained that they have been working with Ms. Izatt and Mr. Bodily about meeting all the necessary conditions and ordinances for a temporary business license for a soda shack to be located at 965 South Main. They currently have one (The House of Pop) located in Preston, ID, which has been great for the community and they are excited to open one in Smithfield. Ms. Madsen advised that they would like to use a shipping container as the structure with a trendy, contemporary-style design. She distributed proposed drawings regarding the aesthetics, materials and

design for the idea and wanted to ensure that this type of structure could be approved in the Gateway Overlay. Chairperson Anderson asked if this would be a temporary or seasonal business. Ms. Madsen said it would be open annually (except for Sundays and holidays) but the license would be considered temporary and would have to be renewed yearly. She confirmed that they will not be using the existing building that is located on the lot. The proposed structure would meet the appropriate setbacks of the location and help clean up the area. Building materials can be adjusted if necessary.

Ms. Izatt advised that there is a current ordinance related to pods, which are allowed in commercial zones; the design/materials of the structure in the Gateway Overlay would be the biggest issue. This project will be on a future agenda for consideration; moving the pod to this location will require approval of a Conditional Use Permit.

Mr. Bodily emphasized that this project would be considered under a “temporary” business license because each building requires its own sewer/water main connection and this will be a movable structure and not permanently located.

Mr. Madsen said they want to ensure, before they invest in the project, that it will be allowed to operate for more than one year. Chairperson Anderson said it would have to be approved annually. Ms. Izatt said she will work with Cache County on more specific details. Chairperson Anderson said as long as the project meets the conditions related to the use and abides with all the City ordinances, he does see a reason that the license would be revoked.

Mr. Madsen asked if they could begin with the logistics of the project by moving the container to the site and begin retrofitting prior to the next meeting. Councilmember Wall said that could be problematic if done prior to an approval and proper licensing in place.

Consideration of Consent Agenda and minutes of the August 16, 2017 Planning Commission Meeting: After consideration by the Planning Commission, Chairperson Anderson declared the consent agenda for the September 20, 2017 meeting approved and the minutes from the August 16, 2017 meeting to stand as submitted.

PUBLIC HEARING to consider a request by Premier Trademark Properties LLC, agent for the Pitcher Family Land LLC, for a rezone of property located at 250 East 600-800 South from A-10 (Agricultural-10 Acre) to R-1-10, (Single Family Residential 10,000 sq. ft.), Ordinance #17-17, Parcel #08-117-0004, 12.18 Acres.

Public Hearing opened at 7:19 pm

Brian Lyon, from Alliance Consulting Engineers, referenced the letter that was distributed to the Commission prior to the meeting from Ryan Roger, North Ridge Development LLC. He advised that the request for the rezone to R-1-10 is in line with the Future Land Use Map designation for this area to be developed as residential.

Bruce Godderidge submitted a letter to the Commission prior to the meeting. He asked the Commission to consider the green and open space in the area. The increase in multi-family housing seems to be driving residents out of Smithfield. He also noted

concern regarding traffic, especially along 600 South, which is already bottlenecked and congested. He encouraged controlled and concise growth and development that is best for the City and not just good for a developer. Maintenance for high-density housing drains available resources.

Jeanne Nielsen, submitted a letter prior to the meeting, agreed with Mr. Godderidge's remarks. When she purchased her property, there was an agreement made that the property would not be subdivided and they have kept their end of that bargain and sacrificed to keep the area open. She works with the Cache County School District and noted that the school system is already crowded; adding more homes in this area will not help. She asked the Commission to carefully consider the concerns of residents.

James Burt, lives below 250 East on a 1/4-acre lot. He does not want to see 1/8-acre lots developed on this site. This community is surrounded by townhomes and apartments and he is considering moving because he is feeling "squished". He agreed with the remarks that have already been expressed.

Monte McCulloch lives south of the site and moved from North Logan to Smithfield for the open space feel. He has lived here for 14 years, considers this his "dream property" and would not like to see the area changed. He asked the Commission to carefully consider the concerns that have been shared and do what they think is best.

Public Hearing closed at 7:26 p.m.

Commissioner McCammon asked if this request is similar to the original plan submitted years ago. Chairperson Anderson said his recollection was when the property purchased by the LDS church was subdivided, the area to the south was left open for future residential development.

Chairperson Anderson noted that the minimum lot size in the R-1-10 zone is 10,000 SF, which is just under .25-acre.

Commissioner McCammon pointed out that this would be similar to what is to the west, which is R-1-10. Chairperson Anderson clarified that the Smithfield City boundary line is located where the property ends, just south of the LDS church lot; east of the development is Cache County property.

Chairperson Anderson said he would prefer (on a future proposed plan) to see double-frontage lots along 250 East (similar to the west side of street), however, this concern can be addressed if the project moves forward. He pointed out that this request is only for a rezone of the property. The letters that have been submitted seem to suggest that adjacent residents are opposed to an R-1-10 designation and would prefer lower-density. He asked how many dwelling units per acre are allowed in this type of zone. Ms. Izatt explained that it is based on the acreage and not per unit. The Future Land Use Map does designate low, medium and high-density residential areas. Chairperson Anderson pointed out that the majority of Smithfield is within the MDR (Medium Density Residential) designation (which would include both R-1-10 and R-1-12). His opinion is that this would be in compliance with where future growth should occur. Development

is driven by land owners and what is allowed within the zone where property is located. Chairperson Anderson pointed out that the Future Land Use Map identifies future annexed areas and designations. The City spent 6-9 months updating the Master Plan last year and determining land uses. There were several public hearings throughout the process. Ms. Nielsen asked if the Master Plan was legally noticed. Chairperson Anderson said all the meetings were noticed appropriately.

Commissioner Spackman noted that the residents who commented tonight seemed to be more amenable to a less dense zone than what is being proposed.

Commissioner Hancock would prefer this area zoned to R-1-12 rather than R-1-10.

Commissioner Campbell pointed out that during one of the previous Master Plan meetings he made the comment that people like the open area in Smithfield. No other public members voiced any opinions and the plan was developed/approved. That was the time where key decisions were made and public should have been involved. This is not the first time that residents have been unhappy with, and want to change something when it happens near them, but do not participate in the actual process of planning.

Commissioner Teuscher grew up in Smithfield and remembers a time when every block had farms, cows and barns. Working in real estate he is finding that the younger generations want smaller lots with less maintenance so they can spend time and money on other things. Townhomes and other multi-family development is in high-demand.

Commissioner McCammon explained the responsibility of the Planning Commission is to ensure that higher-density areas are developed in the right places. There are nice homes in this area, however, he expressed concern with the traffic congestion. Adding more homes to this compressed area will add to that and if this proposal moves forward, he hopes there will be some improvements made with regards to access. He has two children who attend Sky View High School and is very concerned about traffic safety. He would prefer to see this area developed with lower density.

Commissioner Soelberg said he used to live in the apartments behind Lee's Market and understands the need for multi-family development, however, having lived there he also realizes how much traffic it creates. He agrees with a lower density recommendation for this area. Traffic in general is a concern and there may need to be some review and possible changes made to handle increased traffic.

Mr. Lyon noted that 600 South is a collector road and will eventually have a higher capacity and better traffic flow. The development could be reviewed and changed to not have lots fronting 250 East. He also pointed out that smaller lots require less water. The number of homes would be the same whether it is zoned R-1-10 or R-1-12. They do not want to infringe or change the property rights of any adjacent residents. 10,000 SF minimum lots are good to have near schools so that students can walk.

Commissioner Soelberg asked what the road being built to handle higher capacity meant. Mr. Lyon explained that 600 South will have a future turn lane and possible roundabout. 250 East is a narrow road and once it is changed to meet the 66' standard,

it will also have two lanes with a turn lane. Chairperson Anderson explained that projects are reviewed and the Master Transportation Plan is considered when decisions are made. 600 South is a major collector road, especially with the high school and traffic coming down from the east; there is an allowance for the road to become wider. Mr. Bodily pointed out that this development will be required to put in the curb and gutter to the required width. He reminded the Commission that this discussion is only for the rezone.

Chairperson Anderson explained that the request is for a change to R-1-10. The Commission has the option to recommend approval or denial of the request to the City Council. The developer, however, does have the right to develop the land. Regardless of the zone, the process for the developer will be to present a preliminary plat that will be reviewed by all City departments for proper adherence to all standards and regulations.

Chairperson Anderson advised that the Land Use Development & Management Act (LUDMA) states: "*The Planning Commission must vote and recommend approval or denial of a map change or ordinance to the legislative body (City Council). The proposed zone change or amendment may be revised by the Planning Commission as part of its recommendation.*" Ms. Izatt clarified that the Commission is a recommending body, the final decision will be made by the City Council.

MOTION: A motion was made by Commissioner McCammon to **deny** the request by Premier Trademark Properties LLC, agent for the Pitcher Family Land LLC, for a rezone of property located at 250 East 600-800 South from A-10 (Agricultural-10 acre) to R-1-10, (Single-Family Residential 10,000 sq. ft.), Ordinance #17-17, Parcel #08-117-0004; 12.18 acres. Commissioner Campbell seconded the motion.

Commissioner Spackman asked to include a recommendation for the R-1-12 zone.

The motion to deny the request was approved (4-3).

Aye: Spackman, Hancock, Campbell, McCammon

Nay: Anderson, Teuscher, Soelberg

Continued review & discussion of Mixed-Use Overlay Zone Ordinance and amendments to the Land Use Matrix.

Commissioner Soelberg asked if the wording "*blocks the view*" was interpreted to mean a full wall of material or whether it could be obscured. The Commission agreed to change "block" to "obscure" for better clarification.

The Commission felt comfortable with the remainder of the draft. Ms. Izatt said she would like to forward it to the City Council for feedback before it is put into ordinance form and then continue forward with the public hearing process.

The Use Allowance Matrix Table was reviewed with the following recommended changes:

(**AC** - administrative conditional; **C** - conditional; **P** - permitted; - (**dash**) represents not allowed)

- CP column - remove
- Residential facility for elderly persons – add as **C** to CB & CC zones.
- Residential facility for persons w/disability – add as **C** to CB & CC zones.
- Bed & Breakfast – change to **C** in both Gateway & Mixed-Use Overlay zones.
- Boarding/Rooming House – remove category.
- Dwelling, 2 units – add as **C** to Mixed Use Overlay zone.
- Hotel/Motel – add as **C** to Mixed Use Overlay zone.
- Chickens – add as - (**dash**) to Mixed Use Overlay zone.
- Kennel/Cattery – add as - (**dash**) to Mixed Use Overlay zone.
- Foster homes - add as - (**dash**) to Mixed Use Overlay zone.
- Fraternal/Benevolent Societies - add as - (**dash**) to Mixed Use Overlay zone.
- Hospital (acute care) - add as - (**dash**) to Mixed Use Overlay zone.
- Nursing Home - add as - (**dash**) to Mixed Use Overlay zone.
- Church/Temple – change to **C** in Mixed Use Overlay zone.
- Recreation Club Facilities – change to **C** in Mixed Use Overlay zone.
- Auto Sales, new & used - add as - (**dash**) to Mixed Use Overlay zone.
- Auto/ATV parts sales, new - add as - (**dash**) to Mixed Use Overlay zone.
- Auto/ATV parts sales, used indoor - add as - (**dash**) to Mixed Use Overlay zone.
- Automotive glass repair - add as - (**dash**) to Mixed Use Overlay zone.
- Car Rental business – change to **C** in Gateway Overlay and add - (**dash**) to Mixed Use Overlay zone.
- Car Wash - add as - (**dash**) to Mixed Use Overlay zone.
- Car Wash, attached, automatic, 1-bay - add as - (**dash**) to Mixed Use Overlay zone.
- Commercial parking structure – add as **C** in Mixed Use Overlay zone.
- Gasoline retail – add as **C** in Mixed Use Overlay zone.
- Gasoline sales w/convenience store – add as **C** in Mixed Use Overlay zone.

MOTION TO ADJOURN: Motion by Commissioner Spackman to adjourn the meeting at 8:19 p.m. The motion was seconded by Commissioner Teuscher. The motion passed unanimously.

Minutes submitted by: Debbie Zilles

Attested:

Jamie Anderson, Chairperson

Charlene Izatt, Deputy Recorder

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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 Planning Commission Meeting at 7:00 p.m. on Wednesday, September 20, 2017 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. 7:04 p.m. Consideration of Consent Agenda
Minutes of the August 16, 2017 Planning Commission Meeting
3. 7:05 p.m. **PUBLIC HEARING** to consider a request by Premier Trademark Properties LLC, agent for the Pitcher Family Land LLC, for a **rezone** of property located at 250 East 600-800 South from A-10 (Agricultural-10 Acre) to R-1-10, (Single Family Residential 10,000 sq. ft.), Ordinance #17-17, Parcel #08-117-0004, 12.18 Acres.
4. 7:10 p.m. The Commission will continue review & discussion of the Mixed-Use Overlay Zone ordinance and the amendments to the Land Use Matrix.
5. 7:25 p.m. **ADJOURNMENT**

Posted this 15th day of September 2017 at the Smithfield City Offices, City Web Page, and the Utah Public Meeting Notice web site. Notice provided to The Herald Journal this 15th day of September 2017.

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 (3) working days prior to the meeting.