

Minutes of the Salem City Planning & Zoning Commission meeting held on November 13, 2013 in the Council Chambers.

Meeting convened at 7:00 p.m.

Conducting: Shelley Hendrickson

PRESENT:	Robert Frampton	Shelley Hendrickson
	Reid Nelson	Mark Johnson
	Rod Christensen	Brian Warren
	Attorney Jason Sant	Bruce Ward, City Engineer
	Becky Warner, Secretary	Dave Scoville
	Reed Nelson	Pete Simmons
	Steve Griffiths	Gina Griffiths
	Jimmy DeGraffenried	Rich Barton
	Robert Nelson	Linda Nelson

APPROVAL OF MINUTES

The approval of minutes was continued until next month’s meeting.

PUBLIC HEARING

MOTION BY Reid to open the public hearing. Seconded by Bob; Vote Affirmative, 5-0.

VERIZON WIRELESS – CONDITIONAL USE PERMIT

Verizon Wireless is requesting a conditional use permit and site plan approval to build a communication tower in the northeast corner of the old city shop property located at approximately 250 North 480 West. They will have about a 35 foot x 40 foot enclosure. The property lines don’t match the fence lines so the city will need to do boundary line agreements with some of the neighbors. The Development Review Committee had asked Verizon to extend their enclosure to the fence lines so there is it does not leave a weed patch between them. The city will need an easement on the north and east sides. Verizon will need to have an access easement to their enclosure; this will not be a recorded easement and can be modified if necessary. The property lease agreement will be for 5 years with a renewal option after that. There is an “out” clause for either party. The tower will need to be able to accommodate any co-locators. Whether the tower will operate on fiber or microwave dishes will be determined later. It was asked if this tower will have a beacon light. It is not required on a 100-foot tower.

ORDINANCE AMENDING SIDE YARD SETBACK REQUIREMENTS

A few weeks ago, Steve & Gina Griffiths approached the City for a variance on the side yard setback requirement so they could put an addition onto their house at 350 S. 500 E. They technically have a corner lot but because they are adjacent to the canal, they are almost 50 feet from Salem Canal Road. This ordinance would allow exceptions to the side yard setback which doesn’t necessarily grant them the variance, it just provides a process to go through to ask for

one. Shelley reminded the board that the Griffiths property was not what was being discussed tonight, only the ordinance.

Bruce stated that eventually the canal would be gone and Salem Canal Road would be widened. He doesn't like this ordinance. He feels that if you want to change the side yard setbacks then change them, don't allow exceptions. He is not sure that this ordinance would help them the way it is written.

Steve Griffiths stated that if they add 20 feet to their house, they will still be almost 30 feet from the road. Their side yard setback would be about 15 feet.

Reid said he is not opposed to having a process for the exception but he doesn't like creating an ordinance for one situation. You can't do an exception for one lot; it needs to be city wide. Several of the Board members wanted to get Chief James' opinion on this ordinance before they voted on it. They wanted to know if he had any public safety concerns with it.

MOTION BY Bob to close the public hearing. Seconded by Rod; Vote Affirmative, 5-0.

MOTION BY Bob to continue the decision on the ordinance creating special exceptions to certain side yard setbacks until the next meeting. Seconded by Rod; Vote Affirmative 4-1 (Reid voted Nay – he would rather act on the ordinance and allow the process)

MOTION BY Reid to approve the conditional use permit and site plan for Verizon Wireless to construct a communication tower at approximately 250 N. 480 W. with the recommendations from DRC. Seconded by Bob; Vote Affirmative, 5-0.

#### DEAN INGRAM – PRELIMINARY FOR LOAFER MOUNTAIN MEADOW

Dave Scoville was at this meeting representing Mr. Ingram. Bruce explained that this is a standard R-15 subdivision with 87 lots. He explained that this property is located south west of our west pressurized irrigation pond and adjacent to an existing subdivision and Elk Ridge. Bruce explained where the utilities will be run for this project. There was discussion about the road at 11200 South. This is a county road and three different cities have developed along it. The right-of-way is 54 feet of asphalt and 20 feet of landscaping and sidewalk. The DRC wanted the sidewalk back against the fence but Planning & Zoning likes it next to the road. Either way, the county will not maintain the landscaping or sidewalks. The county also needs to approve the accesses onto 11200 South. It was suggested that the access at 200 West be done with phase 3.

There is a retention basin at the north end of the development that has been designed for a 100 year storm. They will need to submit a landscape plan for the basin with the final on that phase. Bruce said that this subdivision is above the PI zone so we will do the same as was done in Harvest Ridge with culinary water. Rocky Mountain Power has an easement across lots 8 & 9 which needs to be indicated as such not as a utility easement. That way it is their responsibility to enforce the restrictions in the easement.

MOTION BY Rod to approve the preliminary plat for Loafer Mountain Meadow Subdivision with the recommendations of DRC, requiring the access at 200 West to be installed with phase 3,

submitting a landscaping plan to be approved by the city for the retention basin, and labeling the Rocky Mountain Power easement. Seconded by Brian; Vote Affirmative, 5-0.

Mr. Scoville showed pictures of the fencing that they would like to do along 11200 South. He said he would send Bruce the address of where these pictures were taken so the Board members could look at it if they would like. It was felt that there should be a fence standard for 11200 South that Salem, Elk Ridge and Woodland Hills could all use.

ROBERT NELSON – PRELIMINARY FOR SOUTH BENCH ESTATES SUBDIVISION

Bruce explained that this is a standard R-15 subdivision with 19 lots. It meets all of the requirements for this zone. There is a working dairy across from this subdivision so Bob will put a note on the plat regarding the agricultural area. Questar Gas has a 65-foot easement for a high pressure gas line through this property which is why road at 550 East is on an angle. Reed Nelson owns the north part of this project and that will be developed first.

MOTION BY Reid to recommend approval of the preliminary plat for South Bench Estates Subdivisions with the same conditions as DRC. Seconded by Rod; Vote Affirmative, 5-0.

ROBERT NELSON – PRELIMINARY FOR LOAFER MT. VIEW SUBDIVISION

Bruce said this is another standard R-15 subdivision and meets all of the requirements for that zone. This is 23 lots; the first 4 lots were approved a few months ago. The biggest issue is the location of the retention basin. Currently the basin is shown behind a couple of lots with no road access but the city would prefer that it was more easily accessible. Bob showed another drawing with the basin in a different location and said there was a possibility of working with the neighbor and put the basin where it would benefit both property owners.

MOTION BY Shelley to approve the preliminary plat for Loafer Mountain View Subdivision subject to the applicant working out a different location for the retention basin that the city agrees to. Seconded by Reid; Vote Affirmative, 5-0.

MOTION BY Reid to adjourn Planning & Zoning Commission meeting. Seconded by Bob; Vote Affirmative, 5-0.

Planning & Zoning Commission meeting adjourned at 8:45 p.m.