



**Planning Commission
Work Session
January 8, 2008**

Commissioners in attendance: Michael Barker; Craig Huff; Dale DeLlamas; and Joyce Nolte

Commissioners excused: Mike Davis; Christine Tolman and Von Alleman

Staff in attendance: Director Fred Aegerter; Planner I Laura Boyd; Planner I Brandon Snyder; Planning Secretary Darlene Gray

Commissioner Barker called the meeting to order at 6:35 PM.

Approval of Agenda:

Commissioner Barker if there were any changes on the agenda.

Approval of Minutes: December 11, 2007

Commissioner Barker asked if there were any concerns or corrections to the minutes for the December 11, 2007. Director Aegerter indicated that he had changes to submit for clarification.

Consent Agenda:

Commissioner Barker indicated that there was only one Consent Agenda item which was a phasing plan for South Springs Subdivision

Planner Boyd explained that the developer would not be ready to start construction until spring, but has a buyer for the existing house. She indicated that the existing house would be Phase 1; the street improvements would be written into the Development Agreement and would be required with the next phase. She explained that any out-buildings would be removed.

Legislative Session:

Commissioner Barker asked if there were any concerns with the legislative session items.

Howard Stewart seeking a zone change for Stewart Subdivision, a minor subdivision, located at about 820 South 2100 East in the R1-15, Single Family Residential zone.

Planner Boyd explained that the existing house would face 2100 East and has a double frontage. Director Aegerter asked if the applicant was aware that when the road was extended, the lots would only be 82 feet deep presenting a challenge with a rear setback of 30 feet. Planner Boyd stated that the subdivision would be good because it would eliminate a double frontage lot.

Springville City seeking to vacate and abandon 100 South Street between Main Street and 100 West Street.

The Commissioners had no questions or concerns.

Springville City seeking to vacate and abandon 1500 West Street between 400 South and 900 South.

Commissioner Huff asked if the property was owned by The Church and if they had requested the vacation and abandonment. Director Aegerter responded in the affirmative and indicated that there is an easement over the property. (Commissioners Tolman and Davis in attendance at 6:41 and 6:42 PM.)

Springville City seeking to amend Title 11 to allow outdoor recreational facilities as a conditional use in the BP – Business Park zone.

The Commissioners had no questions or concerns.

Administrative Session

Nothing

New / Unfinished Business

Discussion regarding the rezone of the PO-Professional Office zone to the R2, Single or Two Family Residential zone between 300 South and 400 South.

Planner Boyd reported that the rezone had already been noticed as a Public Hearing. Commissioner Barker indicated that it would at his discretion whether to allow public comment.

Discussion regarding the 2008 Planning Commission Retreat

No discussion.

With no further discussion, Commissioner DeLlamas moved to adjourn the Work Session. Commissioner Tolman seconded the motion. Commissioner Barker adjourned the Work Session at 6:44 PM.



**Planning Commission
Regular Session
January 8, 2008**

Commissioners in attendance: Michael Barker; Christine Tolman; Craig Huff; Joyce Nolte; Dale DeLlamas and Mike Davis

Commissioners excused: Von Alleman

Council Representatives: Mark Packard and Ben Jolley

Staff in attendance: Director Fred Aegerter; Planner Laura Boyd; Planner Brandon Snyder and Planning Secretary Darlene Gray

Call to Order

Commissioner Barker called the meeting to order at 7:09 PM and welcomed any visitors. He explained the meeting process.

Approval of Agenda

Commissioner DeLlamas moved to approve the agenda as written. Commissioner Davis seconded the motion. The vote to approve the agenda was unanimous.

Commissioner Barker indicated that the request for a rezone on 300 and 400 South had originally been advertised as a Public Hearing item, but this would be a discussion item and no action would be taken. He stated that he would be happy to hear comments from audience members.

Approval of Minutes: December 11, 2007

Commissioner Huff moved to approve the minutes for the December 11, 2007 meeting with corrections submitted by Director Aegerter. Commissioner Tolman seconded the motion. The vote to approve the minutes was unanimous.

Consent Agenda

Murdock Builders seeking approval of phasing and final approval of Phase 1 of the South Springs Subdivision located at about 1500 West Center Street in the R1-10, Single Family Residential zone.

Commissioner Barker explained the Consent Agenda process indicating that if the applicant has complied with City requirements, they would be entitled to an approval. He reported that the applicant had met with staff and that staff had reviewed the agenda item. The item was now presented to the Planning Commissioners for their consideration.

Commissioner Barker called for a motion regarding the Consent Agenda. Commissioner DeLlamas moved to approve the Consent Agenda. Commissioner Tolman seconded the motion. The vote to approve the Consent Agenda was unanimous.

Legislative Session

Commissioner Barker explained that staff would present information for the agenda item and then the meeting would be opened for Public Hearing. At that time anyone present could approach the Commissioners to explain their concerns. The Planning Commissioners would close the Public Hearing, have a brief discussion and then vote on a recommendation to send to the City Council who gives the final decision.

Howard Stewart seeking a zone change for Stewart Subdivision, a minor subdivision, located at about 820 South 2100 East in the R1-15, Single Family Residential zone. Planner Boyd presented information regarding the zone change request explaining that the proposal is to rezone the western portion of the property to allow a minor subdivision. She reported that staff is in favor of the zone change.

With no further discussion, Commissioner Davis moved to open the Public Hearing. Commissioner DeLlamas seconded the motion. The vote to open the Public Hearing was unanimous.

Public Hearing

With no comments, Commissioner Davis moved to close the Public Hearing. Commissioner Huff seconded the motion. The vote to close the Public Hearing was unanimous.

Consideration

With no further discussion, Commissioner DeLlamas moved to recommend rezoning the west portion of the property located at 820 South 2100 East in the R1-15, Residential zone to R1-10, Residential. Commissioner Davis seconded the motion. The vote to recommend rezoning was unanimous.

Springville City seeking to vacate and abandon 100 South Street between Main Street and 100 West Street.

Planner Snyder approached the Commissioners and presented information regarding the vacation and abandonment a major portion of 100 South Street between Main and 100 West. He indicated that State and City Code indicate that the Planning Commissioners make their recommendation to the City Council.

Planner Snyder indicated that the City is in the process of designing a new Civic Center. He reported that Blue Stakes has marked all the existing utilities and that the City would work with each utility to re-route any service.

With no further discussion, Commissioner Nolte moved to open the Public Hearing. Commissioner DeLlamas seconded the motion. The vote to open the Public Hearing was unanimous.

Public Hearing

Rell Francis approached the Commissioners and identified himself as the Vice President of the Springville Historical Society. Commissioner Barker asked Mr. Francis to limit his comments to the vacation of 100 South. Mr. Francis reviewed the history of the current City Civic Center and stated that he opposes a new City building. Mr. Francis expressed his concern for who pays for all these ideas and asked the Commissioners to do their homework; I.E. the National Guard volunteering to repair the roof. Commissioner Barker asked Mr. Francis to address the 100 South Street vacation issue. Mr. Francis referred to himself as a City Watch Dog and wants to read minutes of this and past meetings. Mr. Francis accused staff of destroying meeting minutes and the Commissioners as being 'yes' men and suggested they need to know how to say 'no.'

Commissioner Barker thanked Mr. Francis for his comments.

With no other comments, Commissioner Tolman moved to close the Public Hearing. Commissioner Davis seconded the motion. The vote to close the Public Hearing was unanimous.

Consideration

Commissioner Tolman asked staff what the immediate impact would be regarding the action of abandonment and how it related to building the new building. Planner Snyder responded that the construction could not begin until the street was officially vacated. Commissioner Tolman asked if the street would be used as a staging area. Director Aegerter reported that the street would remain open until construction begins. Commissioner Tolman asked if the recommendation should be contingent upon the site plan approval or is that implied. Director Aegerter indicated that the motion could include the contingency of site plan approval. He reported that the use of the street was not being eliminated. He reminded the Commissioners that the item before them was not to approve the site plan. Commissioner Tolman stated that she wanted continued access for pedestrians and vehicles.

Commissioner Tolman moved to recommend to the City Council to approve the proposed road vacation and abandonment of 100 South Street between Main Street and 100 West Street contingent upon site plan approval for the new Civic Center. Commissioner Huff seconded the motion. The vote to recommend approval was unanimous.

Springville City seeking to vacate and abandon 1500 West Street between 400 South and 900 South.

Planner Snyder presented information to Commissioners. He explained that the vacation and abandonment was brought by the City on behalf of the land owner and developer. He indicated that the street vacation would be between 400 South to approximately 800 South and not to 900 South. Planner Snyder reported that the land owner, The LDS Church, is interested in vacating the road and as part of future development, they will relocate the road 150 feet to the west. Staff recommends approval of the vacation and abandonment.

Director Aegerter added that IPA had approached The Church and required that the land be sold for tracks that lead into the area to the north of 400 South. He informed the Commissioners that the landscape/fencing plan the Commissioners had seen earlier would come back to the Planning Commission because the Church wanted approval for the road closer to the proposed wall. Commissioner DeLlamas asked if Trax would be extended south to Payson. Director Aegerter indicated that the commuter rail would extend south to Payson.

With no further discussion, Commissioner DeLlamas moved to open the Public Hearing. Commissioner Tolman seconded the motion. The vote to open the Public Hearing was unanimous.

Public Hearing

With no comments, Commissioner Davis moved to close the Public Hearing. Commissioner DeLlamas seconded the motion. The vote to close the Public Hearing was unanimous.

Consideration

Commissioner Davis asked if the motion should include a contingency regarding the Church developing the road. Director Aegerter reported that the current road was a county road and those who used it in the past had other means of access. Commissioner Tolman added that nothing will change until IPA develops and extends the tracks.

Commissioner DeLlamas moved to recommend approval to vacate and abandon 1500 West Street from 400 South to 800 South. Commissioner Davis seconded the motion. The vote to recommend approval was unanimous.

Springville City seeking to amend Title 11 to allow outdoor recreational facilities as a conditional use in the BP – Business Park zone.

Planner Boyd presented information and explained that athletic fields, basketball courts, etc. are currently not a permitted use in the Business Park zone. Commissioner Barker asked if the purpose of the request is to allow City recreation programs at these locations; I.E. Novel. He asked if there was any one applicant requesting the conditional use. Planner Boyd responded in the negative to both questions explaining that there was not an applicant, but an inquiry.

Commissioner Tolman asked if in the Specific Criteria for Consideration of a Conditional Use Permit there should be conditions regarding additional landscaping. Director Aegerter stated that 25% of the site has to be open space. Planner Boyd added that the open space could be utilized as part of the landscaping percentage. Commissioner Tolman asked if, for example, a soccer field could be classified as landscaping. Planner Boyd responded in the affirmative and Director Aegerter stated that as long as it was impervious ground. Commissioner Tolman suggested staff look at League certification requirements. She asked how the City could make sure the landscaping was contextually

integrated with the architecture of building. Planner Boyd explained that it did not have to be tied to a building.

Commissioner Tolman suggested the following change to 11-7-205 (3) by using “contextual” instead of “attractive” campus environment..... as well as changing “additional” to “multiple use of” landscape and/or open space..... She indicated that the language should guide developers to a nice outcome. Commissioner Davis asked if there is a soccer field, for example, and the field is rented out, would that then create insufficient parking. Planner Boyd asked if the Ordinance should specifically mention parking or is the current parking Ordinance sufficient. Director Aegerter responded that a contingency of the conditional use permit could be to limit the parking to employees during hours of operation and then after work, the field could be used by others.

Public Hearing

Commissioner Davis moved to open the Public Hearing. Commissioner Tolman seconded the motion. The vote to open the Public Hearing was unanimous.

With no other comments, Commissioner Davis moved to close the Public Hearing. Commissioner Huff seconded the motion. The vote to close the Public Hearing was unanimous.

Consideration

Commissioner Tolman moved to continue Springville City seeking to amend Title 11 to allow outdoor recreational facilities as a conditional use in the BP – Business Park zone to the Planning Commissioner Regular meeting on February 11th. Commissioner Davis seconded the motion. The vote to continue was unanimous.

NEW BUSINESS

Discussion regarding the rezone of the PO – Professional Office zone to R2, Single or Two Family Residential zone between 300 South and 400 South.

Director Aegerter approached the Commissioners and explained that the item had been noticed for Public Hearing for two residences to the north of the Woodscross Center. The Council had directed that the PO zone in the area between 300 and 400 South be considered. He explained that one of the challenges is the use and the number of trips made from a single family dwelling versus the professional office use. When the Woodscross development came before the City, the discussion was that it would be a commercial node. He explained the original discussion included shared parking with Reams and stated that issue still needed to be resolved. Additionally parking at Woodscross will most likely be insufficient and will affect how much of the building might be finished.

Justin Fink who resides at 654 Kolob Circle approached the Commissioners and explained that he is in contract with the Woodscross owners. He stated that he was confused as to why the City was addressing a rezone now. He asked if the City was trying to block the sale of his property. He explained that he has a personal interest in the

rezone request because he has a residential and a commercial offer on his home. He indicated that he is now in an odd position. Mr. Fink stated that he was surprised that the Woodscross development was allowed to build without resolving the parking issue.

Commissioner Barker asked Director Aegerter what the next step would be regarding the rezone. Director Aegerter responded that the Commissioner would be discussing options at the next Work Session and then it would be brought back to the Commissioners for a formal decision.

Commissioner Nolte asked if the parcels could be rezoned to NC –Neighborhood Commercial. Director Aegerter stated that zoning should reflect the use of the property and added that State law is to protect property values. In terms of the zoning reflecting the use the medical clinic could be left as a PO – Professional Office zone. He indicated that with regards to the parking issue, when the Woodscross development was presented to the City, it was a retail center and adequate parking was required. The change to personal services changed that. He reported that the developer is aware of the required parking.

Discussion regarding the 2008 Planning Commission Retreat.

Director Aegerter reported that he has been trying to get someone from the State Geologist office to speak at the retreat. He stated that the challenge is someone coming on a Saturday. He indicated that he is still working on it, but is waiting for a response from the geologist office.

Commissioner Tolman suggested that one possibility is to arrange for two sessions; I.E. one on Friday afternoon and one on Saturday morning. Commissioner DeLlamas asked what points the geologist would cover. Director Aegerter indicated that the presentation would be regarding land stability; approval of subdivisions where houses have slipped off of lots; what are communities doing to avoid that, etc. Commissioner Tolman suggested targeting Springville's vulnerable areas.

With nothing further to discuss, Commissioner Tolman moved to adjourn the meeting. Commissioner Davis seconded the motion.

Commissioner Barker declared meeting adjourned at 8:20 PM.