



**Planning Commission
April 8, 2008
Work Session 6:30 PM
Council Chambers**

Commissioners in attendance: Dale DeLlamas, Craig Huff, Norma Shelline, Ryan Staker, and Stacey Petersen

Commissioners excused: Michael Barker, Von Alleman,

Staff in attendance: Director Fred Aegerter, Planner Laura Boyd, Planner Brandon Snyder, Secretary Darlene Gray and Police Chief Scott Finlayson

Commissioner DeLlamas called the meeting to order at 6:34 PM.

Commissioner DeLlamas reviewed the agenda and asked if any of the Commissioners had any questions. Director Aegerter explained the approval procedure.

Springville City seeking to amend the Official Zone Map at about 300 and 400 South and 400 and 800 East from PO – Professional Office to R2, Single and Two Family Residential.

Director Aegerter explained that the Commissioners had continued this item at the March 11th meeting. He discussed the appropriateness of looking at rezoning the Official Zone Map. He stated that staff would recommend that the General Plan be consistent with the Zoning Ordinance. Director Aegerter stated that the Commissioners had agreed on the rezone for properties behind 400 South, but disagreed on the rezone of the properties on 400 South. Commissioner Huff stated that the big issue was the widening of 400 South and asked if the Commissioners could attach a setback to the zoning. Director Aegerter stated that there is a 25 foot setback already in place. He informed the Commissioners that Public Works Director Brad Stapley would be at the meeting to answer any questions regarding the time frame for the 400 South widening. Director Stapley stated that the widening was not a top priority because of the expense and the alignment was unknown. He added that the project would not be done within the next five years. Commissioner DeLlamas asked if the City would allow for future road right-of-way. Director Aegerter indicated that could be possible, but the City would have to offset the road. He indicated that the pinch-point would be between *Reams* and *Brookside Elementary*. He added that Police Chief Finlayson and Director Stapley would be available during the public meeting.

Commissioner Petersen asked if the proposal was to rezone all the properties or just one or two. Director Aegerter referenced the map and explained that the homes in PO currently being used as residences were the properties that would be rezoned to R2. He reported that those property owners were against the rezone because they thought their property was worth more as being zoned PO. He stated that the challenge is that houses that are valued at \$180,000 on a 10,000 square foot lot are worth more residentially than as a vacant lot for office space. Residential use is allowed in the PO zone as long as the residence does not stay vacant for more than one year.

Planner Boyd stated that an additional problem is that the residentially used lots do not meet the PO zoning standards in terms of lot area.

Springville City seeking to amend Title 11 regarding Design Standards for Springville Historic District, Plat A.

Director Aegerter explained that language had been developed for the design standards. Commissioner DeLlamas asked if there would be design standards for commercial buildings. Director Aegerter stated that he was not sure when commercial standards would be developed.

Springville City seeking to amend the Westfields Community Plan identifying the power line corridor / open space to allow for active recreation space.

Springville City seeking to amend the Parks and Trails Master Plan regarding recreation space in the Westfields open space corridor under the Rocky Mountain Power corridor.

Director Aegerter explained that items 3d and 3e need to be continued to the April 22, 2008 meeting.

Commissioner DeLlamas asked if everything was posted with regard to the zone change on 400 South. Director Aegerter responded in the affirmative, stating the signs were posted on Kolob Circle, Chase Lane and two signs posted on 400 South. He added that letters were sent to property owners within 300 feet.

Commissioner Huff moved to close the Work Session. Commissioner Staker seconded the motion. Commissioner DeLlamas closed the Work Session at 6:54 PM



**Planning Commission
April 8, 2008 Regular Session 7:00 PM
Council Chambers**

Commissioners in attendance: Dale DeLlamas, Craig Huff, Von Alleman, Stacey Peterson,
Norma Shelline, Ryan Staker,

Commissioners excused: Michael Barker

Council Member in attendance: Mark Packard

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

Call to Order:

Commissioner DeLlamas called the meeting to order at 7:02 PM and explained the meeting process.

Approval of Agenda:

Commissioner Huff moved to approve the agenda as written with items 3d and 3e continued to April 22 meeting. Commissioner Staker seconded the motion. The vote to approve the agenda was unanimous.

Approval of Minutes: March 11, 2008

Commissioner Huff moved to approve the March 11, 2008 meeting minutes as written. Commissioner Petersen seconded the motion. The vote to approve the minutes was unanimous.

Consent Agenda:

There were no consent agenda items.

Legislative Session:

Gary Chlarson seeking a Conditional Use Permit for DaiShin Co-Pack Inc. located at about 1198 Spring Creek Place in the BP – Business Park zone.

Planner Snyder approached the Commissioners and presented the staff report and findings. He indicated that Mr. Chlarson was present.

Commissioner Alleman arrived at 7:05 PM.

Planner Snyder indicated that the applicant is requesting a Conditional Use Permit for dry and wet packaging of a drink mix. He reviewed operation hours; number of delivery and shipping vehicles; reported that parking requirements have been met; discussed the breakdown on the existing site; minimum requirements and what is currently in place. He stated that the site exceeded the requirements. Planner Snyder reported that this item was reviewed by the

Development Review Committee on March 20, 2008 and indicated that DRC comments were included in his staff report.

Commissioner DeLlamas thanked Planner Snyder and asked if the Commissioners had any questions. Commissioner DeLlamas asked about the DRC concerns regarding maintenance of detention basin. Planner Snyder stated that he would verify the basin capacity and maintenance.

Commissioner DeLlamas asked if the State identified wetlands in the area. Planner Snyder stated that the wetlands were off-site and any that existed would have been mitigated.

Commissioner DeLlamas invited the applicant to address the Commissioners. Mr. Chlarson indicated that he had nothing to add. Commissioner Huff asked if the product was a liquid supplement. Mr. Chlarson responded in the affirmative and stated that no dust control would be needed. Commissioner Petersen questioned the removal of trees from the transformer. Mr. Chlarson stated that the trees were in line with underground power lines and reported that Wing Enterprises could move the trees. Planner Snyder identified trees and underground power line and stated that the applicant would need to contact Blue Stakes to mark any and all utility lines.

Public Hearing

Commissioner Staker moved to open the Public Hearing. Commissioner Alleman seconded the motion. The vote to open the Public Hearing was unanimous. Commissioner DeLlamas indicated that no one had signed up to address the Commissioner.

With no further discussion, Commissioner Huff moved to close the Public Hearing. Commissioner Staker seconded the motion. The vote to close the Public Hearing was unanimous.

Consideration

Commissioner Alleman moved to approve the Conditional Use Permit for DaiShin Co-Pack, Inc. located at 1198 North Spring Creek Place in the BP – Business Park zone, finding the use meets the general criteria for consideration of a Conditional Use Permit contingent upon all issues being satisfied. Commissioner Peterson seconded the motion. The vote was unanimous.

Springville City seeking to amend the Official Zone Map at about 300 and 400 South and 400 and 800 East from PO – Professional Office to R2, Single and Two Family Residential.

Director Aegerter approached the Commissioners and explained that this item is a continuation from the March 11, 2008 meeting. He reviewed the information from the March 11 meeting. He reported that the Commissioners had voted to amend the General Plan from Commercial to Medium Density Residential. He reported that some of the residents in attendance were opposed to the rezone and the original recommendation was a split vote. Director Aegerter stated that the proposed rezone would go to the City Council for final determination.

Director Aegerter reported that questions included when 400 South would be widened and where the widening would take place. He stated that staff's recommendation regarding the rezone has not changed. He indicated that the Commissioner had asked that Police Chief Finlayson and

Public Works Director Stapley attend the meeting to answer any questions the Commissioners may have. He added that signs were posted and letters had been sent to affected residents.

Public Hearing

Commissioner Alleman moved to open the Public Hearing regarding the proposed rezone at about 300 and 400 South and 400 and 800 East from PO – Professional Office to R2.

Commissioner Staker seconded the motion. The vote to open the Public Hearing was unanimous.

Gerald Jensen who resides at 616 Kolob Circle approached the Commissioners. He presented a brief history with regards to the PO zoning explaining that at the time, there was just a small market and *Reams* did not exist. The property was rezoned to allow professional buildings to expand. Mr. Jensen explained that since that time everything built in this area has been for residential use. He stated that the Council Members recommended that the Planning Commission consider changing the zoning of 400 South to residential. He indicated that he thought it would not be logical to change the properties used for residential to a residential zoning. East on 400 South from Buckley Avenue to 800 East, there is 1500 feet of frontage and only 220 feet of that are being used residentially; the rest is used as commercial or professional office. He described the properties as one being owner-occupied; one is a rental unit; the next is a dental office and the last is a vacant lot with a shop on it which he owns. Going to the west from the mortuary, there is 900 feet of frontage with 240 feet being used as residential; three owner-occupied properties and one rental property. Mr. Jensen explained that all the owners on that side of street are over 70 years old. He questioned why 400 South would be changed back to residential zoning is it was not being used that way. Mr. Jensen stated that one renter had expressed his opposition to the rezone because he felt rental costs would increase. Mr. Jensen distributed traffic study information conducted on March 28, 2008, Friday morning. He explained that the concern was the number of vehicles traveling on 400 South at the busiest time of day. Mr. Jensen reviewed the information on his traffic study. He reported that the remaining properties do not have the property depth required for commercial development. Mr. Jensen stated that his feeling is that rezoning 400 South back to residential would make it difficult for anyone who wants to sell their property. He added that currently there are no properties for sale and none of the property owners have any intention of selling. The other properties are the rental properties. Rezoning would create a hardship for those properties owners who might want to sell. Mr. Jensen stated that he opposed the proposed rezone.

Commissioner Huff asked if Brookside Elementary traffic was included in the total trip of his traffic study. Mr. Jensen stated that his study did not include Brookside until after traffic started slowing down. He explained that there is no planned flow through the elementary school to drop off children which is a dangerous situation. Mr. Jensen indicated that checked traffic in the evening at approximately 4:30 to 6:30 PM and traffic backups up at 400 East traveling east. He stated that it would be helpful to expand 400 South to four lanes from Main Street to 400 East.

Ellen Nelson approached the Commissioners and stated that she agreed with Mr. Jensen. She stated that there are only three owner-occupied homes and the rest were rentals. She stated that the rentals could be considered as commercial property. She stated that she could see no reason to rezone the properties.

Rell Francis questioned the difference between R2 and R1 zoning designations and questioned why the office building for the LDS Church would be considered as residential. Commissioner DeLlamas responded that the property used by the Church is in the PO – Professional Office zone. Commissioner Alleman added that a rectory for a Church can be in any zone.

Mr. Francis expressed his concern with more multi-family units. Director Aegerter explained that the R2 zoning is for single and two-family residential use.

Mark Sumsion approached the Commissioners and stated that when 400 South is widened, he would like to see a straight street which would mean most of the property would be taken from the north side of 400 South. The lots to the north are small and Hobble Creek backs the properties. If the area stays zoned residential and if the City needed ten feet off the front of each property for the street widening, the City would have to purchase the whole property. Mr. Sumsion stated that his main concern is not being able to sell his property because his lot is too small. He stated that property owners needed an honest price for their property when the road is widened.

Rick Smith who resides at 456 East 400 South stated that he agreed with all the statements made. He stated that if the zoning on the north side of 400 South changed to the PO zone, he would like the south side of the street also rezoned all the way to the elementary school. He indicated that he would like the same opportunity to sell their lots as commercial property also. Mr. Smith asked what the process would be to rezone the south side of the street to PO. Director Aegerter explained that the property owners would need to petition the City to rezone the property and then go through the General Plan amendment process and explained the cost associated with the rezone. Mr. Sumsion asked who was paying for the proposed rezone. Director Aegerter responded that the City Council had requested staff look at the rezone.

Mr. Sumsion approached the Commissioners and stated that most of the traffic on 400 South is due to traffic to and from the canyon and not the businesses in this area. He stated that another access is needed into Mapleton.

Brent Voorhees approached the Commissioner and indicated that he used to live at 445 East 400 South and own a house adjacent to the vacant lot. He commended Mr. Jensen on his presentation adding that he did not see any benefit in the zone change. He stated that the reason for congestion on 400 South is not from local businesses, but traffic from Mapleton, Hobble Creek Canyon, etc. He suggested that there should be another path other than 400 South to access these areas. Mr. Voorhees stated that he opposed the rezone.

With no further comments, Commissioner Alleman moved to close the Public Hearing. Commissioner Shelline seconded the motion. Before a vote, an attendee asked about the rezone of Chase Lane and what it was zoned. Commissioner Huff explained that the properties were zoned PO and would be rezoned to R2. The attendee stated she resides at 745 Chase Lane and asked if her property was zoned residential. The response was affirmative.

Mr. Francis asked for an impromptu survey of how many attendees wanted to sell their homes. Commissioner DeLlamas stated that the Commissioners had a good indication on what the residents want.

Commissioner DeLlamas thanked those individuals for their comments and concerns. With the motion made and seconded, the vote to close the Public Hearing was unanimous.

Consideration

Commissioner DeLlamas invited Public Works Director Brad Stapley to approach the Commissioners to answer any questions they might have. He asked Director Stapley when 400 South might be widened. Director Stapley stated there is no plan currently to widen the street, but understands the City has initiated a plan regarding traffic. He stated that there is a three-year plan to improve 400 South, but the main thing that needs to be done is to improve the traffic flow. Director Stapley explained that the school district purchased property with the intent of adding parking. Buses would turn onto Averett Avenue, enter into the school and then turn back out onto Averett Avenue. They also propose that cars turn into the parking area from 400 South, traveling south and then exit out onto Averett Avenue. Director Stapley stated that the City supports the idea of opening the area for better traffic flow.

Director Stapley reported that the City has looked at ways to improve traffic flows; I.E. diagonal parking eliminated in front of the museum, dental office and floral shop. The diagonal parking by Brookside; in front of the carpet and quilt shop would be removed, and there would be parallel parking on the street that should also improve traffic flow. One summer project will be paving from Main Street to 400 East; one east and one west bound lane with turn lane in the middle. Another project, when affordable, is between 400 East and 780 East would be removing all the overhead driveway entrances. Another phase would be removing the parking along 400 South and installing a passive left turn lane in the middle of the road, allowing better access and less traffic backup. Director Stapley explained that the only down-side would be the loss of street parking. Other projects include the extension of Weight Avenue to Canyon Road.

Director Stapley explained that it would take quite a bit of money in order to acquire the property needed to widen road, so the City was looking at the passive turn lane. He stated that there could be increased speed limits on 400 South and Center Street to 35 MPH. The City will be conducting a traffic study from 800 and 900 South between 1700 East and Highway 89, which could give Mapleton residents an alternative route. He further explained that Cherrington Heights has a road way at 2080 East that would allow residents to come down Center Street as an alternative route.

Commissioner Petersen asked if the passive turn lane would be more affordable in the three-year plan. Director Stapley stated that this is a heated issue because a lot of people want parking on the road. He added that there is a preliminary design to straighten 800 East.

Mr. Sumsion tried to comment on Director Stapley's comments. Commissioner DeLlamas reminded him that the Public Hearing had been closed and Mr. Sumsion would have to speak to Director Stapley at another time.

Commissioner Alleman asked if there had been any discussion with Mapleton City regarding traffic flow through Springville because there is no connection from the road in front of Santana Race way. Director Stapley responded that there have been a few discussions with Mapleton City regarding signage, stop signs and the fact that there is not a through road way. He indicated that there also have been discussions with UDOT, who have no current plans to have an on-off ramp at that bridge. Commissioner Alleman stated that the Commissioner continually hear that the City has the power to open the ramps, but the City does not, only UDOT. Director Stapley indicated that crossing bridges can cost up to \$90 million.

Commissioner DeLlamas thanked Director Stapley for his information and asked if Police Chief Finlayson had anything to add. Chief Finlayson approached the Commissioners and stated that the reason staff is proposing the change to curb development on 400 South is to help alleviate traffic concerns. He stated that Mr. Jensen's comments make the reason for why there should be a zone change; to slow down growth and traffic. The 400 South corridor from the freeway is the worse area for property damage and injury and that is why the City is trying to look at slowing down business growth. There is a potential for 240-280 cross vehicle trips so the City is looking at how to temper and look at long-term solution. He stated that 400 South would eventually have to be widened because of the increase in traffic. Chief Finlayson reported that every year there are more and more accidents because of cross traffic.

Commissioner Huff asked how long it may be before the proposed speed limit increases. Chief Finlayson responded that Center Street and 400 South should have the same speed limit and stated that the changes could be in affect this year. Commissioner Shelline asked if the passive turn lane would help with safety issues. Chief Finlayson responded in the affirmative, adding that the passive turn lane would create a safety zone that the City does not have now.

Commissioner Alleman explained that the Planning Commission was the recommending body and the City Council is the decision-making body. He stated that he has issues with the rezoning simply as a way to slow down of development. He indicated that he believes the area at Chase Lane and Kolob Circle should be rezoned to R2, but not the other properties. If 400 South is widened, the residents will have to sell their properties.

Commissioner Huff agreed with Commissioner Alleman adding that it made sense to rezone Chase Lane and Kolob Circle to R2 and not the 400 South properties. Commissioners Shelline, Staker and Petersen also agreed.

Commissioner Huff asked if two motions should be made. Director Aegerter stated that one motion can be made and asked that the Commissioner who makes the motion state the reason for the motion.

Commissioner Alleman stated that he hoped the residents in this area stay interested in what happens along this street.

Commissioner Huff moved to recommend approval of the rezone of the area located on Kolob Circle to the east at the end of Chase Lane to the end of 300 South from the PO-Professional Office to R2, Residential and properties that are zoned PO on 400 South remain within the PO

zoning designation because of the amount of commercially-used property on the north side of 400 South between 400 and 800 East. The nature of that section seems to be predominantly professional offices and it would not fit to change the zoning back to residential. Commissioner Staker seconded the motion. The vote to approve was unanimous.

Springville City seeking to amend Title 11 regarding Design Standards for Springville Historic District, Plat A.

Director Aegerter approached the Commissioners and presented information regarding the amendment to Title 11 regarding new construction for the historic district.

Public Hearing

Commissioner Staker moved to open the Public Hearing. Commissioner Alleman seconded the motion. The vote to open the Public Hearing was unanimous.

Scott Humble, who resides at 190 West 300 South approached the Commissioners. He stated that he believes there was a fundamental flaw because these standards only address new construction or addition that adds floor space. He stated that there was nothing in Design Standard that addresses older, existing homes and they type of exterior material that can be used. He felt that the discrepancy was unfair and inconsistent with the intent of the general standards, which was to revitalize Plat A. Director Aegerter stated that the Design Standards can require that only historic materials be used in the historic district. Even if the original material is covered the historic material would still be in place and the other historic material used would be visible. New construction requires that cladding material should be in place; any type of siding on historic homes in the 1950's may or may not be appropriate, but may be historic. He indicated that the Commissioner have addressed concerns regarding cladding.

Mr. Humble asked when this would be before the City Council. Director Aegerter responded that the City Council would see the item on May 20, 2008. He stated that letters would once again be sent to Plat A property owners making them aware of the meeting. Mr. Humble stated that he would like a copy of the revised standards. Director Aegerter stated that a revised copy would be available about one week before the May 20th City Council meeting.

Commissioner Staker moved to close the Public Hearing. Commissioner Huff seconded the motion. Mr. Humble submitted a copy of his comments regarding the proposed Design Standards. Director Aegerter accepted the comments and indicated that they would be made part of the public records. With the motion made and seconded, the vote to close the Public Hearing was unanimous.

Consideration

Commissioner Alleman moved to recommend approval of the draft Ordinance amending Section 11-1-401, 11-5-201, 11-5-202, 11-6-113(2)(a)(vii), 11-6-112(3)(g) and the official Zone Map of Springville City as the proposed amendment will help maintain the character of the area and protect property values, will maintain the intent of the General Plan and is in the best interest of Springville City. Commissioner Petersen seconded the motion. The vote to recommend approval was unanimous.

Springville City seeking to amend the Westfields Community Plan identifying the power line corridor / open space; soccer fields with a parking lot.

This item was continued to April 22, 2008 meeting.

Springville City seeking to amend the Park and Trails Master Plan regarding recreation space in the Westfields open space corridor under the Rocky Mountain Power corridor.

This item was continued to the April 22, 2008 meeting.

Administrative Session:

Nothing.

Director Aegerter reminded those in attendance that the City Council would be honoring the past Commissioners at the May 20, 2008 meeting.

With nothing further to discuss, Commissioner Staker moved to adjourn the meeting. Commissioner Alleman seconded the motion. The vote to adjourn was unanimous.

Commissioner DeLlamas adjourned the meeting at 8:46 PM