



**Planning Commission
Work Session – 6:00 PM
January 22, 2008**

Commissioners in attendance: Michael Barker; Dale DeLlamas; and Von Alleman

Commissioners excused: Craig Huff, Joyce Nolte, Christine Tolman and Mike Davis

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

Due to the lack of a quorum, the Work Session was not held.

**Planning Commission
Regular Session – 6:30 PM
January 22, 2008**

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

Council Representatives: Mark Packard and Ben Jolley

City Officials / Staff in attendance: Director Fred Aegerter; Planner I Laura
Boyd; Planner I Brandon Snyder; Public Works Director
Brad Stapley; Police Chief Scott Finlayson; Mayor Gene
Mangum and Planning Secretary Darlene Gray

Call to Order:

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

Approval of Agenda:

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

Approval of Minutes: January 8, 2008

Commissioner DeLlamas moved to approve the January 8, 2008 minutes. Commissioner
Nolte seconded the motion. The vote to approve was unanimous.

Consideration of Consent Agenda:

No Consent Agenda items.

Legislative Session:

No Legislative Session items.

Administrative Session:

Pacific Development / Otto Belvedere seeking preliminary plan approval for the Amhurst Subdivision located at about 1275 West Center Street in the R1-10, Single Family Residential zone.

Planner Snyder approached the Commissioners and apologized for any typos in the document. He indicated that the applicant, Otto Belvedere and his engineer, Todd Trane were present. He explained the changes to the subdivision and discussed density bonuses.

Planner Snyder indicated that staff recommends approval with the contingencies listed in the recommended motion of the staff report. He stated that number one of the recommended motion, "Successful rezoning of the property from R1-15 to R1-10 (the Council took action and rezoned to R1-10 on September 4, 2007.)" should be stricken from the motion.

Commissioner DeLlamas asked if the applicant would be required to provide a market value analysis. Commissioner Tolman questioned if the analysis as well as drainage and detention issues should be included in the contingencies. Planner Snyder responded that the contingencies should be included.

Commissioner Tolman expressed her concern about the impact of the density bonus as well as the impact of water control. Planner Snyder indicated that the City Senior Engineer has concerns with storm water and the future Master Plan. Commissioner Tolman stated that the street tree fee was not listed as a contingency. Planner Snyder responded that it a requirement that all fees will be paid before the plat is taken to the County to be recorded. Commissioner Tolman indicated that the market value analysis and detention basin issues should be added to the contingencies.

Commissioner Barker invited the applicant to approach the Commissioners. The applicant had nothing to add. Commissioner Tolman asked if there were any renderings because the density bonus is based on the material used. Planner Snyder indicated that there had been renderings with the first submission. Mr. Belvedere approached the Commissioners and indicated that all units would be two-story dwellings.

Commissioner Alleman stated that the alley-ways were not shown on the plan. Planner Snyder explained that the alley-ways would be recorded as an easement and would be maintained by the Home Owners Association and not the City. Commissioner Alleman asked if the fees collected for development were used near the project. Director Aegerter indicated that most of the impact fees were being used in the Westfields area. He explained that there were three accounts for park impact fee money; the neighborhood park; the community park and another for the canyon park. Commissioner Alleman commented that the property next to this project is owned by Rocky Mountain Power.

Director Aegerter indicated that the City has met with Rocky Mountain Power and there is a specific process they have that would allow for developing their property.

Commissioner DeLlamas asked what the distance was between housing units and what the setbacks were. Director Aegerter stated that there would be 26 feet from garage door to garage door and there would be no parking in the alley-ways. Commissioner Tolman asked if the garages would have to be off-set. Director Aegerter responded in the negative and stated that it would be no different than a parking lot with 24 feet distance for travel. Commissioner Tolman asked if there would be a specific number of parking stalls. Director Aegerter responded that each unit would be required to have two parking spaces. Commissioner Barker stated that a fire truck requires 26 feet. Director Aegerter indicated that fire access would be from the public street and not the alley-ways. Commissioner Davis questioned whether or not there would be enough space for snow removal. Director Aegerter explained that snow could be pushed onto the park strip and there would be five feet on either side of the street that would be unobstructed.

With no further discussion, Commissioner Tolman moved to recommend approval to the City Council for the preliminary plan for the Amhurst Subdivision located at about 1275 West Center Street in the R1-10, Single Family Residential zone with the contingencies listed in the staff report items 'A – H'. In addition, the applicant will provide a market value report on the property in order to determine the “fees in lieu” portion of the density bonus. All issues surrounding the drainage and detention basin need to be resolved. Commissioner DeLlamas seconded the motion.

Director Aegerter stated that because of the issues involved in the completeness review, he would like the motion to state that the project will need the Community Development Department Director approval prior to being passed on to the City Council for determination.

Commissioner Tolman amended her motion to include the approval of the Community Development Department Director prior to being forwarded to the City Council. Commissioner DeLlamas seconded the motion to amend Commissioner Tolman's original motion.

Commissioner Barker called for a vote on the amendment of the initial motion. The vote in favor to amend the motion was unanimous.

Commissioner Barker called for a vote on the amended motion. The vote on the motion as amended was unanimous.

Any New / Unfinished Business:

Continued discussion regarding the rezone of the PO-Professional Office zone to R2, Single or Two Family Residential zone between 300 South and 400 South at approximately 700 East.

Director Aegerter presented information regarding the request by the City Council to rezone the property. He stated that 400 South Street is identified as a major collector and

the question becomes the appropriate use in the PO zone. He explained that there are approximately 14,000 trips made on 400 South on a daily basis and the uses along the street affect traffic flow. Staff reviewed the area and found that most of the area is residential and as the street widens the City may look at more intense use options along the street. He indicated that staff recommends the rezone of the areas that are used as residential to R2, Single or Two-Family Residential and leave the existing offices in the PO zone. Utah State law had addressed spot zoning and the legislature has indicated that there is no such thing as spot zoning anymore.

Commissioner Barker commented that if 400 South is widened, it would have to be widened on the south side of the street. Director Aegerter explained that the street widening has been included in the impact fees, there would be a need for additional property from abutting properties and the pavement would be 52 feet wide instead of 41 feet which would be two lanes in each direction and a middle turn lane. He added that this would not be an easy fix, but a necessary one.

Police Chief Finlayson asked Director Aegerter for clarification regarding the traffic flow, questioning if the use was residential and those properties became zoned PO, it would increase the traffic flow by 2,100 trips. Director Aegerter responded in the affirmative and reported that staff had prepared a proposal for the Commissioner's consideration and added that staff was looking for direction.

Commissioner Barker questioned what the zone change would do to the vacant medical office. Director Aegerter indicated that the medical office on Chase Lane, the dental office, mortuary, the vacant lot and anything west of the vacant lot would remain in the PO zone.

Commissioner Tolman commented that the challenge is that 400 South is a major thoroughfare for all the development up the canyon. The problem is the issue of safety, not the number of trips and what is happening along this road. Director Aegerter added that there is a timing issue associated with zoning the property. Council Representative Packard asked when the properties were originally in the PO zone and what was the thinking to allow that strip to be zoned PO. Director Aegerter explained that 400 South was developed as a PO district because the thinking is that traffic is high and not good for residential.

Karen Ifediba approached the commissioners to provide additional information. She explained that her property is located on 100 East Street and until 2003 all property from 100 East to 100 West up to 800 North was all zoned commercial. When the Westfields were brought into the City, properties were rezoned and whatever use was on the property at that time determined the zone. She stated that she thought the Commissioners were being pro-active and the proposed rezone was a good idea. Commissioner Tolman agreed with Ms. Ifediba, but stated that the challenge is that the area is predominantly commercial, especially on the north side of the street. In terms of frontage, just a little over half the area is residential.

Discussion regarding access at 1300 East 300 and 400 South.

Director Aegerter reminded the Commissioners that they had specifically requested that Police Chief Finlayson and Public Works Director Stapley attend this meeting to address concerns regarding 400 South.

Director Stapley reported that during the installation of the new water line on 400 South, they tried an experiment to see if people would avoid the area. He indicated that the most complaints were from the residents who lived on the detour routes. He explained that in looking at the City in a bigger prospective, Public Works was trying to find other ways to travel rather than 400 South. In looking at the 800 and 900 East corridors into Main street corridor and Center Street, the speed limit is only 25 MPH. He reported that the Public Works department goal is to make 400 South a better, safer area.

Director Stapley reported that next summer the Public Works would be removing all the driveway over-crossings and because of traffic concerns, making all of 400 South a 'no parking' zone. He stated that a round-about will be constructed in the future at 1300 East and 400 South.

Commissioner DeLlamas asked if there was anything that could be done at the intersection of 800 East 400 South by Reams. Director Stapley responded that they have been looking at that intersection. He reported that the homeowner was approached because any improvement to the intersection would involve removal of some their property. He acknowledged that it is a dangerous intersection for crossing and added that there is a preliminary design and the City is looking at signaling the intersection.

Commissioner Tolman asked what factors the City would use to determine expansion needs. Director Stapley responded that they watch actions on the road way itself and if mitigating factors don't hold up, they look at another plan. He stated that it would be better to try to open up the other through-ways. Director Aegerter added that the traffic model shows 11,289 trips and by 2030, 17,000 trips are projected on 400 South to 1300 East. Currently the traffic model shows 5,400 trips on Center Street and 3,875 by the school.

Chief Finlayson suggested looking far enough into the future regarding roads. He expressed his concern that the City allowed the Woodscross Development to develop so close to the road. He stated that the duplexes across the street are also fairly close to the street. If the plan is to widen the road in the future, engineered should begin now and then put something in place so when people come into the Planning Commissioners they will have all the information regarding setbacks and possible encroachment. He added that it would be reasonable to put something in place now. He indicated that there are site issues at the intersection by Reams. Commissioner Tolman stated that this sounded like a taking situation. Director Aegerter responded that there might be potential issues. Planner Boyd added that front yard setbacks has been increased along arterial streets. Director Stapley stated that in looking at widening 400 South, the widening would jump back and forth across the street; I.E. widen the north side of the road to the south end of the Woodscross Development and then jump to the south side to the north end of Reams

and then back to the north side continuing east. Commissioner Tolman reminded those in attendance that the Woodscross Development had to be approved because it met all the requirements at the time.

Chief Finlayson stated that Director Stapley's suggestions were excellent because culverts would be removed, the road would be improved and a turn lane would be added. Commissioner Barker questioned 35 MPH being too fast of a speed where 400 East narrows. Chief Finlayson stated that the intersection at 400 East has not been a problem. He indicated that there are several streets throughout town that should have the speed limit raised to 30 to 35 MPH. Commissioner Davis asked if these changes would be going before the City Council. Chief Finlayson responded that he hoped the changes would be before the City Council in the spring.

Commissioner Davis asked if the Woodscross Development purchased the property to the west would there be a split in the zoning. Director Aegerter stated that the general policy is that the parcel should be in the same zone and indicated that he has talked with the developer about that concern.

Commissioner Alleman asked if the developer has had any luck with Reams regarding shared parking. Director Aegerter indicated that he did not know. Commissioner Tolman asked what the next step would be. Director Aegerter responded that staff would prepare a General Plan amendment for action at the next regular session. Commissioner DeLlamas asked if it would be wise to make a recommendation regarding the engineering of 400 South. Commissioner Tolman added that she liked the idea of the Commissioners endorsing Director Stapley and Chief Finlayson to put in place an action plan. Director Aegerter stated that he would identify and draft the Resolution for the Commissioners to act on and then it would be sent to the City Council.

Commissioner Davis moved to adjourn the meeting. Commissioner Tolman seconded the motion. The vote to adjourn was unanimous.

Commissioner Barker declared the meeting adjourned at 8:00 PM.