



Springville

**PLANNING COMMISSION
WORK SESSION
JANUARY 8, 2013 – 6:30 PM**

Commissioners in attendance: Brent Packard; Frank Young; Craig Huff; Joyce Nolte; and Michael Clay

Commissioners excused: Carl Clyde and Brad Mertz

Staff in attendance: Planner Brandon Snyder and Secretary Darlene Gray

Council Representative Excused: Rick Child

Call to Order:

CM Huff called the meeting to order at 6:33 PM. He indicated that there were no Consent Agenda items. He asked if there were any items on the agenda that needed discussion.

Minutes: no changes

Consent Agenda

CM Huff indicated that there were no Consent Agenda items.

Legislative Session

Housing Authority of Utah County seeking conditional use approval for public agency senior housing to be located at 451 South Main Street in the CC – Community Commercial and R1-8 Residential Single Family zones.

CM Huff indicated that the applicant had not submitted the required documents in time, so this item would have to be continued to the January 22, 2013 meeting.

Brent and Sara Harvey, on behalf of Bill Brown, seeking approval of a Conditional Use Permit for the Little Brown Theatre located at 248 South Main Street in the TC – Town Center zone.

CM Huff indicated that Planner Snyder would be presenting this item. He stated that this appeared to be way ahead because of the many requirements. Planner Snyder stated that he had expressed that same concern to the applicant. He explained the Code adding that the applicant would have to obtain a building permit after the Conditional Use Permit approval. Planner Snyder explained that the applicant has worked on this for a while with the Building Official, but the applicant decided to start the Conditional Use Permit process anyway. Planner Snyder indicated that the use would be changing from one classification to another.

CM Huff asked since the Rivoli Theater was already there and was to come to fruition, would both entities run into parking issues. He added that the theater would be grandfathered in. Planner Snyder referred to the Code and his staff report.

CM Packard indicated that the building used to be a spud-nut shop. CM Clay added if the Rivoli Theater became functional, the Little Brown Theatre would become obsolete. CM Huff stated that the Little Brown Theatre would be used for recitals.

CM Packard reported that he has watched the parking on the whole street, Magleby's and surrounding areas and reported that all parking stalls had been filled. He stated that parking was an issue because there were not a lot of stalls there. CM Huff asked how many stalls were available. Planner Snyder reported that he looked at the air photo and there were 23-stalls. CM Young asked if the Building Official had designated the number of parking stalls needed. Planner Snyder indicated that he had not, but there are 60-spaces; one space per three seats.

CM Young asked if there would be issues with interior renovations. Planner Snyder indicated that the issues were with the building department and the fire department.

CM Clay asked if this was the same group that was in the basement of the old Civic Center building. Planner Snyder indicated that that group had gone to Merit Academy. CM Huff asked if this group would be doing more performance type functions rather than plays. Planner Snyder indicated they would be doing plays and performances. With regard to the Rivoli Theater becoming functional, Planner Snyder indicated that they would have to come before the Planning Commissioners for a Conditional Use Permit and then there would be additional discussion regarding parking and operating hours.

CM Packard indicated that the Rivoli Theater still has a lot of seating in the loft and bottom seating area. Planner Snyder indicated that the Rivoli would be in the same position as the Little Brown Theatre and added that a lot of the building codes had to be met.

CM Nolte asked if the theatre was in the Bill Brown Realty office. Planner Snyder indicated that it was not. CM Nolte asked if the rug shop was still there. Planner Snyder indicated that it was not. CM Huff identified the stores in order of location. He stated Springville was the Art City and yet we don't allow a theater in the center of town. Planner Snyder explained the conditional use criteria. CM Huff stated that at this point, other than building issues, there were not any big issues. CM Packard added with the exception of the parking. CM Young indicated that parking would be an issue if a lot of events would be happening at the same time.

Administrative Session

CM Packard asked about the northeast quarter of Plat A. Planner Snyder explained that staff had been working on a Community Plan and the first one would involve the downtown Plat A area. He reported that there would be an Open House on January 23rd for the Plat A Community Plan and staff was in the process of preparing and sending invitations. He identified the areas involved as 400 North to 800 South and 400 West to 400 West. Planner Snyder indicated that participants would be reviewing data relating to land use, traffic incidents, infrastructure, etc. He reported that there would be maps and surveys and participants would be able to input ideas they have to move this part of the city forward.

CM Packard stated that he understood that there was a group that would like to keep Plat A as it is. Planner Snyder indicated that staff had not heard anything like that. He reported that mailings would be sent within a week or so.

CM Packard asked if the Commissioners would be discussing this in their next Tuesday meeting. Planner Snyder indicated that Director Aegerter may bring up the subject. He indicated that attendees to the Open House would be split out into small groups for discussion.

CM Nolte asked why the City was doing this if there were no funds to implement projects; e.g. curbing, gutters, sidewalks, etc. Planner Snyder explained that when the General Plan was updated one of the goals was to come up with community plans. One concern was with regard to Plat A becoming the same as the Westfields, as well as setting goals for difference areas of the city. CM Nolte stated that the Open House would basically be to gather public input prior to honing in on specifics to Plat A. CM Huff added that staff would have to have some direction before they can talk money.

With no further discussion, CM Packard moved to close the Work Session. CM Clay seconded the motion. The vote to close the Work Session was unanimous. CM Huff adjourned the Work Session at 6:49 PM.



Springville

**PLANNING COMMISSION
REGULAR SESSION
JANUARY 8, 2013 – 7:00 PM**

Commissioners in attendance: Brent Packard; Frank Young; Craig Huff; Joyce Nolte; and Michael Clay

Commissioners excused: Carl Clyde and Brad Mertz

Staff in attendance: Planner Brandon Snyder and Secretary Darlene Gray

Council Representative Excused: Rick Child

Due to technical difficulties with the microphones, CM Huff indicated the start of the meeting would be delayed until this could be corrected.

Call to Order:

CM Huff called the meeting to order at 7:02 PM. He indicated that the problem had not been as yet repaired, but he would start the meeting and asked everyone who spoke at the meeting to please speak loud.

Approval of Agenda:

CM Huff called for a motion to approve the agenda. CM Young moved to approve the agenda as presented. CM Clay seconded the motion. The vote was unanimous.

Approval of Minutes: December 26, 2012

CM Huff called for a motion to approve the minutes. CM Packard moved to approve the December 26, 2012 meeting minutes. CM Young seconded the motion. The vote to approve the meeting minutes was unanimous.

Consent Agenda

CM Huff explained that there were no Consent Agenda items.

Legislative Session

Housing Authority of Utah County seeking conditional use approval for public agency senior housing to be located at 451 South Main Street in the CC – Community Commercial and R1-8 Residential Single Family zones.

CM Huff indicated that the Housing Authority had not submitted the documents on time so this item would need to be continued to the January 22, 2013 Planning Commission meeting. He indicated that there were some residents in attendance who would like to address this item, so he would open the Public Hearing. CM Huff explained that in the past, the applicant had proposed a mixed-use retail and residential development, the bottom being the retail and the upper two floors being residential use for seniors that would be subsidized by the Utah Housing Authority. He indicated that the development

would not take up all of 400 South, but the office building would be to the south of the lot. Planner Snyder indicated that CM Huff was mainly correct, but there was a proposed building on 400 South as well and Planner Thompson was waiting for updated plans.

Public Hearing

CM Huff opened the Public Hearing and invited individuals who would like to comment on the agenda item to come to the microphone.

Kay Rizzuto, who resides at 86 East 500 South approached the Commissioners. She stated that based on what had been previously presented she would be okay with the project. She indicated that her concern would be with who the Housing Authority would allow to live there. Ms. Rizzuto reported that she has small children and would not want registered sex offenders being able to look into her back yard. She hoped that consideration would be taken into who would be allowed to live there.

CM Huff indicated that he would make note of her concerns. Ms. Rizzuto stated that if any changes had been made to the previous plans, she would like to know about them.

CM Huff stated that he has had the opportunity to see the same type of senior housing units behind Lowe's and the car dealers in Orem. The difference is that those in Orem were small duplexes and not this type of proposed housing.

Karen Ifediba, who resides at 450 South 100 East approached the Commissioners. She identified comparable housing, one on 100 North and 700 West in Provo. She indicated that these units had been constructed by the Provo Housing Authority and indicated that the Provo Housing Authority and Utah County Housing Authority work together. Ms. Ifediba reported that the old Maeser School on about 50 East and 200 South was another example of this type of housing. She indicated that they were constructed really well, but the only difference was that there was no commercial development associated with these units. Ms. Ifediba stated that the Housing Authority did a good job and added that they do have rules regarding people who are allowed to live there.

Marlene Reed, who resides at 70 East 400 South approached the Commissioners. She indicated that she would not be able to attend the January 22nd meeting but she would like to know what the new proposal was, as well as input her concerns. Planner Snyder suggested Ms. Reed meet with Planner Thompson because Planner Thompson has started to receive some of the new documents from the Housing Authority. He indicated that Ms. Reed should call the City office at 801.491.7861.

With no other comments, CM Clay moved to close the Public Hearing. CM Nolte seconded the motion. The vote to close the Public Hearing was unanimous.

Consideration:

CM Young moved to continue this item to the January 22, 2013 Planning Commission meeting. CM Clay seconded the motion. The vote to continue the item was as follows:

Roll Call

CM Packard – Aye

CM Young - Aye

CM Nolte - Aye
CM Huff – Aye
CM Clay – Aye

Brent and Sara Harvey, on behalf of Bill Brown, seeking approval of a Conditional Use Permit for the Little Brown Theatre located at 248 South Main Street in the TC – Town Center zone.

Planner Snyder indicated that the parking, building permit process, and City Code regarding off-street parking had been reviewed. He reported that a letter from the applicant, a layout of the building, and a letter from Central Bank had been included in the Commissioner’s packets. Planner Snyder indicated that staff would recommend the approval of the Conditional Use Permit with the identified contingencies.

CM Huff asked if Central Bank has committed the use of their parking to this use, would they be able to offer their parking to another business; could Central Bank issue another letter approving use of their parking to someone else? Planner Snyder indicated that would have to depend on the type of use; e.g. evening use. He indicated that in the past when there has been high occupancy, the City has conducted and updated a survey identifying the use of each building and what parking would be required. He added that usually, an excess of parking has been found.

CM Nolte stated that she noticed in the applicant’s letter that they would have 23 staff members, so 23 staff members and 60 attendees would put the seating at 83 and that number would increase the number of parking stalls required. Planner Snyder indicated that parking was based on the actual seating of one stall per every three seats.

CM Huff invited Mr. and/or Mrs. Harvey to the microphone.

The Harveys who reside at 270 East 1270 North, Springville, approached the Commissioners. Mr. Harvey indicated that in times past, he and his wife have managed the Villa Theatre where they would have shows at the same time as other events and they never had a parking problem. He stated that they did not see parking as an issue and added that Central Bank had been generous to offer their parking.

Ms. Harvey stated that they had an average of 30 attendees. Mr. Harvey commented that hopefully, they would like 60 attendees. He stated that they had been working with Magleby’s and Pier 49 to do a ‘Dinner and a Theatre’ package that could help revitalize the downtown area. He stated that they had talked to DragonFly and Ms. Harvey stated that the owner of DragonFly was excited because their theatre might bring activity to her business. Ms. Harvey stated that they have partnered with The UPS Store for posters, SOS Drug for ice cream, as well as other businesses. Mr. Harvey indicated that they conducted a fund raiser last year and businesses from north Main Street (Zubs) to south Main Street had donated something to the fund raiser. Ms. Harvey corrected Mr. Harvey indicating that it was Dinner and a Show Package and that dinner would not be served in the theatre.

CM Packard asked if there would be live events rather than small plays. Mr. Harvey indicated that they might have Blue Grass Bands. He indicated that Bill Brown had started the theatre but he did not want to be involved. Mr. Harvey indicated that they had been having plays, etc. since last year and didn’t realize that they were doing anything wrong, but they were trying to correct things now. Ms. Harvey added that there would be puppet shows, poetry readings, etc.

CM Packard asked if there would be dancing at the location. Mr. Harvey indicated that there would be no dancing in the theatre. Ms. Harvey indicated that there might be folk music. She stated that one of their emphases would be to encourage original artists; song writers; poets, play writes, etc.; a place to showcase their works. Mr. Harvey added that 50-percent of their productions were original works. Ms. Harvey indicated that they would invite story tellers during Art City Days. She stated that they have taken over the lease of the building.

Public Hearing

With no other comments, CM Huff opened the Public Hearing and asked in anyone would like to address the Commissioners.

With no one approaching the Commissioners to comment, CM Nolte moved to close the Public Hearing. CM Packard seconded the motion. The vote to close the Public Hearing was unanimous.

Consideration

CM Nolte stated that if all the Building Official's and Fire Department's comments could be met, this would be a great use for the downtown area in the evenings and those comments did not conflict with the general criteria for the Commissioners to issue the Conditional Use Permit.

CM Packard indicated that this would be a nice addition and would help people around the commercial area. He thought this would give excitement to downtown.

CM Huff indicated that he also thought this met the general criteria to issue the Conditional Use Permit and he applauded the effort made by the Harveys. He stated that this was The Art City, but this type of use had to obtain a conditional use. He added that he was excited for them in making a 'go' of this. He asked the Commissioners if they had any concerns regarding the hours of operation, asking if they would want to put a 7:00 PM restriction in the Conditional Use.

CM Young thought it might be limited to 6:00 PM because of bank hours.

CM Nolte commented that there would be earlier practices which would involve staff.

Mr. Harvey stated that they may have a Saturday matinee. Ms. Harvey added that they might have a work shop during the day in conjunction with Art City Days. She indicated that they might have little productions or events during the day, but that would not be common practice.

With no other discussion, CM Nolte moved to approve the Conditional Use Permit for the Little Brown Theatre to use the building located at 248 South Main Street in the TC – Town Center zone for theatre use contingent upon addressing all DRC items and obtaining a certificate of occupancy from the Building Department prior to occupying the building. CM Clay seconded the motion. The vote was as follows:

Roll Call

CM Packard – Aye

CM Young - Aye

CM Nolte - Aye

CM Huff – Aye
CM Clay – Aye

Administrative Session

Planner Snyder reminded the Commissioners of the next Planning Commission meeting on January 22nd. He informed the Commissioners that the City would conduct an Open House on January 23rd regarding the Community Plan. He asked which of the Commissioners would be available. All Commissioners present indicated that they would attend on the 23rd. Planner Snyder indicated that a flier with the information would be sent out within a week or so. He asked the Commissioners to please send any comments to Director Aegerter, Secretary Gray, Planner Thompson or himself.

Planner Snyder indicated that no date had been set for the Planning Commission Spring Training.

Planner Snyder reported that Salt Lake City would be hosting the upcoming conference and the American Planning Association (APA) Spring Conference would be held in Logan City.

With nothing further to discuss, CM Huff requested a motion to adjourn the meeting. CM Packard moved to adjourn the meeting. CM Young seconded the motion. The vote to close the meeting was unanimous. CM Huff adjourned the meeting at 7:32 PM.