



Springville

**PLANNING COMMISSION
WORK SESSION
MARCH 26, 2013 – 6:00 PM**

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

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

Council Representative: Rick Child

Call to Order:

CM Huff called the meeting to order at 6:00 PM.

Approval of Agenda

CM Packard moved to approve the agenda as written. CM Young seconded the motion. The vote to approve the agenda was unanimous.

Approval of Minutes: February 26, 2013

CM Huff asked if the Commissioners had the opportunity to review the meeting minutes. CM Clyde moved to approve the meeting minutes of the February 26, 2013. CM Young seconded the motion. The vote to approve the meeting minutes for the February 26, 2013 was unanimous.

Consent Agenda

CM Huff explained the Consent Agenda process. He asked if any of the Commissioners would want to remove this item from the Consent Agenda.

CM Clay asked if the Commissioners could ask questions of staff. CM Huff indicated that the item would have to be removed from the Consent Agenda and moved to the Administrative Session.

CM Clay moved to remove item 2a from the Consent Agenda to the Administrative Session. CM Mertz seconded the motion. The vote to move item 2a from the Consent Agenda to the Administrative Session was unanimous.

Legislative Session

Mike Stewart seeking to amend the Springville City Municipal Code, Title 11, Section 11-7-410 and Title 14, Section 14-5-101 pertaining to required improvements.

Planner Snyder approached the Commissioners and explained that the applicant requested that the City staff review the Code regarding subdivision improvements. He reported that Mr. Stewart has not submitted his proposed language. Planner Snyder indicated that at the applicant's request the item would be continued. Planner Snyder indicated that he had included staff's proposal of the amendment in their packet.

CM Packard asked about the bonding and liability to the City. Planner Snyder explained that the requirement for bonding would not be removed but would be turned over to the City. At the completion of the improvements, building permits could be issued. He stated that Mr. Stewart was looking to speed up the process by doing the underground improvements, laying road base and then requesting building permits. Planner Snyder indicated that the Engineers stated that the amendment to the improvements would apply to all developments and not just Mr. Stewart's. CM Packard asked if this would apply to the entire City. Planner Snyder indicated that was one of the concerns raised. CM Young asked if the Certificate of Occupancy would be held until the entire project would be completed. CM Nolte asked how much time this would involve. Planner Snyder stated this was a 16-building project and would involve some time where smaller projects would not.

CM Huff opened the Public Hearing for comment.

Public Hearing

CM Mertz moved to close the Public Hearing. CM Packard seconded the motion. The vote to close the Public Hearing was unanimous.

CM Huff asked what would be the best date to continue the item to. Planner Snyder indicated that the Commissioners could assign a specific date, but added that the item may or may not need to come back to the Commissioners. Director Aegerter stated that a specific date would need to be assigned.

Consideration

CM Mertz moved to continue this item to April 23, 2013 for additional discussion and review by staff with the applicant prior to bringing a proposal back to the Planning Commission for review. CM Young seconded the motion. The vote to continue the item was unanimous.

Administrative Session

Clay Liston seeking site plan approval for the Tunex to be located at 745 South 1950 West in the HC – Highway Commercial zone.

Planner Snyder reviewed the staff report and explained that at the time of development, the sewer and storm drain connections had not been installed. He stated that water shares could be tendered at the time of annexation, development or at the time of building permit. He indicated that water shares were not as yet tendered. Planner Snyder stated that there were some unresolved issues related to the site plan. He pointed out that the motion stated that contingency items would still need to be addressed, brought back to staff and then to the Commissioner for approval. Planner Snyder reported that the applicant was in attendance.

CM Clay stated that usually a Consent Agenda item has four or five contingencies, but some projects have been rushed through because of lenders. He stated that there is a normal process that was not followed on this site. Director Aegerter reported that this subdivision had been done long ago and the infrastructure should be in place at that time. He stated that he knew that the Planning Commissioners did not like to see projects with a long list of contingencies. He commented that this was brought before the Commissioners in an effort on the part of City to address problems of the past. He added that the applicant and the City were in negotiation and discussion right now to address the infrastructure issue. Director Aegerter stated that the City was at fault as well as the applicant not providing complete information.

CM Young asked if there were any easement issues. Director Aegerter stated that he did not believe there were any. CM Young asked if the frontage was owned by the State. Director Aegerter indicated that it was.

CM Packard asked how far away the sewer line was. Director Aegerter reported that one sewer line was on 900 South and the other was past Wal-Mart on the frontage road; both being a significant distance. He explained that typically the City Engineers like to see the sewer lines 150 to 200 feet away. CM Young asked if they could access the sewer line by Wal-Mart. Mr. Liston indicated that they could not.

CM Clay asked if the Commissioners would be interested in directing staff to working with the applicant to resolve many of the contingencies. He stated that he had some worries because if the item is approved with the accepted use, it would be assumed that all was approved and good. He added that this project had significant issues and should be resolved before coming to the Commissioners.

CM Huff asked if there were any other significant issues other than the sewer and storm drain or were there other issues. Mr. Mark Stevenson, the project architect, stated that the “goal post keeps moving.” CM Clay indicated that at the applicant’s request the item was brought to the Commissioners because of the urgent need to show the lending institution that the project was progressing. If not, the applicant could lose their funding.

CM Huff asked if the Commissioners had any problem with moving this forward. CM Clay stated that he did not have a problem moving this forward, as long as in the future contingencies could be resolved. CM Packard stated that this could be a discussion item with staff in a Work Session. CM Huff stated that he was under the impression that the Commissioners wanted as little contingencies as possible. Director Aegerter indicated that was what he understood. CM Huff asked if staff understood the direction given from the Commissioners that they would expect as few contingencies as possible for projects being brought to the Planning Commission.

With no further discussion, CM Packard moved to approve the Tunex site plan located at 745 South 1950 West in the HC – Highway Commercial zone contingent upon addressing all DRC and Post-DRC comments and bringing the revised and approved plans back to the Planning Commission for final approval. CM Young asked what the time-line would be. Director Aegerter indicated the item would come back to the Planning Commissioners on April 9, 2013. With the motion made, CM Young seconded the motion. The vote to approve the Tunex site plan with contingencies was unanimous.

With nothing further to discuss, CM Packard moved to close the Work Session. CM Clyde seconded the motion. The vote to close the Work Session was unanimous. CM Huff closed the Work Session at 6:26 PM.