

**MINUTES OF THE VINEYARD TOWN
WORK SESSION AND COUNCIL MEETING
Vineyard Town Hall, 240 East Gammon Road, Vineyard, Utah
September 9, 2015 at 6:00 pm**

6:00 PM WORK SESSION WITH STAFF

Present

Mayor Randy Farnworth
Councilmember Dale Goodman
Councilmember Nathan Riley

Absent

Councilmember Sean Fernandez
Councilmember Julie Fullmer

Staff Present: Public Works Director/Engineer Don Overson, Treasurer Jacob McHargue, Town Planners Nathan Crane and Aric Jensen, Utah County Sheriff Deputy Collin Gordon, Town Attorney David Church, Town Clerk/Recorder Pamela Spencer, Town Water Operator/Technician Sullivan Love.

Others Present: Residents Tyce Flake and Angela Kohl.

Mayor Farnworth reviewed the agenda with Council and Staff.

Sheriff's Deputy Collin Gordon let the Council know that he would be at a training next week. He mentioned that the inmates would be coming to do cleanup for the town on September 22 and 23.

Public Works Director/Engineer Don Overson said that W.W. Clyde reported that someone had been partying on the Vineyard Connector overpass. He explained that they needed to move some of the streetlights from Center Street to areas that need them. He said that they are finalizing the water storage with Orem and CUP. He mentioned that a Charter School was inquiring about building on the lot east of Town Hall. He stated that he was getting redlines for the plans for the Public Safety Building from potential Building Officials and then he would be able to put it out to bid.

Councilmember Riley reported that residents living in the Alloy Apartments had concerns with the parties going on there and that they felt that management was turning a blind eye to it. Mr. Church said that the town could not enforcement the apartment's rules unless they were committing a crime. He mentioned that there could be a potential for a nuisance issue. Councilmember Riley said that residents asked if there was anything the town could do to help with the enforcement of the apartment rules. Mr. Church suggested that they could start a "Good Landlord" program. Deputy Gordon stated that they cannot enforce a violation of apartment rules, but if it was a criminal act then they could step in.

7:00 PM REGULAR SESSION

Present

Mayor Randy Farnworth
Councilmember Dale Goodman
Councilmember Nathan Riley

Absent

Councilmember Sean Fernandez
Councilmember Julie Fullmer

Staff Present: Public Works Director/Engineer Don Overson, Attorney David Church, Sheriff Deputy Collin Gordon, Treasurer Jacob McHargue, Town Planners Nathan Crane and Aric Jensen, Town Clerk/Recorder Pamela Spencer, Town Water Operator/Technician Sullivan Love, Planning Commission Chair Wayne Holdaway.

Others Present: Residents Tyce Flake, Angela Kohl, Marcus Jessop, Teresa Goodman, and Tim Blackburn; Leighton Jensen with MS Properties; Wayne Sorensen with MasterCraft; Gerald Anderson, Stewart Park, Mike Hutchings and Jeff Walker with Anderson Development; John Jansen with Civil Solutions.

Regular Session - The meeting was called to order at 7:00 PM. The invocation was offered by Treasurer Jacob McHargue.

CONSENT ITEMS:

- a) Approval of July 8, 2015 Minutes

Mayor Farnworth called for a motion to approve the consent item.

Motion: COUNCILMEMBER RILEY MOVED TO APPROVE THE MINUTES OF JULY 8, 2015. COUNCILMEMBER GOODMAN SECONDED THE MOTION. ALL WERE IN FAVOR. MOTION CARRIED WITH TWO ABSENT.

PLANNING COMMISSION UPDATE AND RECOMMENDATIONS TO THE COUNCIL: Planning Commission Chair Wayne Holdaway – Chair Holdaway discussed the Town Center Ordinance, which Planning Commission recommended for approval. He said that the controversies on the other items were being passed to Council.

STAFF REPORTS

Public Works Director/Engineer– Don Overson – Mr. Overson reported that they are in the process of hiring a Planner, a full-time Public Works Inspector, and a Building Official. He mentioned that the water storage plan was in the final stages and would be coming to Council for approval. He stated that the traffic calming striping would be completed next week, and he added that the radar signs had been ordered.

Councilmember Goodman asked about the status on the Main Street connection. Mr. Overson said that they had some setbacks on Main Street with the storm drain where they hit a large pocket of peat moss. He explained that the road would stay closed until they have the asphalt down and anticipated that this would be completed by mid-October. He stated that there had been a lot of peat moss, which went from the Homesteads area clear to the Vineyard Connector, which was slowing down construction.

Gerald Anderson with Anderson Development asked if they could move the Road Closed signs to the other side of the overpass. Mr. Overson explained that he had concerns with people driving through the construction zones if they open it. He said that they had complaints about people driving, riding bikes, etc., through the construction area. Mayor Farnworth mentioned that they have had complaints that people had been parting on the overpass and leaving debris.

Mr. Overson mentioned that a charter school company was considering building a charter school on the east side of Holdaway Road across from Gammon Park.

Attorney – David Church - Mr. Church reported that he was still waiting to get the updated figures from Union Pacific on the cost for the removal of the rail spur.

Utah County Sheriff Department – Collin Gordon – Deputy Gordon had no new items to report.

Town Planner – Nathan Crane – Mr. Crane had no new items to report.

Treasurer – Jacob McHargue – Mr. McHargue asked if the Council had any questions about the report he sent out from the staff meeting that was held on Tuesday.

Town Clerk/Recorder – Pamela Spencer – Ms. Spencer reported that they would be contracting with Utah County to run the November Municipal vote-by-mail Election.

COUNCILMEMBERS' REPORTS

Councilmember Dale Goodman – Councilmember Goodman had no new items to report.

Councilmember Julie Fullmer – Councilmember Fullmer was excused.

Councilmember Sean Fernandez – Councilmember Fernandez was excused.

Councilmember Nathan Riley – Councilmember Riley had no new items to report.

MAYOR'S REPORT

Mayor Farnworth reported that at the Utah Lake Commission meeting they mentioned that the average depth of the lake was three (3) to four (4) feet and added that they had removed 19 million pounds of carp. He stated that they would be going to a quarterly meeting. He also reported that the meeting with Orem was cancelled.

OPEN SESSION: *Citizens' Comments*

Resident Tim Blackburn living on East Lake View Drive reported that the recyclables truck left as much trash as they picked up and left hydraulic fluid. Water Operator Sullivan Love said that he spoke with the driver and suggested that Republic Services have a street sweeper clean up the whole town. He stated that the front office was in contact with Republic Services. Councilmember Goodman mentioned that they had the same problem in the Shores subdivision. The Council asked Mr. Overson to follow up with Republic Services tomorrow.

BUSINESS ITEMS:

8.1 PUBLIC HEARING – Conditional Use Permit and Site Plan Application in the Eastlake Industrial Park

The Applicant, Rob Tubman of Vineyard Properties of Utah, is seeking approval of their Conditional Use Permit and Site Plan application for a 37,000 sq. ft. office/warehouse building located on Lot 7 of the Eastlake Industrial Business Park phase 1 Amended. The Mayor and Town Council will take appropriate action.

Mayor Farnworth turned the time over to Town Planner Nathan Crane.

Mr. Crane reviewed the request. He said that Planning Commission recommended approval.

Leighton Jensen with MS Properties mentioned that they are ready to begin construction and added that it would be leased property, not sold. He said that they had potential tenants ready to lease.

Mayor Farnworth called for a motion.

Motion: COUNCILMEMBER GOODMAN MOVED TO OPEN THE PUBLIC HEARING AT 7:27 PM. COUNCILMEMBER RILEY SECONDED THE MOTION. ALL WERE IN FAVOR. MOTION CARRIED WITH TWO ABSENT.

Mayor Farnworth called for public comment. Hearing none, he called for a motion to close the public hearing.

Motion: COUNCILMEMBER RILEY MOVED TO CLOSE THE PUBLIC HEARING AT 7:28 PM. MAYOR FARNWORTH SECONDED THE MOTION. ALL WERE IN FAVOR. MOTION CARRIED WITH TWO ABSENT.

Councilmember Riley asked if the stipulations listed were the standard ones. Mr. Crane replied that they were with a couple of small changes.

Mayor Farnworth called for a motion.

Motion: COUNCILMEMBER GOODMAN MOVED THAT THE TOWN COUNCIL ACCEPT THE FINDINGS AND APPROVE THE REQUEST FOR SITE PLAN AND CONDITIONAL USE PERMIT FOR AN OFFICE WAREHOUSE IN THE I-1 ZONING DISTRICT SUBJECT TO THE EIGHT STIPULATIONS RECOMMENDED BY THE PLANNING COMMISSION:

1. THE SITE PLAN SHALL CONFORM TO THE SITE PLAN, ELEVATIONS, AND LANDSCAPE PLAN DATED AUGUST 28, 2015, EXCEPT AS MODIFIED BY THESE STIPULATIONS.
2. ALL SIGNAGE SHALL REQUIRE A SEPARATE PERMIT.
3. IN ACCORDANCE WITH SECTION 1416 OF THE TOWN OF VINEYARD ZONING ORDINANCE, THE APPROVAL OF THE SITE PLAN SHALL EXPIRE IN 180 DAYS IF A BUILDING PERMIT HAS NOT BEEN ISSUED.
4. IN ACCORDANCE WITH SECTION 1514 OF THE TOWN OF VINEYARD ZONING ORDINANCE, THE APPROVAL OF THE CONDITIONAL USE PERMIT SHALL EXPIRE IN 180 DAYS IF A BUILDING PERMIT HAS NOT BEEN ISSUED.
5. THE CIVIL CONSTRUCTION DRAWINGS SHALL MEET ALL REQUIREMENTS AS DETERMINED BY THE TOWN ENGINEER.
6. ALL DRIVEWAYS SHALL BE SEPARATED BY A MINIMUM OF 150 FEET FROM INSIDE CURB TO INSIDE CURB FROM ALL ONSITE OR ADJACENT DRIVEWAYS. IF A DRIVEWAY IS SHARED ACROSS ACCESS EASEMENT FOR THE EAST DRIVEWAY ON 1750 NORTH SHALL BE RECORDED PRIOR TO ISSUANCE OF A BUILDING PERMIT.
7. A MINIMUM OF ONE PARKING ISLAND FOR EVERY 12 STALLS SHALL BE PROVIDED ON THE WEST SIDE OF THE BUILDING.
8. ALL PARKING SHALL BE SCREENED IN ACCORDANCE WITH CHAPTER 20 LANDSCAPING AND CHAPTER 19 PARKING OF THE VINEYARD TOWN ZONING ORDINANCE.

COUNCILMEMBER RILEY SECONDED THE MOTION. ALL WERE IN FAVOR. MOTION CARRIED WITH TWO ABSENT.

8.2 PUBLIC HEARING – Conditional Use Permit – MasterCraft Boat Storage

The applicant, Wayne Sorenson of MasterCraft is seeking approval of a Conditional Use Permit for Outdoor Boat Sales and Repair with Ancillary Sales on Lot 17, Eastlake at Geneva Industrial Business Park Phase 1 Amended. The Mayor and Town Council will take appropriate action.

Mayor Farnworth turned the time over to the Town Planner Nathan Crane.

Mr. Crane reviewed the request. He said that the Planning Commission recommended approval but had a concern with the HOA and the CC&Rs.

Wayne Sorensen with MasterCraft explained that the front of the building would be for a new high-end boat show room and sales. He said that the rear of the building, the northeast side would be for repair and indoor storage. The outside storage will be for temporary storage with no outdoor paid storage. Mr. Church asked the applicants if they had worked out the concerns with the HOA. Stewart Park with Anderson Development said that they had been in discussions to make amendments to the CC&Rs to make this project work. Gerald Anderson with Anderson Development said that the parties have come to an agreement. He said the issue was if they allow a boat dealer to come in what was to prevent RV sales, etc., to come in. He said that they had agreed to allow new sales but not used or repaired.

Councilmember Riley asked if the Futsal business was no longer there. Mr. Sorensen replied that was correct. Councilmember Riley stated that he was concerned with the existing parking stalls and how they would be pulling boats on and off the lot. Mr. Sorensen said they would have signage directing people to enter from 400 East and pull through the lot. He mentioned that there would be service on the site but that the bulk of the business would be sales. Mr. Anderson said that they required the builder to make sure there was enough space to fit a full-size semi-truck on the lot.

Councilmember Riley asked how the semi-trucks would be able to get back out of the lot. Mr. Anderson said that they would back into the dock and never go to the parking area. He added that the primary use of the parking stalls would be for employee parking.

Mayor Farnworth called for a motion to open the public hearing.

Motion: COUNCILMEMBER GOODMAN MOVED TO GO INTO A PUBLIC HEARING AT 7:40 PM. MAYOR FARNWORTH SECONDED THE MOTION. ALL WERE IN FAVOR. MOTION CARRIED WITH TWO ABSENT.

Mr. Jensen with the architectural team mentioned that there were still a few issues that needed to be resolved. He said that maneuvering the trucks around was a definite concern.

Mayor Farnworth called for a motion to close the public hearing.

Motion: COUNCILMEMBER RILEY MOVED TO CLOSE THE PUBLIC HEARING AT 7:41 PM. COUNCILMEMBER GOODMAN SECONDED THE MOTION. ALL WERE IN FAVOR. MOTION CARRIED WITH TWO ABSENT.

Councilmember Riley asked about the separation of the water and sewer lines. Mr. Overson stated that they would be able to bring the water line in without cutting the road. He added that they would need to make sure they have fire suppression in the building.

Councilmember Goodman asked if there would be any use other than restrooms for the sewer line such as a boat wash station. Mr. Overson replied that there had not been any plans submitted showing other uses.

Councilmember Goodman said that there was an eighth stipulation recommended for outdoor storage for ancillary uses.

Mayor Farnworth called for a motion.

Motion: COUNCILMEMBER RILEY MOVED THAT THE TOWN COUNCIL ACCEPT THE FINDINGS AND APPROVE THE REQUEST FOR A CONDITIONAL USE PERMIT FOR BOAT STORAGE SUBJECT TO THE SEVEN STIPULATIONS RECOMMENDED BY THE PLANNING COMMISSION:

1. THE SITE PLAN SHALL CONFORM TO THE SITE PLAN AND NARRATIVE DATED JULY 22, 2015, EXCEPT AS MODIFIED BY THESE STIPULATIONS.
2. ALL SIGNAGE SHALL REQUIRE A SEPARATE PERMIT.
3. IN ACCORDANCE WITH SECTION 1416 OF THE TOWN OF VINEYARD ZONING ORDINANCE, THE APPROVAL OF THE SITE PLAN SHALL EXPIRE IN 180 DAYS IF A BUILDING PERMIT HAS NOT BEEN ISSUED.
4. IN ACCORDANCE WITH SECTION 1514 OF THE TOWN OF VINEYARD ZONING ORDINANCE, THE APPROVAL OF THE CONDITIONAL USE PERMIT SHALL EXPIRE IN 180 DAYS IF A BUILDING PERMIT HAS NOT BEEN ISSUED.
5. THE CIVIL CONSTRUCTION DRAWINGS SHALL MEET ALL REQUIREMENTS AS DETERMINED BY THE TOWN ENGINEER.
6. SEPARATE WATER AND SEWER LINES SHALL BE PROVIDED TO THE BUILDING.
7. A REVISED FINAL PLAT SHALL BE RECORDED PRIOR TO BUILDING OCCUPANCY.

MAYOR FARNWORTH SECONDED THE MOTION. ALL WERE IN FAVOR. MOTION CARRIED WITH TWO ABSENT.

Amended Motion: COUNCILMEMBER RILEY MOVED TO AMEND THE MOTION TO INCLUDE AN EIGHTH STIPULATION THAT STATES THAT THERE WOULD BE NO PAID

OUTDOOR STORAGE USE OF THE FACILITY. COUNCILMEMBER GOODMAN SECONDED THE MOTION. ALL WERE IN FAVOR. MOTION CARRIED WITH TWO ABSENT.

8.3 DISCUSSION AND ACTION – Preliminary and Final Plat Approval – MGS Plat B

The applicant is proposing a two-lot subdivision. Lot 1 is 1.33 Acres, and Lot 2 is 1.77 acres. The Mayor and Town Council will take appropriate action.

Mayor Farnworth called for a motion.

Motion: COUNCILMEMBER GOODMAN MOVED THAT THE TOWN COUNCIL ACCEPT THE FINDINGS AND APPROVE THE MGS SUBDIVISION PLAT B SUBJECT TO THE THREE STIPULATIONS RECOMMENDED BY THE PLANNING COMMISSION:

1. THE FINAL PLAT SHALL BE IN CONFORMANCE WITH THE APPLICATION DATE STAMPED AUGUST 28, 2015, EXCEPT AS MODIFIED BY THESE STIPULATIONS.
2. PRIOR TO OCCUPANCY OF THE BUILDING ON LOT 2, SEPARATE UTILITIES SHALL BE EXTENDED TO THE BUILDING ON LOT 2 AND THE FINAL PLAT SHALL BE RECORDED.
3. PRIOR TO RECORDATION, THE FINAL PLAT SHALL BE REVISED AS DETERMINED BY THE TOWN ENGINEER.

COUNCILMEMBER RILEY SECONDED THE MOTION. ALL WERE IN FAVOR. MOTION CARRIED WITH TWO ABSENT.

8.4 PUBLIC HEARING – Town Center Ordinance

- The Applicant is requesting to amend Section 740 Transit Center Zoning District, and Section 750 Lake Oriented Mixed Use District by replacing these sections with a new section titled Section 740 Vineyard Town Center Zone.
 - The Applicant is requesting to rezone parcels 40:455:004, 40:455:003, and 17:024:002 from Lake Oriented Mixed Use to Vineyard Town Center Zone.
 - The Applicant is requesting to rezone the parcel west of the Vineyard Connector right of way, east to the existing railroad tracks from 1600 N. South to the 1200 N. Alignment from I-1 Industrial to Vineyard Town Center Zone.
 - The Applicant is requesting to amend the land use definitions for the Transit Center and the Lake Oriented Mixed Use land use categories.
 - The Applicant is requesting to amend Chapter 6 of the Vineyard Town Zoning Ordinance relating to the adoption of the new Vineyard Town Center Zone.
- The Mayor and Town Council will take appropriate action.

Mayor Farnworth turned the time over to the Town Planner Nathan Crane.

Mr. Crane explained the different changes that needed to be made to the zoning. He turned the time over to John Jansen with Civil Solutions.

Mr. Janson gave an overview of the process that they had gone through to create the Town Center Ordinance. He said that they did an extensive study on the transportation issues that came up and made changes to the conceptual design of the promenade.

Mr. Janson went over the different districts and chapters in the code. He said that one concern was parking. He mentioned that they made a few changes requested by the Planning Commission, with certain types of uses and added that fraternity and sorority housing would not be allowed. He said that the main emphases were the types of buildings allowed and explained what those types were. He also went over setbacks and forms of the buildings. He mentioned that there was a discussion about having a good mix of office and residential space. He stated that the Anderson Group suggested a series of ratios to preserve a good mix.

Mr. Janson discussed the open space and explained that there were two options; one allows for the properties that would be adjacent to the parks to participate with the park for open space credit. He said that the other option would be to allow the developer to donate the promenade land to fulfill the adjacent property requirements. He suggested they have a development agreement with the developer as to how that donation would work.

Mr. Janson stated that for the landscaping they checked with a local nursery for the types of trees that would work in this area. He said that it was suggested that they use the islands in the parking lots to absorb the storm water. He explained that the application process was standard, and added that with the uses listed in the ordinance they would be permitted uses.

Mr. Janson explained the need to allow the Town Planner a ten (10) percent variance on the height of buildings. He asked what if a builder wanted to go from 48 feet to 50 feet how would they address that process. He explained that the way it was originally written into the ordinance they needed to obtain a conditional use permit. He said that they changed it to allow the Town Planner a ten (10) percent discretionary review with a minimum height requirement. Councilmember Riley asked if this was common in other cities. Mr. Janson replied that several places across the country were allowing it and added that in Canada it was commonplace.

Gerald Anderson with Anderson Development stated that in the Eastlake Industrial development they were not allowed to have precast or tilt up buildings. He added that he likes the tilt up buildings, but would allow for negotiation for architectural differences.

Councilmember Riley asked if the developer needed to have 400 parking stalls. He said that because of what they wanted to do they would they have to give up 40 units. Mr. Janson mentioned that in the parking section there are ways to reduce the parking standards. He suggested they go to the Ordinance and based on good reason by the Planner they could look at it.

Councilmember Goodman asked what was to prevent developers from building the residential component and not building out the business component. Mr. Janson replied that the code stipulates that residential could only be 55 percent of allotted build out without any commercial going in. Councilmember Goodman asked how they build the balance of the development when the ground floor has gone in.

Mr. Janson said that the promenade area from the west side of Main Street going east required all of the first floors to be Flex Space. He said that they agreed that they needed rooftops to bring in the commercial. Councilmember Goodman asked if the idea was that people who would utilize the businesses have to live in the area. Mr. Janson replied that there are roads to bring people from outside but they needed to have some people living there. He said that the smaller commercial developments would be neighborhood oriented and that the bigger commercial would be out on Geneva Road.

Councilmember Goodman was concerned about building nothing but residential because they allow it as long as there is 4 million square feet total. He added that they could go in and build 3 million in residential and not have to build the commercial. Mr. Janson said that the landowners were clear that they want the commercial development. Mike Hutchings with Anderson Development said that setting aside 20 percent of the space is unacceptable to the developer. He said that they are taking the risk and mentioned that in the Village Office area 100 percent has to be built as commercial. Mr. Janson said that it was market dependent and they needed to have incentives.

Councilmember Riley mentioned that as they look at where the existing map says residential mixed use, they got all of the residential upfront. He asked how they incentivize the commercial. He said that the thing that got the council to put in place the moratorium was a boom in the housing and added that he wanted to find ways to insure they get more than housing in the Town Center area. Mayor Farnworth asked about the stations in the Salt Lake area and the flex space there. Stewart Park with Anderson Development stated that with that Flex Space there were many vacant buildings. Mr. Janson replied that with the Fire Clay, area had a requirement that they must do retail or office and on the east, side of the street was where they had the Flex Space.

Councilmember Goodman asked if the density in the Town Center would be lower than the Orenco Station in Oregon. Mr. Janson said that the density would not be too much different but added that they had a large Intel office there and they do not know what Vineyard would have.

Mr. Crane said if they were concerned about the residential and nonresidential that they could add a provision along Main Street to preserve some of the area. Mr. Hutchings suggested that they not have any other standards, and added that they have already gone through several compromises. He said that one of the compromises proposed by Planning Commission was to go from a 90 percent to an 80 percent residential requirement in the Town Center Station.

Mayor Farnworth called for a motion to open the public hearing.

Motion: COUNCILMEMBER GOODMAN MOVED TO OPEN THE PUBLIC HEARING AT 8:27 PM. COUNCILMEMBER RILEY SECONDED THE MOTION. ALL WERE IN FAVOR. MOTION CARRIED WITH TWO ABSENT.

Mr. Hutchings continued his discussion on the compromises made. He said that the space had to have a minimum of twenty (20) percent retail or commercial, and their proposal was ten (10) percent minimum. He mentioned that they make at least fifty (50) percent more by selling commercial vs residential. He recognized that there were several things that needed to be done according to the RDA plan. He said that they need to be 50/50 residential versus business in the area and added that they did not get everything they wanted but were satisfied with the compromise. He acknowledged that they had learned a lot during this process and asked the Council to view this as a work in progress as they start to build out. He added that they could not pretend to assume everything was addressed in this Ordinance. He said that the ten (10) percent discretion was a good thing but there must be good cause shown. He mentioned that they are pleased with the Promenade and that it would become a beautiful destination. He said that they are concerned with the station building for the FrontRunner station and said that it would be a significant commitment on their part as the landowners. Mayor Farnworth stated the FrontRunner Station was top on the Council's list and would be a main driving point in getting people to the Town Center.

Mr. Hutchings said that another amenity in the plan was the lakefront area and that they wanted it to be top quality.

Planning Commissioner Angela Kohl stated that she was concerned with the on-street parking on the promenade and being able to get a fire truck in and out. Mr. Janson replied that they put in angled parking and he added that current modeling showed that it worked. Mr. Crane explained that they were trying to provide enough parking for events on the promenade. Mr. Janson went over the different events that could happen on the promenade.

Councilmember Riley asked if the modeling took into consideration an event where every parking space was full, with only one-way traffic and people trying to back out into a single lane. Mr. Janson replied that additional stalls were added, and that it was not meant to be associated with congestion. He said that it was meant to be more of a neighborhood draw.

Mr. Anderson explained that if they put too many lanes in the promenade, it would be too wide for pedestrians to cross. He said that business would not go in that area if people could not park there. He mentioned that Provo had parking behind the building on Center Street. He said that the idea was that most of the traffic would go around the promenade. Mayor Farnworth said the way it was designed to force people to go around the area. Mr. Janson explained that the promenade street was not putting the car first; it was meant for pedestrians.

Resident Marcus Jessop from the Garden subdivision asked if they studied the traffic flow on University Avenue, which he felt that it would similar to that. Mr. Anderson explained that he requested a traffic study. He said what kills other areas is their traffic plan. He said they had not minimized the traffic plan.

Mayor Farnworth explained that this was a concept and when you get to the engineering it could change. Mr. Hutchings said they were not going to encourage through traffic on the promenade.

Councilmember Riley's concern was that if the promenade was to become extremely successful, then would it be so busy that the single lane would not be enough and it could become a

downfall. Mr. Anderson suggested that they turn the parking into a second lane and build a parking terrace.

Mr. Holdaway suggested that they block off one section when they had a large event.

Resident Teresa Goodman suggested that they have angled parking with a pull through to exit the area and re-enter the street without backing into the traffic.

Jeff Walker with Anderson Development felt that the backing into the street was not an issue.

Mr. Church commented that they had an existing ordinance for this area that they did not like, and asked if this new proposal was better than what they had before. He said that the with what the consultants and Planning Commission were recommending, that they should not judging it on what the eventual design of road and promenade would be for parking. He said that this was a big plan and that the decision was; do we want this new plan, the original plan, or this plan with a few minor changes.

Mr. Anderson reminded everyone that the process was an open process with a room full of people when it first started and at the end, there were so few people that they could sit around the table. He discussed how to get retail.

Ms. Goodman said that she was not trying to scuttle anything but wanted to know if there was another way to design it so people did not have to back into traffic.

Mr. Church explained that the point was that this plan did not design the final road, when the area was built out, then the road would be designed.

Mr. Janson reminded them that it was working design, was illustrative and when the time came to build it, the Town Engineer would make the decision.

Resident Tyce Flake living in the Shores subdivision stated that he participated most of the time and mentioned that there were things he liked and did not like about it. He felt that this was a template and that things would change radically after they vote on it. He said that he advocated for the Council to pass it now as is.

Mr. Crane explained that when the process began the main concern was to get a development pattern that was different from Mill Road. He said that they had done a fundamental shift from basic layouts, to a structure-based layout with the buildings close to the streets to allow for pedestrian traffic. He did not feel that it was perfect, but it was much better than they had before.

Mr. Janson agreed that the work was not done and that there was a development agreement that needed to be discussed. He said that this is a standard process that you develop an ordinance and then in few years reevaluate it. He remarked that they needed a checklist once there is a final adoption to make the application process a little easier.

Mayor Farnworth called for a motion to close the public hearing.

Motion: COUNCILMEMBER GOODMAN MOVED TO CLOSE THE PUBLIC HEARING AT 9:06 PM. COUNCILMEMBER RILEY SECONDED THE MOTION. ALL WERE IN FAVOR MOTION CARRIED WITH TWO ABSENT.

Mayor Farnworth asked the Council if they wanted to make the decision. Mr. Church explained to the Council how the ordinance was put together.

Councilmember Riley felt that as a point of courtesy they should wait until they had a full Council. He mentioned that they were doing the right thing with the moratorium and the process. He said that he did not think it would turn out as well as it did and that it has helped them come up with a plan that is better than it would have been.

Councilmember Goodman agreed that this was better than what they had before and did not see a problem with waiting for a full council.

Mayor Farnworth agreed to waiting until they had a full Council and asked to have it put on the agenda for the September 23 meeting.

Mr. Hutchings introduced Mr. Jeff Walker as the new project attorney for the Geneva project.

8.5 DISCUSSION AND ACTION – Concrete Crushing Operation

Jamie Evans with Evans Grader and Paving Inc., would like to discuss the possibility of opening a concrete crushing operation. The Mayor and Town Council will take appropriate action.

Mayor Farnworth mentioned that Mr. Evans was not present.

Town Attorney David Church explained that Mr. Evan's major complaint was that the person that he felt was his competitor was bringing offsite concrete onsite and crushing it. He said that he advised Mr. Evans to buy property and run it through the process.

Mayor Farnworth mentioned that the concrete crushing on the site now was for environmental cleanup with a small amount of other concrete brought in. Mr. Church mentioned that other than for environmental cleanup, concrete crushing was not a permitted use and would require changes in the ordinance.

Councilmember Riley asked what was considered a small amount of outside concrete. He said the Mr. Evans was alleging that they had brought in 100,000 tons. Mr. Church replied that it was not in the spirit of what they were permitted to do. Mr. Hutchings said that Mr. Dunn had an obligation to move through the concrete on the site and that the contract allowed them to bring in a small amount.

Mr. Church said that the contract only permitted for environmental cleanup and that Mr. Evans had a good point. He said that he would check and see if Mr. Dunn was actually running a business.

Mr. Park said that he spoke with Mr. Dunn when the issue was first presented to him and Mr. Dunn told him that in order to get a certain speck he might need to bring in outside concrete. Mr. Park said that he told Mr. Dunn that he had a year to clean up the site and move on. He said that Mr. Evans might not be happy, but the purpose was to clean up the site, recycle the concrete, and use it on the site as much as possible.

ADJOURNMENT

Mayor Farnworth called for an adjournment.

Motion: COUNCILMEMBER GOODMAN MOVED TO ADJOURN THE MEETING AT 9:20 PM. COUNCILMEMBER RILEY SECONDED THE MOTION. ALL WERE IN FAVOR. MOTION CARRIED WITH TWO ABSENT.

The meeting adjourned at 9:20 PM. The next regularly scheduled meeting is September 23, 2015

MINUTES APPROVED ON: October 14, 2015

CERTIFIED CORRECT BY: /s/ Pamela Spencer
P. SPENCER, TOWN CLERK/RECORDER