



WORK STUDY - REGULAR AGENDA
SPRINGVILLE CITY COUNCIL MEETING
DECEMBER 01, 2020 AT 6:00 P.M.
ELECTRONIC MEETING

In light of health concerns with the COVID-19 pandemic and the recent Executive Order by Utah Governor Herbert this meeting will be held electronically. To view the meeting go to <https://www.springville.org/agendas-minutes/> and select the Zoom Meeting link.

**CALL TO ORDER
COUNCIL BUSINESS
CALENDAR**

- Dec 08 - Work/Study Meeting 5:30 p.m.
- Dec 15 - Work/Study Meeting 5:30 p.m., Regular City Council Meeting 7:00 p.m.
- Dec 25 - Christmas Day (city offices closed Friday)
- Jan 01 - New Years Day (city offices closed Friday)

**APPROVAL OF THE MEETING'S AGENDA
MAYOR'S COMMENTS**

1. DISCUSSIONS/PRESENTATIONS

- a) Visual Preference Survey - Josh Yost, Community Development Director

PUBLIC COMMENT - *Public Comment may be submitted via email, comments will be read in the meeting and entered into the permanent record. Email comments to kcrane@springville.org before 5:00 p.m. on December 01, 2020*

CONSENT AGENDA - *The Consent Agenda consists of items that are administrative actions where no additional discussion is needed. When approved, the recommendations in the staff reports become the action of the Council. The Agenda provides an opportunity for public comment. If after the public comment the Council removes an item from the consent agenda for discussion, the item will keep its agenda number and will be added to the regular agenda for discussion, unless placed otherwise by the Council.*

2. Approval of minutes for the October 13, 2020 work study meeting and the November 17, 2020 regular meeting.

REGULAR AGENDA

3. Consideration of an Ordinance and amendment to the Official Zone Map from the RC-Regional Commercial Zone to the HC-Highway Commercial Zone on parcel numbers 22:053:0008; 22:053:0006; 22:053:0010; 22:053:0009; 22:053:0066; and 22:053:0068 in the general area of 1650 West 1700 North, Springville, Utah - Josh Yost, Community Development Director

MAYOR, COUNCIL, AND ADMINISTRATIVE REPORTS

CLOSED SESSION, IF NEEDED - TO BE ANNOUNCED IN MOTION

4. *The Springville City Council may adjourn the regular meeting and convene into a closed session as provided by UCA 52-4-205.*

ADJOURNMENT

CERTIFICATE OF POSTING - THIS AGENDA IS SUBJECT TO CHANGE WITH A MINIMUM OF 24-HOURS NOTICE- POSTED 11/24/2020

In compliance with the Americans with Disabilities Act, the City will make reasonable accommodations to ensure accessibility to this meeting. If you need special assistance to participate in this meeting, please contact the City Recorder at (801) 489-2700 at least three business days prior to the meeting.

Meetings of the Springville City Council may be conducted by electronic means pursuant to Utah Code Annotated Section 52-4-207. In such circumstances, contact will be established and maintained by telephone or other electronic means and the meeting will be conducted pursuant to Springville City Municipal Code 2-4-102(4) regarding electronic meetings. s/s - Kim Crane, CMC, City Recorder



MINUTES OF THE WORK/STUDY MEETING OF THE SPRINGVILLE CITY COUNCIL HELD ON
TUESDAY, October 13, 2020, AT 5:30 P.M.

Presiding and Conducting: Mayor Richard J. Child

Elected Officials in Attendance: Liz Crandall
Craig Jensen
Matt Packard
Mike Snelson

Absent: Patrick Monney

City Staff in Attendance: City Administrator Troy Fitzgerald, Assistant City Administrator/City Attorney John Penrod, Assistant City Administrator/Finance Director Bruce Riddle, City Recorder Kim Crane, Deputy Recorder Jennifer Grigg, Operations Manager Rod Oldroyd, Recreation Director Corey Merideth, Buildings and Grounds Director Bradley Neel, Power Director Leon Fredrickson, Community Development Director Josh Yost, Public Works Director Brad Stapley, Golf Pro Craig Norman, Library Director Dan Mickelson, and Museum Director Rita Wright.

CALL TO ORDER 5:30 P.M.
COUNCIL BUSINESS

1. Calendar

- Oct 20 - Work/Study Meeting 5:30 p.m., Regular Meeting 7:00 p.m.
- Nov 01 - Daylight Savings Ends
- Nov 03 - Work/Study Meeting 5:30 p.m., Regular Meeting 7:00 p.m.
- Nov 10 - Work/Study Meeting 5:30 p.m.

2. DISCUSSION AND PRESENTATIONS

a) **Utah Dept. of Human Services Presentation - The Utah Strong Recovery Project`- Cindy Wilmshurst and Courtney Meinor**

Cindy Wilmshurst and Courtney Meinor started their presentation by stating that the Utah Strong Recovery Project is funded by the Federal Emergency Management Agency (FEMA), facilitated by the Substance Abuse and Mental Health Services Administration (SAMHSA) and operated by the Utah State Division of Substance Abuse and Mental Health which is part of the State Department of Health and Human Services. The purpose is to assist people in Utah in finding ways to cope with the stressors of Covid-19 hoping to prevent persistent mental health problems. The Utah Strong Recovery Project is sponsoring a 24 hour 7 days a week helpline, support groups, and education in protection from Covid-19 as well as mental health coping strategies. Ms. Wilmshurst offered to give this presentation to any other group. Because Covid-19 is a new experience, people do not understand how to react. The Centers for Disease Control and Prevention and Harvard Medical School reported in June that U.S. adults reported considerable elevated mental health conditions associated with Covid-19. Ms. Wilmshurst reported that

Utah's suicide rate has not increased; however, calls to the state's suicide hotline have increased. Hispanic and nonwhite workers accounted for 73% of workplace outbreak-associated Covid-19 cases. She has cards with contact information for the police department to hand out to citizens. Utah Strong serves all Utahns with free and confidential counseling, outreach, and public education. Councilmember Packard asked how to respond when someone feels wearing a mask infringes on their constitutional rights. Ms. Wilmshurst answered there is no state mandate so citizens have a choice, but she tries to educate them that masks protect people and the economy. She said do not harass them; allow them to make their own decision. Councilmember Crandall mentioned a new perspective on masks from the World Health Organization. Ms. Wilmshurst answered her professors at the University of Utah showed masks protect from Covid-19 and protect the economy. Mayor Child asked if the Utah Strong Recovery Project is working with the Utah County Health Department. Councilmember Crandall clarified details about the task force. Ms. Wilmshurst said that FEMA reports 80% of the population is resilient, while the rest need help which impacts all of us personally and economically. Councilmember Snelson asked about the symptoms. Ms. Wilmshurst said anxious, depressed, not sleeping well, and not eating well, and not productive at work. The Utah Strong Helpline is 385-386-2289. They excused themselves to travel to their next presentation in Coalsville.

MAYOR, COUNCIL AND ADMINISTRATIVE REPORTS

b) Discussion with Department Directors

Before his presentation, Administrator Fitzgerald reported 80 city employee families are using the new employee mental health counseling benefit. He reported the governor changed rules for COVID-19 again concerning schools, churches, or any organization that includes public gathering. Staff will be discussing implementation throughout the city departments. He asked about restricting city council meetings. Councilmember Snelson asked about streaming council meetings. Administrator Fitzgerald said we have that capability. Councilmember Packard asked if streaming is because residents are COVID-19 uncomfortable. Councilmember Snelson is more interested in increasing access to the entire community. Councilmember Jensen asked about the channel and said participation would be trackable. He said we need to be responsible to the citizens if they want to participate.

Administrator Fitzgerald's presentation covered revenue during the pandemic. Revenue for the first 17% of the year is up. He moved on and asked the council about their feelings on employee raises. A November bonus and merit increases were discussed. Councilmember Packard asked for clarification. Councilmember Jensen asked about bonuses in the past and said he approves of the idea to reward employees. Councilmember Crandall asked how this compares to the private sector. Councilmember Packard asked about the bonus compared to a raise. Administrator Fitzgerald said public hearings will be scheduled in early November.

Administrator Fitzgerald switched gears to reporting on how busy city departments are. He proposed hiring more inspectors. Councilmember Jensen said larger builders are gaming the system by scheduling a spot without a building ready to inspect. Small builders suffer. Attorney Penrod said private-sector inspectors are too busy to contract. Administrator Fitzgerald said building inspectors are so busy they are falling behind. He said holidays are a horrible time to hire. He wants to get into the market place now, especially on the building inspector side. Public works inspectors will be available during winter layoffs. Councilmember Snelson asked how long certification takes. Administrator Fitzgerald said certifying for basic inspections take six to eight weeks of training. Councilmember Jensen asked if Robbie Hansen is available. He said Mr. Hansen is very well respected. Administrator Fitzgerald said staff will start working on this tomorrow. Mayor Child said Community Development is already behind on inspections.



Administrator Fitzgerald continued to backhoes. Leasing started 6 years ago, but today an analysis came back showing savings in owning our backhoes. The report recommends using fewer backhoes (dropping our fleet) and a \$250,000 budget to start purchase orders on backhoes which would save \$500,000 over the next 10 years. Councilmember Crandall asked about which departments utilize the backhoes. Administrator Fitzgerald answered Power, Buildings and Grounds, Golf, Recreation, and Public Works. Councilmember Snelson asked if departments share the backhoes. Administrator Fitzgerald said the departments cooperate, but the backhoes are owned by individual departments. He suggests backhoes be checked out through Central Shop. Councilmember Crandall asked about the age of the backhoes. She asked about the Central Shop taking care of the backhoes. Administrator Fitzgerald said our policy on the vehicle fund was to use all the value of the vehicle up before liquidating it. There is a point where the total cost of ownership, resale value, and maintenance intersect. Councilmember Jensen asked about skid steers and mini excavators. Administrator Fitzgerald suggested trailering backhoes instead of driving them on the road. Councilmember Packard suggested purchasing backhoes from outside of this area.

Referring back to Councilmember Crandall's questions about the private sector, Director Riddle referenced the governor's economic report and said all Utah wages increased 4.3% in 2019. Mayor Child said so far the economic effects of Covid-19 are not too negative.

Chief Martinez addressed the skate park issues. He suggested more signage explaining hours of operation and locking the park after hours. Mayor Child is amazed at how many people use the skate park. Chief Martinez suggested giving keys to citizens. Administrator Fitzgerald agreed and reviewed the history of locking the skate park. Mr. Oldroyd said there is a social media video asking for lights on the skate park. Councilmember Crandall suggested a lock with codes. Councilmember Jensen asked about lights at the Skate Park and Memorial Park. He has fond memories of growing up near Memorial Park.

c) Mayor and Council Reports

Councilmember Crandall had a question about zoning. She and the rest of the council received an email from a builder. Director Yost said that builder contacted staff as well and will apply.

CLOSED SESSION, IF NEEDED - TO BE ANNOUNCED IN MOTION

The Springville City Council may temporarily recess the regular meeting and convene in a closed session as provided by Utah Code Annotated Section 52-4-205.

COUNCILMEMBER SNELSON MOVED TO ADJOURN THE REGULAR MEETING AT 6:24 P.M. AND CONVEIN IN A CLOSED SESSION REGARDING PROPERTY AND LITIGATION WITH THE WORK SESSION TO END WITH THE CLOSED SESSION.

COUNCILMEMBER PACKARD SECONDED THE MOTION. THE VOTE IS RECORDED AS FOLLOWS:

COUNCILMEMBER CRANDALL	AYE
COUNCILMEMBER JENSEN	AYE
COUNCILMEMBER MONNEY	AYE
COUNCILMEMBER PACKARD	AYE
COUNCILMEMBER SNELSON	AYE



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136 *This document constitutes the official minutes for the Springville City Council Work/Study meeting held on Tuesday,*
 October 13, 2020.

138 *I, Jennifer Grigg, do hereby certify that I am the duly appointed, qualified, and acting City Recorder for Springville City,*
140 *of Utah County, State of Utah. I do hereby certify that the foregoing minutes represent a true and accurate, and complete record*
 of this meeting held on Tuesday, October 13, 2020.

142 _____
144 *DATE APPROVED:*

Jennifer Grigg
Deputy Recorder



In light of health concerns with the COVID-19 pandemic and the recent Executive Order by Utah Governor Herbert this meeting was held electronically.

MINUTES OF THE REGULAR MEETING OF THE SPRINGVILLE CITY COUNCIL HELD ELECTRONICALLY ON TUESDAY, NOVEMBER 17, 2020, AT 7:00 P.M.

Presiding and Conducting Electronically: Mayor Richard J. Child

Elected Officials in Attendance Electronically: Liz Crandall
Craig Jensen Arrived at 7:06 p.m.
Patrick Monney
Matt Packard
Mike Snelson

City Staff in Attendance Electronically: City Administrator Troy Fitzgerald, Assistant City Administrator/City Attorney John Penrod, Assistant City Administrator/Finance Director Bruce Riddle, and City Recorder Kim Crane. Building and Grounds Director Bradley Neel, Power Director Leon Fredrickson, Interim Police Chief Dell Gordon, Community Development Director Josh Yost, Public Works Director Brad Stapley, Library Director Dan Mickelson, Operations Manager Rod Oldroyd, and Museum of Art Director Rita Wright

CALL TO ORDER

Mayor Child welcomed everyone and called the meeting to order at 7:00 p.m.

CALENDAR

- Nov 26-27 - Thanksgiving Observed (City Offices Closed - Thursday and Friday)
- Dec 01 - Work/Study Meeting 5:30 p.m., Regular City Council Meeting 7:00 p.m.
- Dec 08 - Work/Study Meeting 5:30 p.m.
- Dec 15 - Work/Study Meeting 5:30 p.m., Regular City Council Meeting 7:00 p.m.

Mayor Child reviewed the calendar and asked if there were any changes or additions.

APPROVAL OF THE MEETING'S AGENDA

COUNCILMEMBER MONNEY MOVED TO APPROVE THE MEETINGS AGENDA with a postponement of item #3. COUNCILMEMBER SNELSON SECONDED THE MOTION, AND ALL PRESENT VOTED AYE.

MAYORS COMMENTS

Mayor Child welcomed the Council, staff, and those in attendance. He reported the City had closed on the property purchase of the Thomas property up the left hand of Hobble Creek Canyon.

44 **PUBLIC COMMENT**

Mayor Child introduced the Public Comment section of the agenda. He asked if there were any written comments submitted. There were none.

48 **CONSENT AGENDA**

1. Approval of minutes for the October 20,2020 Work-Study meeting and the November 03, 2020 Work-Study and Regular City Council meetings.
2. Approval of the Spring Pointe Condominiums Lot 5 located at 2052 W 500 N, Springville, Utah in the HC Highway Commercial Zone - Josh Yost, Community Development Director

COUNCILMEMBER SNELSON MOVED TO APPROVE THE CONSENT AGENDA AS WRITTEN.

COUNCILMEMBER PACKARD SECONDED THE MOTION. AND ALL PRESENT VOTED AYE.

58 **REGULAR AGENDA**

3. Consideration of an Ordinance and amendment to the Official Zone Map from the RC-Regional Commercial Zone to the HC-Highway Commercial Zone on parcel numbers 22:053:0008; 22:053:0006; 22:053:0010; 22:053:0009; 22:053:0066; and 22:053:0068 in the general area of 1650 West 1700 North, Springville, Utah - Josh Yost, Community Development Director

Director Yost reported the item would be postponed to a later date.

4. **Discussion regarding the comprehensive fee schedule - Troy Fitzgerald, City Administrator**

Administrator Fitzgerald reported about a year ago council and staff agreed fees needed to be reviewed and updated, since then a policy was passed. With encouragement from the State Auditor; Staff has been working hard on reviewing fees using a reasonable fee test where the amount must bear a reasonable relationship to service, benefits received and need.

The fee schedule will be updated and come before the council for approval, with a goal to have everything ready by January 1, 2021.

Councilmember Snelson requested the information be given to the council a week prior to the council meeting for their review and approval.

Councilmember Crandall asked why some fees had not been updated for many years and now an increase was requested. Fitzgerald explained some previous council's have not wanted to raise fees, and some had not been looked at for some time, it has been a variation of all of those.

Councilmember Packard asked if the fees will be reviewed annually going forward. Fitzgerald replied policy will require fees to be reviewed annually.

80 **MAYOR, COUNCIL, AND ADMINISTRATIVE REPORTS**

Mayor Child asked if there were any comments.

84 **CLOSED SESSION**

5. *The Springville City Council may temporarily recess the regular meeting and convene in a closed session as provided by UCA 52-4-205.*

There was none.

88 **ADJOURNMENT**

COUNCILMEMBER MONNEY MOVED TO CLOSE THE REGULAR MEETING at 7:55 P.M.
COUNCILMEMBER PACKARD SECONDED THE MOTION. ALL VOTED AYE.

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*This document constitutes the official minutes for the Springville City Council Regular Meeting held on Tuesday, November 17, 2020
I, Kim Crane, do hereby certify that I am the duly appointed, qualified, and acting City Recorder for Springville City, of Utah County,
State of Utah. I do hereby certify that the foregoing minutes represent a true and accurate, and complete record of this meeting held on Tuesday,
November 17, 2020.*

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DATE APPROVED: _____

Kim Crane, CMC
City Recorder

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STAFF REPORT

DATE: November 10, 2020

TO: Honorable Mayor and City Council

FROM: Josh Yost

SUBJECT: Clearwing, LC seeking an amendment of the Official Zone Map from the RC-Regional Commercial Zone to the HC-Highway Commercial Zone on parcel numbers 22:053:0008; 22:053:0006; 22:053:0010; 22:053:0009; 22:053:0066; and 22:053:0068 in the general area of 1650 North 1750 West.

RECOMMENDED MOTION

Motion to deny an amendment of the Official Zone Map from the RC-Regional Commercial Zone to the HC-Highway Commercial Zone on parcel numbers 22:053:0008; 22:053:0006; 22:053:0010; 22:053:0009; 22:053:0066; and 22:053:0068 in the general area of 1650 North 1750 West.

SUMMARY OF ISSUES/FOCUS OF ACTION

Does the proposed zone map amendment adhere to the General Plan and further the orderly development of the city?

BACKGROUND

The zone map amendment application encompasses six parcels under common ownership located between Kuhni Road and I-15, north of 1600 N. In order to expand the land uses available for development on the property, the owner desires to change to zoning on the property from Regional Commercial to Highway Commercial.

DISCUSSION

Commissioner Farrer asked if he has any concept of what he wants to see in the area. Mr. Yost said he doesn't. We need to look at overall plan and he hesitates to say what is best suited there until doing so. It is a question we need to answer if we deviate from the current General Plan for that area. He is not confident in making a change until studying the broader implications of that change. Especially as this is the largest property in that area of the RC zone.

Commissioner Parker asked Mr. Yost the reason it is being recommended to keep it zoned RC is because of the sheer volume of HC, and because the General Plan needs to be revised. Mr. Yost said yes and additionally one of the General Plan objectives is to maintain regional commercial land use around the freeway interchanges. We would have to go back to a general level and look at it carefully to recommend a change. Commissioner Parker said it is not because of the project being proposed. Mr. Yost said there is no project being proposed. The

applicant has expressed that there are more opportunities for development under the requested HC zone.

Commissioner Heaps sees the RC zoning at 400 South is less than here. We need more than what we have in our city to balance it out. We need more rather than less. Mr. Yost said it is impossible to say who will be around in retail next year and what office demand is going to be, but we will see what happens next year. It is prudent to maintain what we have there at least.

Commissioner Heaps asked of Mr. Yost sees the potential of additional commercial businesses being attracted to that area with office space or commercial there. Mr. Yost said he does. He doesn't know what formats or segments that would be. There is a very large and increasing employment area there, and conveniently located to South Provo. With the added $\frac{3}{4}$ of a million square feet of flex office warehouse going in this larger industrial park area, he does see demand for additional retail services in that area. He's saying it is not necessarily a Super Target or Sam's Club. Commissioner Heaps would like to see that personally. Mr. Yost said it isn't the best of the two exits for that. The residential trade area is not as good at the 400 South exit. But it does serve a large amount of traffic and is conveniently located. It may be a different type of regional center than the Canyon Creek Center in Spanish Fork, but there is definitely demand there.

Chair Mertz invited the petitioner to address the Commission.

Andrade Christensen
1065 E 150 N

Mr. Christensen has had this property for quite a while and has some partners now. Mr. Yost has stated some great points. This interchange doesn't have any housetops on it. It is all industrial around it. The City has built this interchange to not be as commercially viable as the other interchange. To us, retail and commercial makes perfect sense and they would love to see it that way. But retail needs housetops and people to buy things there. If we can't sell anything, it doesn't do the City any good and it isn't fair to Mr. Christensen as a resident or the City.

Commissioner Heaps asked Mr. Christensen how long he has owned the property. Mr. Christensen said he bought the first piece in 2006. Commissioner Heaps asked him why he bought it. Mr. Christensen said that Chip Reynolds brought it to him and he bought it. Commissioner Heaps asked what were the plans when you initially bought it. Mr. Christensen bought it for equipment and to have it. He bought more pieces through the years.

Michael Cooley spoke. He said that Lindon is going through the same process to get commercial. They have met with several commercial developers and they all say that retail doesn't come with no rooftops. We were scared before COVID-19 with online shopping. Stores are going to struggle. Retail is 3-5 years out figuring out where they are going. So much square feet of office space is coming back on the market for sale.

Commissioner Ellingson asked why is the RV park, two hotels, a truck stop and traffic from Wavetronics not sufficient traffic to support business developments. Mr. Cooley said it is because it isn't rooftops and residential property. Commissioner Ellingson said that the RV park sort of is. Mr. Cooley said that he has had several people look, but back out. Restaurant and commercial groups. He said it may work for a McDonalds or a Burger King.



Commissioner Parker asked if there is no project yet and if it is for a specific change, that is different. There is no real reason to change the zoning at this time.

Mr. Hunt said that since it is adjacent to the freeway, we have people who want to do shipping here. The people they talk to say they won't put retail there. Commissioner Parker just said that retail won't go in that area.

Mr. Hunt said they have two warehousing users that are wanting to come in. They are also waiting on the wetlands report.

Mr. Cooley stated the interested parties are waiting for the rezone and the wetlands report. He said the Commissioners hold the cards of what to let in and how it looks. Mr. Yost said there are no design standards in the HC zone. It is on our priority list.

Chair Mertz asked if flex office space is an option and what does it fall under. Mr. Yost said they are separate uses, but they are both permitted. Chair Mertz doesn't see it on the table. He only saw 10 additional uses in the HC versus the RC zones. Mr. Yost said that we can do office in both, but not office with warehouse in both zones. We don't have a category that is a combined office warehouse or flex.

Chair Mertz opened the Public Hearing.

Karen Ifediba
450 S 100 E

She concurs with Mr. Yost. She doesn't think it is the Planning Commissioners job to figure out how someone can make money on a project. They should have known what they were purchasing when they bought the property.

The public hearing was closed.

Commissioner Farrer said he used to hunt there. He agrees with the Petitioners and doesn't know why it is zones as it is. If you are leaving it as wetlands, leave as it is. If changing it, then we need to review the General Plan again. Chair Mertz clarified that he wants to see a General Plan review. Commissioner Farrer said yes. There is no access in that area now and nothing is going to be built there. He agrees with Commissioner Parker that there will not be retail in there.

Commissioner Parker concern is that we have this imbalance in the city, but to change the zoning now is a concern that we don't have the code set for building. They are not in place to control what we put there. It doesn't make sense to leave it as RC, but we need to revisit the General Plan to get the right thing in the right place.

The petitioner offered to provide clarification on their intent.

Mr. Hunt said they would like to do something and not have to wait. Instead of making a final decision tonight, would like to have this tabled, meet with Mr. Yost and figure it out. And then come to the Planning Commission with a plan. From our perspective, we don't want to wait. He spoke of other cities and how the projects have been tabled. It's not that we don't want you to get what is best for the community, we will be flexible to work with the City so we can still move forward. To work around, we can step back and then come back with a full plan. Strike a balance that works for both parties.



Chair Mertz asked Mr. Yost for a General Plan update timeline. Mr. Yost said he would ask for funds to do in the upcoming budget. wouldn't happen until Q1 of fiscal 2022. It is at least a year process from there.

Commissioner Heaps said it is a matter of timing. We have to first look out for Springville City and decide what we want. He knows that it is hard to wait. He has been in that position before. This has helped us see the great need we have to look at the General Plan

Commissioner Heaps continued and said this is good for us to see what we need to look at. He has a desire to see what needs to be done and get the General Plan review done as quickly as possible. Commissioner Young agreed that we need to look at the General Plan again and make wise choices.

Chair Mertz is of the opinion that the area is not going to work for retail. We have a process in place. The wheels of government can turn slow, but Springville wants to do the best we can. We want to follow the guidelines that have been set up. They are here for a purpose. We are here tonight because you can challenge those guidelines and seek changes, and I think we are all open to that.

Commissioner Heaps moved to recommend denial of the proposed amendment of the Official Zone Map. Commissioner Parker seconded. Chair Mertz called for a roll call vote:

Farrer – nay, in hopes that we can look at this again in the future

Young – aye

Parker – nay, in hopes that we can speed up the process

Heaps – aye

Ellingson – nay, she prefers to table it

Mertz - nay

The motion did not pass.

Commissioner Ellingson asked if it is tabled, how long of a timeline can we put on a table. Mr. Yost said there are a number of considerations. Tabling means that you are not going to consider it and it is not going to move forward. As the Planning Commission, you can't table an item, but you can continue it without a date, which means it needs to come back to you at some point before it goes back to Council, or you can continue it to a date certain where you state the date. Other considerations are that Staff doesn't have any time to work on a process for this property. The applicant is more than welcome to, at their risk, propose a detailed plan or development agreement or amendments to a zoning ordinance that would be suited for what they want to do with the property.

Commissioner Parker asked if can we put a date for them to bring it back. Mr. Yost said yes. Or you can continue it without a date and they can bring it back when they are ready.

Commissioner Parker motioned to continue the discussion through the end of the year for the developers to bring back a proposal for the Commission to look at to determine if it is the right thing for Springville City. Commissioner Ellingson seconded.



Mr. Yost clarified that if the commission moves to recommend denial, the item goes to the City Council on the 17th and the applicant will get a yes or no from the City Council, and then they can go and do the work to come up with a different proposal. If it is continued, they could come up with a revised proposal and come back to Planning Commission. In either case, a new or revised application wouldn't be able to go to the City Council before it came back to the Planning Commission.

Chair Mertz said the motion was to continue this for two months, until the end of the year, but it will not go to City Council. Mr. Yost said that is correct. A continuance is not a recommendation to City Council. It is not placed on their agenda until it comes back to you for an actual recommendation. Chair Mertz clarified that if they do make a recommendation to deny, that would go to City Council. The petitioners could then come back to us with a new proposal. Mr. Yost said yes.

The motion failed on a 2-4 vote.

Chair Mertz asked if the Commissioners needed to have more discussion. Commissioner Parker said if we recommend denial, the City Council can follow our recommendation or vote differently. If denied, the application could come back to us as a new proposal. Commissioner Heaps said it creates more options for the applicant if we deny. Chair Mertz said that is what he sees.

Commissioner Young moved to recommend denial of the proposed amendment of the Official Zone Map. Commissioner Heaps seconded. The motion passed to recommend denial to the City Council.

Chair Mertz said he voted nay because the motion is still going to pass and he wanted to communicate to the City Council that we do want to see progress on the general plan.

PLANNING COMMISSION REVIEW

The Planning Commission considered the application on October 27.

COMMISSION ACTION: Recommend denial of an amendment of the Official Zone Map from the RC-Regional Commercial Zone to the HC-Highway Commercial Zone on parcel numbers 22:053:0008; 22:053:0006; 22:053:0010; 22:053:0009; 22:053:0066; and 22:053:0068

Commission Vote

<u>Commissioner</u>	<u>Yes</u>	<u>No</u>
Genevieve Baker	Absent	
Karen Ellingson	X	
Michael Farrer	X	
Kay Heaps	X	
Brad Mertz		X
Rod Parker	X	
Frank Young	X	



Attachments

Planning Commission Staff Report



RE: Clearwing, LC seeking an amendment of the Official Zone Map from the RC-Regional Commercial Zone to the HC-Highway Commercial Zone on parcel numbers 22:053:0008; 22:053:0006; 22:053:0010; 22:053:0009; 22:053:0066; and 22:053:0068 in the general area of 1650 West 1700 North.

Petitioner: Clearwing LC

Summary of Issues

Does the proposed zone map amendment adhere to the General Plan and further the orderly development of the city?

Background

The zone map amendment application encompasses six parcels under common ownership located between Kuhni Road and I-15, north of 1600 N. In order to expand the land uses available for development on the property, the owner desires to change to zoning on the property from Regional Commercial to Highway Commercial.

Analysis

In Springville City there are 1,180 acres of property currently zoned as Highway Commercial. This includes six separate areas with the largest area of over 1,000 acres straddling I-15 between the north and south boundaries of the city. The Regional Commercial zone is applied to 466 acres in two areas centered around the 1400 N and 400 S I-15 interchanges.

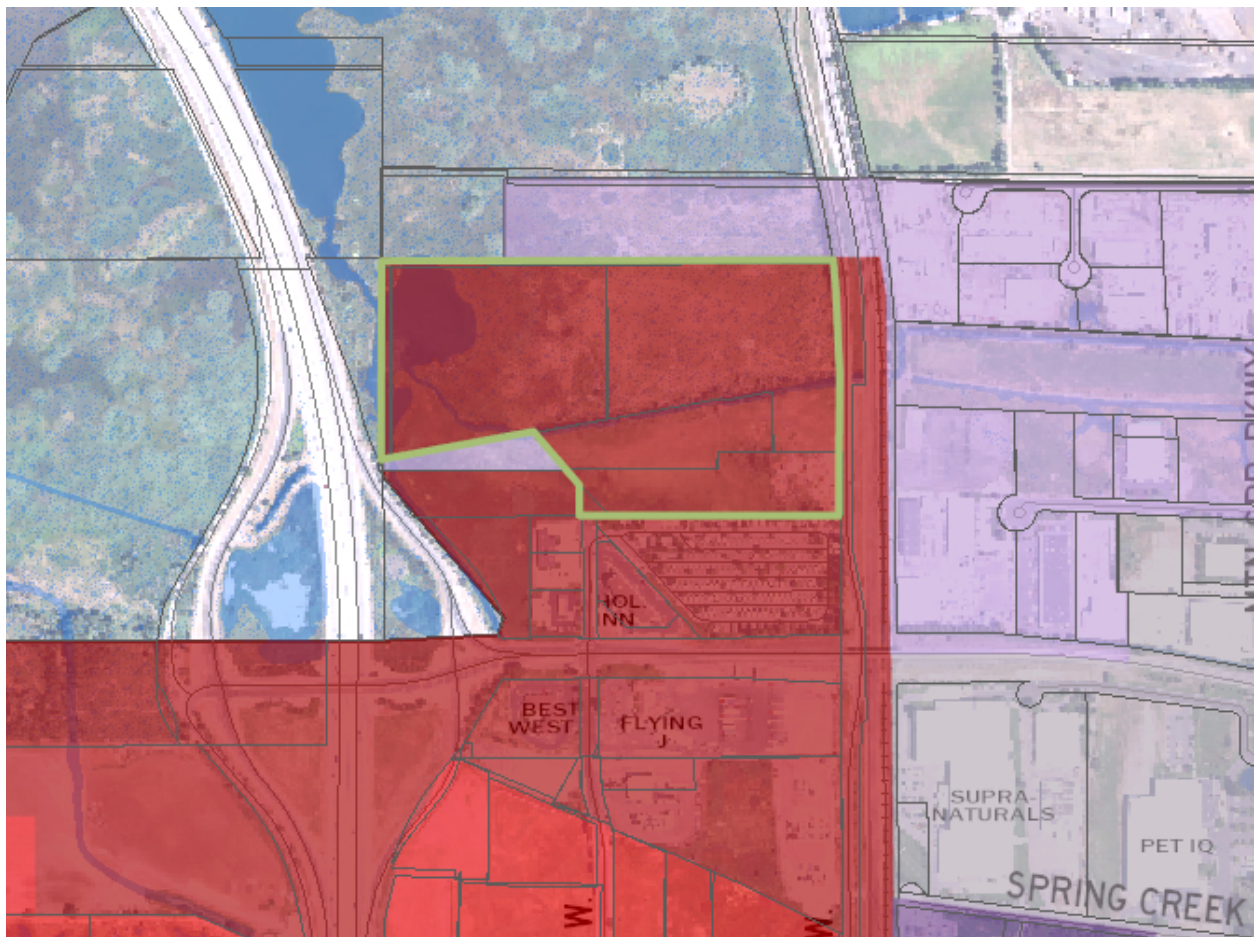
Highway Commercial is the most broadly applied commercial zone in Springville and hundreds of acres of property within the zone remain undeveloped. The area of the Regional Commercial zone is much smaller in accordance with the stated purpose of the zone as follows.

The RC zoning district is intended to provide an area in which a full range of commercial and service uses may locate in a limited area. The limited area of this district functions to heighten the intensity of uses, concentrate activities and make it a major commercial destination. These districts should abut arterial streets and be located near freeway access, as well as mass transit lines.

A primary difference between the RC and HC zones is the inclusion in the HC zone of uses such as Light Industry – Manufacturing Processes, Warehousing – Storage and Distribution and Wholesale Trade and Warehousing. Springville currently has over 1.2 million square feet of these type of uses in the development pipeline.

The Springville General Plan states the following land use objective. “Provide conveniently-located commercial and professional office uses to serve the residents of Springville and surrounding areas.” The location of the RC zone around the freeway interchanges is intended to facilitate such development of these areas into regional retail, office and related commercial uses. It is important to the balance of land uses in the city and the intent of the General Plan to maintain these interchange areas for such uses.

The Springville City General Plan is due to be updated and a key question to be answered is if the large amount of Highway Commercial property in the city’s best interest, and if not, what adjustments should be made? Prior to the completion of a General Plan update to answer this question and considering the large amount of Highway Commercial property under development and the significant property still available for development, there is not a compelling reason to amend the zoning map for the subject area and add additional property to the Highway Commercial Zone.



Current Zoning Map

Staff Recommendation

Staff recommends that the Planning Commission forward a recommendation of denial to the City Council for the proposed zone map amendment. Staff further recommends that a General Plan update focus specifically on long term planning for the I-15 freeway corridor and address the appropriateness of the current predominant Highway Commercial Zoning.

Recommended Motion

Move to recommend denial of an amendment of the Official Zone Map from the RC-Regional Commercial Zone to the HC-Highway Commercial Zone on parcel numbers 22:053:0008; 22:053:0006; 22:053:0010; 22:053:0009; 22:053:0066; and 22:053:0068 in the general area of 1650 West 1700 North.