



NOTICE OF MEETING AND AGENDA
PLANNING COMMISSION
MAY 9, 2023 AT 7:00 P.M.
City Council Chambers
110 South Main Street
Springville, Utah 84663

The agenda will be as follows:

Call to Order

- Approval of the Agenda
- Approval of Minutes: April 11, 2023

Consent Agenda - No Items

The Consent Agenda includes items that are administrative actions where no additional discussion is needed. When approved, the recommendations in the staff reports become the action of the Commission. A call for objection or comment will be made on the consent agenda items. If there is any opposition or comment, the item will be taken off the consent agenda and put on the regular administrative session meeting agenda for discussion. If there are no objections or comments, the item(s) will pass without further consideration

Administrative Session - No Items

Legislative Session – Public Hearing

- 1) *David Morley seeking to amend the official zone map from Professional Office (PO) to Neighborhood Commercial (NC) for property located at 672 W 400 S Springville, UT parcel number 66:458:0014.*

Adjournment

THIS AGENDA SUBJECT TO CHANGE WITH A MINIMUM OF 24-HOURS NOTICE

This meeting was noticed in compliance with Utah Code 52-4-202 on May 5, 2023. Agendas and minutes are accessible through the Springville City website at www.springville.org/agendas-minutes. Planning Commission meeting agendas are available through the Utah Public Meeting Notice website at www.utah.gov/pmn/index.html. Email subscriptions to Utah Public Meeting Notices are available through their website.

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 Community Development department at (801) 491-7861 at least three business days prior to the meeting.



MINUTES

Planning Commission
Regular Session
Tuesday, April 11, 2023

IN ATTENDANCE

Commissioners Present: Chair Karen Ellingson, Genevieve Baker, Michael Farrer, Ann Anderson and Brett Nelson

Commissioners Excused: Rod Parker, Kay Heaps

City Staff: Josh Yost, Community Development Director
John Penrod, City Attorney
Carla Wiese, City Planner
Heather Goins, Executive Assistant

City Council: Matt Packard
Liz Crandall

CALL TO ORDER

Chair Ellingson called the meeting to order at 7:01 p.m.

APPROVAL OF THE AGENDA

Commissioner Baker moved to approve the agenda as written. Commissioner Farrer seconded the motion. The vote to approve the agenda was unanimous.

APPROVAL OF THE MINUTES

March 14, 2023

Commissioner Baker moved to approve the March 14, 2023 meeting minutes. Commissioner Farrer seconded the motion. The vote to approve the meeting minutes was unanimous.

CONSENT AGENDA

No Items

ADMINISTRATIVE SESSION

No Items

LEGISLATIVE SESSION:

- 1) *Springville Community Development requests amendments to Springville Code 11-6-133 Residential Short-Term Rental (STR) to establish requirements for sleeping rooms to meet current building code requirements for egress and smoke and carbon monoxide alarms.*

Carla Wiese, City Planner, presented. She gave a background on short-term rentals. She explained that the Building Official alerted us that older homes may not be meeting the current residential building code. This will allow the building inspectors to make

51 these items required by ordinance to obtain an STR. Newer homes are already up to
52 code.

53
54 Chair Ellingson asked what the egress requirements will be. Ms. Wiese said it requires a
55 window for someone to exit the room through. Director Yost said the configuration of the
56 window and other specific requirements of smoke detector and CO₂ detector. Chair
57 Ellingson said we are looking at mostly older basements that were built with windows
58 that are normally seen in a bathroom. Director Yost said such as homes that just have
59 one smoke detector per home level. We want to ensure there are other safety measures
60 in place when people are in a home they are not familiar with. We want the IRC Building
61 Code requirements in the code so we can get an inspector in there before the license is
62 issued to see that everything is in compliance. Ms. Wiese said it gives the homeowner
63 protection to have them in place.

64
65 Commissioner Farrer moved to open the public hearing. Commissioner Anderson
66 seconded. The public hearing was opened at 7:07 p.m.

67
68 Hearing no comments, Commissioner Farrer moved to close the public hearing.
69 Commissioner Anderson seconded. The public hearing was closed at 7:07 p.m.

70
71 Commissioner Nelson moved to amend the Residential Short-Term Residence code to
72 require each sleeping room, and the residence in which it is situated, to comply with
73 minimum standards of life safety. Commissioner Farrer seconded the motion. The vote
74 to approve the Legislative Session item was unanimous.

75
76 2) *Springville Community Development requests amendments to Springville Code*
77 *11-4-708 Main Street South Gateway Building Height.*

78
79 Josh Yost, Community Development Director, presented. There are two parts to this
80 amendment. 1) Amendment A is to reduce the upper story floor-to-ceiling height from 9
81 feet to 8.8 feet and 2) Increase the maximum height of the roof deck from 45 to 47.5 feet
82 There is no change to the maximum parapet height of 53 feet. The change will not be
83 visible from the street.

84
85 Amendment B is mostly related to Town Homes: Decrease ground floor minimum floor-
86 to-ceiling height for residential 10 to 8.9 feet. This is to encourage stoops. For
87 townhomes where the 1st-floor residential floor-to-ceiling height and only for townhomes
88 where the finished 1st-floor elevation is at least 18 inches above the adjacent sidewalk.

89
90 Commissioner Baker asked why he wants to encourage stoops. Director Yost said he
91 would like to. Chair Ellingson asked if a stoop is a porch. Director Yost said it could
92 interchangeably be called a porch. There are provisions in the code to address the
93 relationship between the street and the building. One way to do that is with a change in
94 height. The person sitting on the porch is at a more equal height to someone walking
95 and allows for easier conversation. It doesn't affect the overall maximum height of any of
96 the buildings, it just allows that first floor to be a little shorter in terms of floor-to-ceiling
97 height, while raising the finished floor elevation on the first floor.

98
99 Commissioner Nelson asked what the purpose of having 10 feet minimum residential
100 height in the first place. Director Yost said generally where we have first-floor residential
on other streets, it doesn't get overly short and negatively impact the proportions of the

102 building. At 8 feet, they don't look right from the street perspective because the floor is
103 too short. And any horizontal projections, like awnings, look short and stunted.

104 Commissioner Nelson asked if the 9 inches will make a difference. Director Yost said
105 yes, it would allow them to push it up a foot and a half and explained how that works.

106
107 Director Yost clarified he inadvertently didn't include the word 'first' before floor in the
108 staff report. It does not substantially affect the proposal.

109
110 Commissioner Baker moved to open the public hearing. Commissioner Farrer
111 seconded. The public hearing was opened at 7:16 p.m. Seeing no speakers,
112 Commissioner Baker moved to close the public hearing. Commissioner Farrer
113 seconded. The public hearing was closed at 7:17 p.m.

114
115 Commissioner Farrer moved to recommend approval of Springville Community
116 Development's requested amendments to Springville Code 11-4-708 Main Street South
117 Gateway Building Height. Commissioner Baker seconded the motion. The vote to
118 approve the Legislative Session item was unanimous.

119
120 *3. Springville Community Development requests the Office Zone Map be
121 amended from the Community Commercial (CC) Zone to the Main Street
122 South Gateway Zone (MSSG) for parcels generally located along Main
123 Street from 400 South to 800 South; including the following parcels:*

124 *23:036:0010, 23:036:0053, 23:036:0059, 23:036:0061, 23:036:0062,
125 23:036:0063, 23:036:0064, 23:036:0091, 23:036:0092, 23:036:0105,
126 23:036:0107, 23:036:0109, 23:036:0110, 26:030:0009, 26:030:0035,
127 26:030:0039, 26:030:0043, 26:030:0045, 26:030:0082, 26:030:0083,
128 26:030:0086, 26:030:0089, 26:030:0090, 26:030:0091, 26:030:0091,
129 26:030:0101, 26:030:0102, 26:030:0104, 26:030:0105, 26:030:0112,
130 26:030:0113, 26:030:0115, 26:030:0117, 34:222:0204, 34:519:0001,
131 34:519:0002, 34:519:0003, 34:519:0004*

132
133 Josh Yost, Community Development Director, presented. He noted in the parcel list he
134 inadvertently left out the second home south of 500 S. We will make sure that gets
135 noticed when we move further up this process. It also excludes the newly developed
136 Foxridge parcels.

137
138 He reiterated the Reframing Downtown goals and said we need less through and more
139 stop and stay in Springville.

140
141 Director Yost explained the reasons for this timing. Director Yost spoke about previously
142 missed planning opportunities such as Foxridge and the Housing Authority Project at
143 451 S Main. He spoke about the General Plan and how it relates to this area.

144
145 In order to preserve our ability to accomplish that, we have initiated this pending
146 ordinance so that we can decide what we want here and have the correct regulations in
147 place.

148
149 Director Yost explained the impacts of the pending ordinance. It prevents current
150 applications from being approved under the current zone, until the Council acts on the
151 pending ordinance, or 6 months elapse from the time this was noticed, two Fridays ago.

153 We are aware some development proposals are being pursued, and this pending
154 ordinance prevents them from advancing. It is a significant impact to individual property
155 and business owners and we need to balance against the Planning Commission's and
156 City Council's opportunity to consider what we want the future to be. The ordinance
157 wouldn't require those to cease operation there, they would become grandfathered. It
158 would only impact new types of business uses and new or redevelopment of the
159 property. Chair Ellingson added provided they are not gone one year. Director Yost
160 confirmed.

161
162 We realize that there is a lot of consideration to be given to weighing the interests of
163 individual property owners against the City's broad desire to put in the right plan for this
164 area. It's best to let the Council do the political and balancing process and the Planning
165 Commission should focus on the planning aspects and the pros and cons of what is
166 being proposed.

167
168 As the Planning Commissioners, you should focus on the planning. He invited them to
169 listen to the property owners here tonight and consider their proposals.

170
171 The overall goal tonight is to initiate this discussion and we ask you to continue it for
172 further discussion. Director Yost is planning to take this to the City Council work meeting
173 next week where they will look at City interests and property owners' interests.

174
175 Commissioner Baker asked why the multi-use on the western side of the street was not
176 included. Director Yost said they are new and not going to change. He didn't think it was
177 necessary as it is brand new construction and not likely to change from being condos.
178 Commissioner Nelson asked if there is a downside to including it. Director Yost said
179 there is not. Commissioner Nelson thinks we should, where there isn't a downside to
180 including it. Director Yost said he was trying to be narrow in what was necessary to
181 make a smaller zoning map.

182
183 Commissioner Farrer moved to open the public hearing. Commissioner Anderson
184 seconded. The public hearing was opened at 7:30 p.m.

185
186 Brandon Lundein - Diversified Design Service
187 He is here on behalf of Daniel Arce and the Art City Auto Body Shop. Mr. Arce has been
188 working with us for the last few months and has been trying to purchase the neighboring
189 property. He is an asset to the public. He wants to expand his business. He closed on
190 the property on March 31st. Two hours later, he got an email from Mr. Yost and said
191 changes were coming. They met. They want to build an automotive technical center.
192 They would do alignments and sensor work. It is a clean business that market will
193 continue to grow. There is a blanket on automotive and that isn't a fair assessment with
194 the technology that is needed for car repairs now. He sketched out a plan and
195 explained the changes they made to make it comply. He came up with a design to blend
196 in with the design the City wants. He asked that we don't blanket automotive uses. If it
197 doesn't look like a body shop, then Mr. Arce should be able to use it. Otherwise, the
198 property is useless to him.

199
200 Commissioner Baker asked if it is just the use that is the issue. Mr. Lundein said yes.
201 This is not auto-wrecking. Commissioner Nelson asked about the design. Mr. Lundein
202 explained his plan. Commissioner Nelson asked what was on the second floor. Mr.
203 Lundein said offices, a training room and some calibration equipment. Commissioner

204 Baker verified the upper floor is just over 25 feet. Mr. Lundeen said yes and the rest is
205 open two story.

206
207 Daniel Arce

208 587 S Main - business, 687 S 2080 E - Home

209 This came as a surprise to us. We worked with Director Yost and asked if we could do
210 this in the CC zone. We sent revisions to have it comply with that zone. We revised our
211 plans and since then he has gone full steam ahead. He sold other real estate he worked
212 hard to earn. He overpaid for it. This was done because we did this a year ago. He got
213 the email that the zoning was going to be changed. There have been sleepless nights
214 and his life savings tied up here. He asked for permission to continue under the CC
215 zoning. He can't wait as he has the commercial loan done. He was waiting on
216 engineering plans to get them submitted. We are knee-deep in this project at this point.
217

218 Commissioner Farrer asked what the business is going to be put there. Mr. Arce said he
219 is the owner of Art City Auto Body and this would be the sister company. This new
220 building is not used for collision repair. It is for the new cars that are technically
221 advanced. You have to calibrate them. For instance, tell the camera that the windshield
222 or bumper are new. Part of that is getting the alignments done, getting the proper
223 equipment such as scan tools, and putting targets out to mimic other cars. We have
224 been sending the cars out to other locations for this service. We want to be able to do it
225 here in Springville.
226

227 Commissioner Nelson asked how many places are around here that provide that kind of
228 service. Mr. Arce said there is one in Orem and one in Salt Lake. Most dealerships
229 aren't big enough to do this work. His friend in Orem that does this gets a lot of business
230 from dealerships as they don't have the space.
231

232 Commissioner Baker asked what is the greatest concern. Mr. Arce said there is a 6-
233 month maximum. He can't wait 6 months. He has materials and loans. Construction
234 loans can only last so long. Commissioner Baker asked Director Yost what the timing
235 would be with the continuance. Director Yost said we will know more in the work session
236 with Council next week. They may say they don't want to, or they may need more
237 information. If they give clear direction on it, we could bring something back in a couple
238 of weeks. Commissioner Nelson asked if there could be an exception by excluding this
239 property. Director Yost said we would have to act to not rezone on these properties.
240 There are ways to accomplish that.
241

242 Commissioner Anderson asked if other properties in this area that are ready to purchase
243 and build something. Director Yost said he hasn't received any other comments in that
244 regard. He has talked to many property owners. The uses would be non-conforming in
245 the future and they could maintain those. One of the businesses in this zone wants to
246 participate in the Reframing Downtown. Commissioner Baker said the soonest it would
247 be back to Planning Commission is in 4 weeks. Director Yost said most likely. If we
248 received direction from the Council and the Planning Commission concurs, and the
249 project moves forward, the applicant could make an application under the proposed or
250 pending ordinance. That would be a risk, as it isn't final, but they could weigh the results
251 from the City Council and Planning Commission. We haven't seen an application for a
252 site plan or building permit. There is a lot of work on the review side to get them moving.
253 That could perhaps save them a couple of weeks.
254

255 Commissioner Anderson started to close the public hearing, as a man approached the
256 lectern.

257
258 Rob Weber
259 873 W 1800 N Pleasant Grove
260 Mr. Weber is with Barco Construction. He said they don't have much time before they
261 can't asphalt anymore. It affects Mr. Arce's construction timeline and his construction
262 loan. They need to move quickly. He is doing the Better Body Foods project. He will help
263 Mr. Arce stay within costs with these changes to the building design. He reiterated the
264 importance of timing and said the materials are ordered. If they stop now, Mr. Arce risks
265 cost increase and inflation.

266
267 Commissioner Baker said Mr. Arce mentioned waiting for engineering plans and asked if
268 he has those now. Mr. Weber said this is a commercial prefab building. He can make it
269 look like whatever you want by putting any type of skin on it. They have started the
270 engineering on the shell and concrete. What will kill them on time is having to redo the
271 plans, which will take months. With a quick answer, we can make up the time. He needs
272 to adjust his part of the building right now. This is almost the drop-dead time. The size of
273 the building will stay the same, the footprint, just the exterior will change.

274
275 Commissioner Nelson asked Mr. Lundeen about how the new proposed building
276 compares to what other comparable buildings look like. He said they will be nicer than
277 the one in Orem. They are steel buildings with insulated panels, Mr. Arce added.
278 Commissioner Nelson asked about fancying up the front. Mr. Weber said it will be in the
279 middle, probably thin brick. This isn't a really tall building, but it has height.

280
281 Commissioner Anderson asked to see the elevations again. They explained it will be
282 similar to Strap Tank with old-style brick masonry. Commissioner Baker asked if they
283 are site plan ready. Mr. Lundeen said no, they drew it this morning and would have to go
284 to the civil engineer. It could happen in a week or two. Mr. Weber said the plumbing and
285 HVAC all stay the same. Mr. Lundeen reminded the Commissioners that Mr. Arce has a
286 great business. It is a great service. We could put some murals on it for Art City.

287
288 Commissioner Nelson asked what the elevations would be on the North and South.
289 They have talked about doing murals on them like Wavetronix. Commissioner Baker
290 asked if that kind of paneling is allowed in the MSSG. Director Yost said not currently. It
291 doesn't prohibit a number of materials, but it does list permitted materials. There are
292 provisions for party walls, inside elevations and metal paneling.

293
294 Commissioner Nelson asked when you say wrapping the North and South, what does
295 that mean. Mr. Weber described building materials and design options.

296
297 Commissioner Nelson asked what the Jefferson School address is. Director Yost said
298 about 750 S. Commissioner Nelson knows where it is now.

299
300 The motion to close the Public Hearing was already on the table. The vote to close the
301 Public Hearing was unanimous. The Public Hearing was closed at 8:11 p.m.

302
303 The Commissioners discussed the visibility of the area, the objectives of the area,
304 walkability, and interchange with a roundabout at 700 S.

306 Commissioner Anderson asked if one of the items in that planning means no automotive
307 in that area. Director Yost said the only auto use allowed in the MSSG zone is a parts
308 store. A number of years ago, we preemptively took those uses out of the CC zone.
309 Commissioner Baker asked if minor auto repair would cover this use. Director Yost said
310 he doesn't want to open it broadly. Commissioner Nelson said it would have to be a
311 condition for this. Director Yost doesn't want to create an entitlement. Commissioner
312 Baker pointed out that there is a bus stop nearby that people could use after they drop
313 off their car for repair. She would be inclined to accommodate this use if they follow the
314 design standards.

315
316 The Commissioners talked about the aesthetic of Main Street. Commissioner Nelson
317 agrees.

318
319 Chair Ellingson asked if this was continued, could staff come back with
320 recommendations for what he could do. Director Yost said yes, it depends on how long it
321 takes to go through the direction given next week.

322
323 Commissioner Farrer talked about the timing. He feels that if it is continued, and timing
324 is crucial, it would get slowed down going back for forth. He suggests that they make a
325 recommendation.

326
327 Commissioner Anderson wants to craft a proposal for City Council. Chair Ellingson said
328 the options are 1) we give a positive recommendation and 2) do we feel this particular
329 project is what we want and have it move forward in a way that is conducive to the area?

330
331 Commissioner Baker said we should recommend the City Council to amend the zone
332 map to MSSG. It will allow better regulation for the Southern gateway and help
333 businesses plan for the future. Commissioner Nelson and Chair Ellingson agree.
334 Commissioner Baker addressed the aesthetics feel of Springville. It would need to be
335 crafted to have limits. Chair Ellingson said it would just be allowing the use.
336 Commissioner Nelson asked what is the design standard. Director Yost said there is an
337 extensive design standard.

338
339 Commissioner Baker asked if there could be a development agreement for them.
340 Director Yost said there are a number of different ways it could be done, to allow this
341 specific opportunity to advance, while limiting the opportunity to others. Director Yost
342 counseled them to focus on what they want as the outcome so the City Council doesn't
343 feel it needs to come back to them for additional consideration.

344
345 Commissioner Ellingson asked Director Yost if he has any concerns with moving
346 forward as if the zone change had happened, with allowing it to go in. Director Yost said
347 it isn't the first use he would pick, but this represents a reasonable balance of the
348 investment and expectations of the property owner and the intent of the City. This would
349 be an adaptable building in the future. It is a balancing of interests that is an acceptable
350 outcome.

351
352 Commissioner Nelson said he wants a continuance. There has been a lot of effort and
353 good faith put into this.

354
355 Commissioner Ellingson moved to approve Springville Community Development's
356 request to amend the Official Zone Map be amended from the Community Commercial

357 (CC) Zone to the Main Street South Gateway Zone (MSSG) for parcels generally
358 located along Main Street from 400 South to 800 South zone as listed in this staff report.
359 With the exception of parcels 26:030:0112, 26:030:0113 associated with Art City Auto
360 Body and to recommend continuance of these parcels pending Council action.
361
362 Commissioner Baker said we don't want to continue it.
363 Motion Continued: Chair Ellingson said taking out the exception portion, to say:
364 The Planning Commission would like to see consideration of those properties to allow
365 for the proposed use to go forward while still maintaining the standards of the zone
366 change.
367
368 Director Yost restated the essence of the motion. The Commissioners agreed.
369 Commissioner Baker seconded the motion. The vote to approve the Legislative Session
370 item was unanimous.
371
372 Chair Ellingson asked if there are any other items from staff. Director Yost mentioned
373 the MAG grant for the North side of town. It runs from 400 N to the North boundary. It is
374 a \$90,000 project with a 5 or 10% match.
375
376 Commissioner Anderson asked about the flood situation. Director Yost gave an update
377 on the flooding concern.
378
379 With nothing further to discuss, Commissioner Farrer moved to adjourn the meeting.
380 Commissioner Baker seconded the motion. Chair Ellingson adjourned the meeting at
381 8:47 p.m.



PLANNING COMMISSION STAFF REPORT

Agenda Item
May 4, 2023

May 4, 2023

TO: Planning Commission Members
FROM: Carla Wiese, Planner II/Econ Dev Specialist
RE: Recommendation for an amendment to the Official Zone Map from the PO-Professional Office Zone to the NC-Neighborhood Commercial Zone.

Petitioner: Darren Chamberlain/David Morley

Summary of Issues

- Does the proposed request meet the requirements of Springville City Code, particularly Section 11-7-1, Amendments to the Title and Zone Map?
- Does it maintain the intent of the General Plan?

Background

The subject property is located on the southeast corner 400 South and Wood Springs Drive and including parcel 66:458:0014 and contains .55 acres of 23,958 sf. of lot area (please see Attachment 2 for legal description). The parcel is currently vacant and is located within the site of the South Valley Professional Plaza.

The current zoning is PO-Professional Office which is intended to provide space for personal and professional offices; restaurants and cafés are permitted uses in the PO zone. The petitioner is interested in developing the parcel to accommodate two businesses and are expecting that the businesses that will locate on the site will be restaurants. In order for the location to be attractive to restaurants, the petitioner feels that the ability to have a drive-through is an important factor and is therefore requesting a zone map amendment from PO-Professional Office to NC-Neighborhood Commercial.

Analysis

The future land use map of the General Plan identifies the area as commercial, which makes the request consistent with the General Plan in regard to land use.

Springville City Code 11-4-102(5)(a) states that the NC zoning district is “intended to provide commercial goods and services to an area of limited size for basic trade and personal services that occur on a daily or frequent basis. This is complementary to the stated intention of the PO zone which is to “provide space for personal and professional offices and institutions that meet the need generated by the community to utilize their services. The intensity of use...should generally be less than commercial types of uses and these uses should generally be located along the edges of neighborhoods on collector and arterial streets.”

The properties located to the east across 400 South are zoned NC and there are drive throughs at the Freedom Credit Union, directly across from the subject parcel to the south; as well as

Zions Bank, Sodalicious, Zeppe's Italian Ice, McDonald's, Beans and Brews, Tropical Smoothie Café and Jersey Mike's are restaurant establishments located along the south side of 400 South and in close proximity to the subject property.

Staff Recommendation

Staff recommends approval finding that the proposed Zone Map Amendment is consistent with the General Plan and in keeping with the character of the surrounding area.

Recommended Motion

Move to recommend approval to amend the Official Zone Map from the PO-Professional Office Zone to the NC-Neighborhood Commercial Zone on the property located at on the southeast corner 400 South and Wood Springs Drive and including parcel 66:458:0014.

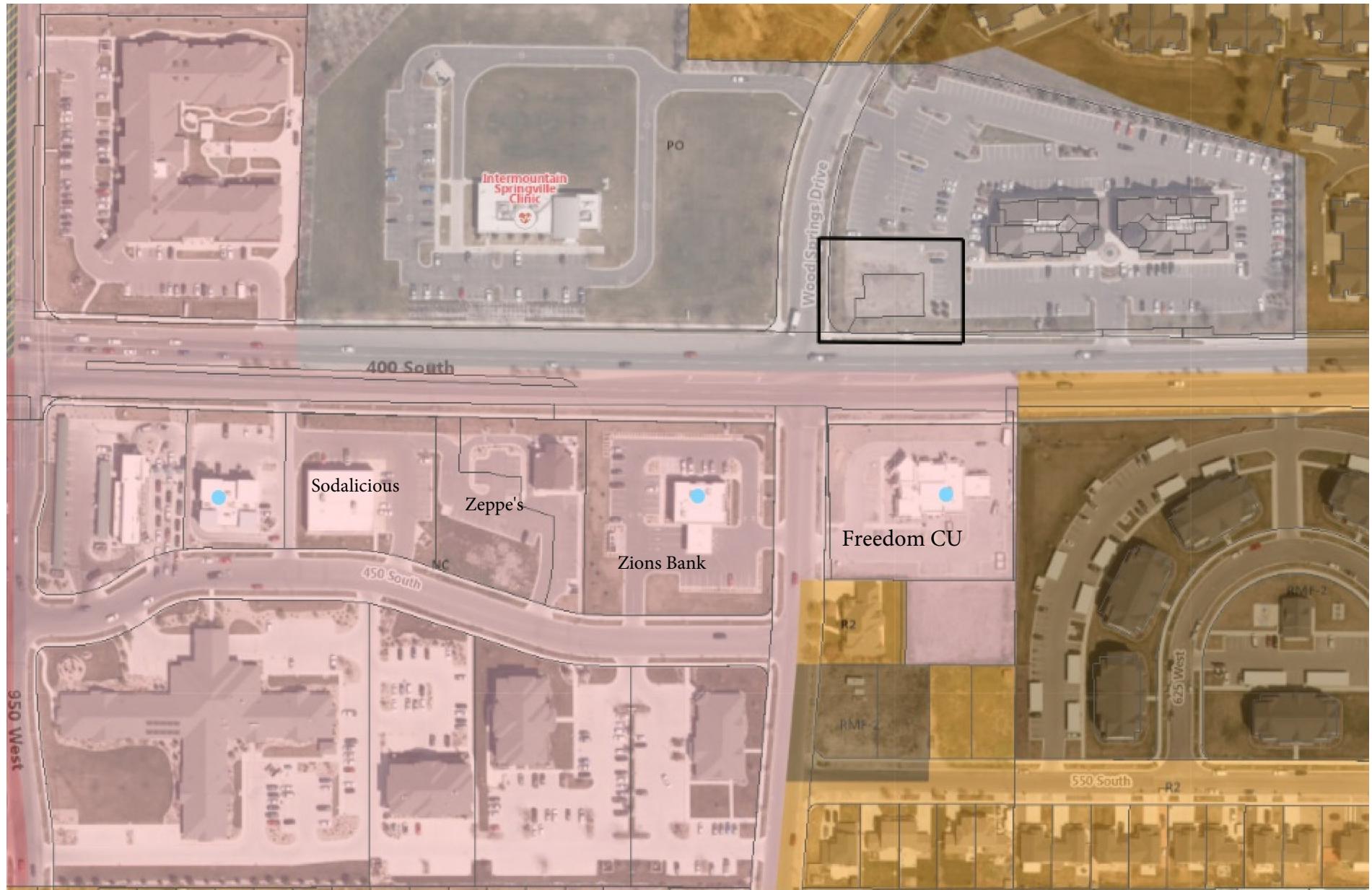
Attachments:

Attachment 1: Site Aerial

Attachment 2: Zoning Map Amendment Application

Attachment 1

Site Aerial



Attachment 2:
Zoning Map Amendment Application

South Valley Professional Restaurant Statement

It is proposed that 0.55 acres of South Valley Professional Condominiums, Plat A be re-zoned to NC Neighborhood Commercial Zone. The proposed area for the zone change encompasses the site of a future building that will house two businesses. These two businesses are expected to be restaurants. To make this property preferable to potential restauranteurs, it is imperative that the building has a drive-through. Drive-throughs are not uncommon in the vicinity. Just crossing 400 South from the site there are two banking institutions, Zions and Freedom First Credit Union, both equipped with drive-throughs. The Professional Office zoning of the site does not allow drive-throughs. It is desired that the zone change be made to accommodate the proposed drive-through, making the site a more desirable property for potential businesses.

