



**MINUTES**  
Planning Commission  
Regular Session  
Tuesday, April 11, 2023

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**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 11-6-134 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

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

Chair Ellingson asked what the egress requirements will be. Ms. Wiese said it requires a window for someone to exit the room through. Director Yost said the configuration of the window and other specific requirements of smoke detector and CO<sub>2</sub> detector. Chair Ellingson said we are looking at mostly older basements that were built with windows that are normally seen in a bathroom. Director Yost said such as homes that just have one smoke detector per home level. We want to ensure there are other safety measures in place when people are in a home they are not familiar with. We want the IRC Building Code requirements in the code so we can get an inspector in there before the license is issued to see that everything is in compliance. Ms. Wiese said it gives the homeowner protection to have them in place.

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

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

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

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

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

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

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

Commissioner Nelson asked what the purpose of having 10 feet minimum residential 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

building. At 8 feet, they don't look right from the street perspective because the floor is too short. And any horizontal projections, like awnings, look short and stunted. Commissioner Nelson asked if the 9 inches will make a difference. Director Yost said yes, it would allow them to push it up a foot and a half and explained how that works.

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

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

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

***3. Springville Community Development requests the Office Zone Map be amended from the Community Commercial (CC) Zone to the Main Street South Gateway Zone (MSSG) for parcels generally located along Main Street from 400 South to 800 South; including the following parcels:  
23:036:0010, 23:036:0053, 23:036:0059, 23:036:0061, 23:036:0062,  
23:036:0063, 23:036:0064, 23:036:0091, 23:036:0092, 23:036:0105,  
23:036:0107, 23:036:0109, 23:036:0110, 26:030:0009, 26:030:0035,  
26:030:0039, 26:030:0043, 26:030:0045, 26:030:0082, 26:030:0083,  
26:030:0086, 26:030:0089, 26:030:0090, 26:030:0091, 26:030:0091,  
26:030:0101, 26:030:0102, 26:030:0104, 26:030:0105, 26:030:0112,  
26:030:0113, 26:030:0115, 26:030:0117, 34:222:0204, 34:519:0001,  
34:519:0002, 34:519:0003, 34:519:0004***

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

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

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

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

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

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

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

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

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

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

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

Brandon Lundeen - Diversified Design Service

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

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

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

Daniel Arce

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

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

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

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

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

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

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

Rob Weber  
873 W 1800 N Pleasant Grove

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

(CC) Zone to the Main Street South Gateway Zone (MSSG) for parcels generally located along Main Street from 400 South to 800 South zone as listed in this staff report. With the exception of parcels 26:030:0112, 26:030:0113 associated with Art City Auto Body and to recommend continuance of these parcels pending Council action.

Commissioner Baker said we don't want to continue it.

Motion Continued: Chair Ellingson said taking out the exception portion, to say: The Planning Commission would like to see consideration of those properties to allow for the proposed use to go forward while still maintaining the standards of the zone change.

Director Yost restated the essence of the motion. The Commissioners agreed. Commissioner Baker seconded the motion. The vote to approve the Legislative Session item was unanimous.

Chair Ellingson asked if there are any other items from staff. Director Yost mentioned the MAG grant for the North side of town. It runs from 400 N to the North boundary. It is a \$90,000 project with a 5 or 10% match.

Commissioner Anderson asked about the flood situation. Director Yost gave an update on the flooding concern.

With nothing further to discuss, Commissioner Farrer moved to adjourn the meeting. Commissioner Baker seconded the motion. Chair Ellingson adjourned the meeting at 8:47 p.m.