



**Planning Commission Agenda
April 2, 2008**

**Planning
Commissioners**

6:30 P.M. Site Visits

7:30 P.M.

1. Preliminary Activities

- a. Pledge of Allegiance
- b. Approval of Minutes: March 12, 2008

Del Robins
Chairman

2. Public Hearings

Sherman Huff
Vice Chairman

a. **Proposed Parks and Recreation Element of the General Plan**

Applicant: Spanish Fork City
General Plan: Not Applicable
Zoning: Not Applicable
Location: City Wide

David Lewis

Shane Marshall

Michael Christianson

b. **Hunting Leifson Annexation**

Applicant: Ted Huntington and Lynn Leifson
General Plan: Residential 1.5 to 2.5 Units Per Acre
Zoning: R-1-15 proposed
Location: 7825 South River Bottoms Road

David Stroud

c. **Northeast Bench General Plan Amendment**

Applicant: Spanish Fork City
General Plan: Residential 1.5 to 2.5 Units Per Acre existing,
General Commercial and Residential 5.5 to 8 units Per Acre
proposed
Zoning: Not Applicable
Location: 400 North 2550 East

3. Other Discussion

a. **Discussion on Planning Commission work program**

Planning Commissioners, if you are unable to attend a meeting please let us know ASAP. Thanks.

The public is invited to participate in all Planning Commission Meetings. If you need special accommodations to participate in the meeting, please contact the City Manager's Office at (801) 798-5000.

1 Draft Minutes
2 Spanish Fork City Planning Commission Meeting
3 March 12, 2008
4

5 Agenda review 6:30 p.m.
6

7 **Commission Members Present:** Chairman Del Robins, Sherman Huff, David Lewis,
8 Shane Marshall, David Stroud.
9

10 **Staff Present:** Dave Anderson, Planning Director; Richard Nielson, Public Works
11 Assistant Director; Shelley Hendrickson, Planning Secretary.
12

13 **Citizens Present:** Gary Miner, Duane Hutchings, Mark Dallin.
14

15
16 **CALL TO ORDER**
17

18 Chairman Robins called the meeting to order at 7:02 p.m.
19

20
21 **PRELIMINARY ACTIVITIES**
22

23 **Pledge**
24

25 Commissioner Marshall led the pledge of allegiance.
26

27 Chairman Robins excused Commissioner Christianson and Commissioner Lewis
28 and welcomed Commissioner Stroud.
29

30 **Adoption of Minutes: February 6, 2008**
31

32 Commissioner Huff **moved** to **approve** the minutes of February 6, 2008. Commissioner
33 Marshall **seconded** and the motion **passed** all in favor.
34

35
36 **PUBLIC HEARINGS**
37

38 Commissioner Marshall **moved** to **open** into Public Hearing. Commissioner Stroud
39 **seconded** and the motion **passed** all in favor at 7:03 p.m.
40

41 **Mark Dallin Zoning Text Amendment**

42 Applicant: Mark Dallin

43 General Plan: Not Applicable

44 Zoning: Not Applicable

45 Location: City Wide

46

47 Mr. Anderson explained that Mr. Dallin approached the City earlier this year with the
48 concept of amending the City ordinance to modify the lot width requirement for
49 duplexes. At present 80 feet of lot width is required for duplex units and twin-homes.
50 Mr. Dallin proposed reducing this requirement to 60 feet. Mr. Anderson then
51 explained the recommended structural and format changes and how they would be
52 spelled out in the ordinance. He feels that in the older parts of town there is not much
53 square footage and something is needed to make those uses as conforming as
54 possible.

55

56 Chairman Robins explained he was trying to picture in his mind a building envelope
57 of 40 feet and what the frontage would look like. He would like to see pictures.

58

59 Mr. Anderson explained what the ordinance would allow.

60

61 Chairman Robins said he is more comfortable with a two story building rather than
62 side by side.

63

64 Commission discussion was held regarding frontage, square footage and lot width.

65

66 Chairman Robins asked if the DRC explored side-by-side cases.

67

68 Mr. Anderson feels that a side by side in some cases could work well but that the
69 DRC did not discuss that. It would be possible for someone to build two units with
70 only 20 feet.

71

72 Commissioner Stroud he feels most duplexes are side by side.

73

74 Mark Dallin

75 Mr. Dallin explained how he would lay out the building and what the setbacks would
76 be.

77

78 Chairman Robins feels that access would work but curb appeal would not be good.

79

80 Commissioner Stroud asked if Mr. Dallin had a parcel.

81

82 Mr. Dallin explained that he did.

83

84 Commissioner Stroud asked to see a map. Mr. Nielson brought it up on the
85 overhead projector. Mr. Dallin drew a drawing on the dry erase board.

86

87 Discussion was held regarding the lot width and square footage.

88

89 Commissioner Stroud asked for the flag lot ordinance requirements.

90

91 Mr. Anderson explained the code and said that Mr. Dallin could get a third dwelling
92 without the Amendment.

93

94 Mr. Robins asked if there was any public comment. There was not any public input.

95

96 Commissioner Stroud has some concerns with curb appeal and asked if the City had
97 any architectural standards.

98

99 Mr. Anderson said the City did not have any architectural standards.

100

101 Chairman Robins feels that he would like to see more pictures and would like to
102 table the project.

103

104 Mr. Dallin explained he had already built one of the duplexes and has done some
105 improvements.

106

107 Chairman Robins feels this is a new type of density and feels that the residents want
108 a small town feel and he is struggling to see how this will benefit the City.

109

110 Mr. Dallin feels that there are a lot of blocks in town with open space in the middle
111 that are just weed patches.

112

113 Chairman Robins asked for the depth of the lot. Mr. Nielson looked it up.

114

115 Commissioner Huff is concerned that this will open up all of the older blocks in town
116 and asked if they were only accommodating Mr. Dallin. How broad were they
117 stretching?

118

119 Mr. Anderson said it was broad. But did not feel that it would exceed more than a
120 dozen properties and would not have a tremendous impact with density.

121

122 Chairman Robins asked if any other developers had asked the City for options.

123

124 Mr. Anderson said that Mr. Dallin is the only one with this concern and has come up
125 with the proposed amendment.

126

127 Commissioner Marshall feels that we already allow 5 to 8 units per acre and feels
128 that he is not sure he likes the proposed look but also feels that what is currently
129 allowed is probably not a lot better. There has not been any talk about in-fill. He
130 feels the look would be the same at 60 or 80 feet and does not want to hold up Mr.
131 Dallin.

132

133 Commissioner Lewis arrived at 7:29p.m.

134

135 Commissioner Marshall and Stroud would rather see two duplexes than a four plex.

136

137 Commission discussion was held regarding duplexes versus four plexes, affordable
138 housing, and the high density in the Northeast part of town.

139

140 Commissioner Huff feels that in his part of town this could happen and would not like
141 to see seven four plexes in his back yard.

142

143 Chairman Robins asked for the lot width on Sherman Huff's block.

144

145 Mr. Nielson pulled it up on the overhead projector and discussion was held regarding
146 lot width.

147

148 Commissioner Marshall feels that the Commission is not prepared to talk about in-fill
149 development.

150

151 Commissioner Huff has reservations about in-fill lots.

152

153 Chairman Robins asked how hard it would be to supply a list of how many lots would
154 be affected.

155

156 Chairman Robins feels that he would like to see a list of lots but was not comfortable
157 taking action in this meeting.

158

159 Commissioner Stroud asked about design standards. Mr. Anderson said that
160 discussion would take place with the next item on the agenda.

161

162 Chairman Robins feels that discussion needs to take place regarding in-fill lots.

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Mr. Anderson feels that redevelopment in the immediate future could cloud the list.

Commissioner Marshall supports the Dallin proposal but feels in-fill standards need to be discussed.

Commissioner Marshall **moved** to **approve** the changes to title 15 as directed by the Commission and staff. Commissioner Lewis **seconded** and the motion **passed** all in favor by a roll call vote.

Commissioner Marshall **moved** to **instruct** staff to look into in-fill options. Commissioner Lewis **seconded** and the motion **passed** all in favor by a roll call vote.

Master Planned Development Text Amendment

Applicant: Spanish Fork City
General Plan: Not Applicable
Zoning: Not Applicable
Location: City Wide

Mr. Anderson explained the standard acreage for Master Planned Developments is five acres and the Development Review Committee recommended reducing the acreage to two (2) acres. Mr. Anderson feels 20,000 square feet would be better. He explained how Provo City is dealing with in-fill development. Merrill Bingham, who works for Provo City, submitted information on what Provo City is doing for in-fill. The older part of town is where common in-fill is taking place and certain development types such as duplexes, flag lots and four plexes have been constructed without architectural standards so as to protect the neighborhood from structures that do not fit the architecture of the neighborhood. He feels that this could be improved and the best step would be to amend the ordinance to allow people to do Master Planned Developments on smaller properties. He is most concerned with architectural controls. At present, should someone want to construct a four-plex unit it would be approved, per our ordinance, without any architectural controls. He presented a picture of a property in Provo with single family dwellings.

Commissioner Lewis does not like homes behind homes. He would support a small cul-de-sac look with a shared drive.

201 Mr. Anderson feels this is a way to raise the bar in the older part of town. The
202 Development Review Committee was comfortable with reducing the property size
203 but disagreed on the amount.

204

205 Chairman Robins invited the public to comment.

206

207 Val Cope

208 Mr. Cope said he is a real estate agent and fully supports the Neighborhood Housing
209 Service projects in Provo. He feels that if this concept were in Spanish Fork that
210 developers would like it because it would be lucrative and people could afford them.

211

212 Commissioner Lewis would like to see how many properties in Spanish Fork would
213 be impacted.

214

215 Commissioner Marshall feels that this is a good step and gives the City an option.
216 He said go smaller or do not make the change. He is not comfortable with the
217 density but feels that this is a better solution than the present.

218

219 Commissioner Stroud explained what Orem City allows and how developments of
220 this nature are reviewed in Orem. He is comfortable with two acres but has
221 reservations about going down to 20,000 square foot parcels.

222

223 Chairman Robins asked to see the R-3 and R-1-6 properties in the City.

224

225 Commissioner Stroud likes the concept of larger parcel because he feels it
226 encourages developers to purchase more old homes on a block.

227

228 Discussion was held regarding contiguous lots, four-plexes versus single family
229 dwellings, options for in-fill lots, Master Plan Development requirements and bonus
230 density.

231

232 Mr. Anderson said that in most R-3 zones 9-12 units per acre would be allowed.

233

234 Discussion was held regarding the magic number for the square footage or acreage
235 requirements.

236

237 Commissioner Lewis feels that Mr. Bingham makes a good point and would rather
238 see single family dwellings than four-plexes.

239

240 Commissioner Huff feels that he would rather see a Master Planned Development
241 than a four-plex and feels the reality of his part of town turning into higher density like
242 the northeast side of town.

243

244 Commissioner Marshall feels that the older part of town is turning into higher density.

245

246 Discussion was held regarding losing the small town feel.

247

248 Mr. Anderson said he feels that the likelihood that developers will purchase more
249 property will increase.

250

251 Commissioner Marshall **moved** to recommend to the City Council **approval** of the
252 changes to Title 15 reducing the minimum size of Master Planned Developments to
253 18,000 square feet in the R-3 and R-1-6 zones subject to the following condition:

254

255 **Condition**

256

257 1. That and qualifying developments be comprised of contiguous properties.

258

259 Chairman Robins **seconded** and the motion **passed** a roll call vote. Commissioner
260 Huff voted nay. Commissioner Huff said he is anxious that older units will be bought
261 and change the whole complexity of the older parts of town.

262

263 Discussion was held regarding what determines if properties are contiguous.

264

265 Commissioner Huff **moved** to **close** public hearing. Commissioner Lewis **seconded**
266 and the motion **passed** all in favor at 8:24 p.m.

267

268

269 **OTHER DISCUSSION**

270

271 **Discussion on Proposed General Plan Map Review**

272

273 Mr. Anderson explained the need to change the General Plan and plan for non-
274 residential uses. He explained the proposal of a commercial zone in the 2550 East
275 area. There are thirty one (31) acres of property owned by the Miner Family that
276 would be good for commercial. It's proposed that the City initiate and take the Miner
277 property that would abut 400 North and change that to General Commercial. The
278 complete proposal is to change 12 acres to General Commercial and change the
279 General Plan on the remaining 17 acres to Residential 5.5-8 u/a.

280

281 Discussion was held regarding the density, size of the 2550 East road, Master
282 Planned Development ordinance and density distribution.

283

284 Commissioner Lewis feels the proposed road width of 2550 East is too wide.

285

286 Discussion was held regarding whom would pay for the road and a long-range plan
287 for funding.

288

289 Gary Miner

290 Mr. Miner explained that there are a couple of variables. They are not opposed to
291 some concepts and willing to give six acres of property for the dedicated right-of-
292 way.

293

294 Mr. Hutchings and Mr. Magleby explained where the road would go. Mr. Hutchings
295 likes the opportunity of this proposal because the properties are so cut up with so
296 many corners being unbuildable and shifting the density around is great. There will
297 be twenty-two (22) acres just in roadways through this area.

298

299 Discussion was held regarding 2.5 acres being the cap, and the time-frame to build
300 out. Mr. Magleby feels within a year, property owner's developing to paper and
301 density distribution.

302

303 Commissioner Lewis is concerned with it being market driven and feels that the
304 market is not very strong but agrees that the road needs to go in.

305

306 Chairman Robins feels he does not support some of the densities and asked if it
307 makes sense to put commercial in only one place.

308

309 Commissioner Huff feels that commercial development needs to be in the area. He
310 does not have a problem with higher density for incentive for commercial. Is
311 concerned with the line capacity sewer issue. Having a trail under a power line is not
312 his favorite.

313

314 Commissioner Stroud said that it makes sense to him to look at commercial. He
315 would like to see a rough concept plan.

316

317 Discussion was held regarding the sewer line capacity.

318

319 Mr. Anderson announced March 25, 2008 will be land use training.

320

321 The Planning Commission would like In-fill development put on their to do list.

322

323 Discussion was held regarding the Commissioners getting together to go on a field
324 trip to look at the City.

325

326 Commissioner Huff **moved** to **adjourn**. Commissioner Lewis **seconded** and the
327 motion **passed** all in favor at 9:05 p.m.

328

329 **Adopted:**

330

331

332

333

Shelley Hendrickson, Planning Secretary

DRAFT



REPORT TO THE PLANNING COMMISSION HUNTINGTON - LEIFSON ANNEXATION

Agenda Date: April 2, 2008

Staff Contacts: Dave Anderson, Planning Director

Reviewed By: Development Review Committee

Request: The proposal is to annex parcels that comprise some 10.25 acres which are adjacent to River Bottoms Road.

Zoning: R-1-15 proposed

General Plan: Residential 1.5 to 2.5 Units Per Acre

Project Size: 10.25 acres

Number of lots: Not Applicable

Location: 400 North 2550 East

Background Discussion

The proposed annexation includes approximately 10 acres located between River Bottoms Road and the current City boundary. The subject properties are in the City's Annexation Policy but are not located within the Growth Boundary.

Staff has had numerous discussions in recent months about the potential of annexing properties in this area. At this point, staff is not prepared to support annexations in the River Bottoms Area.

With that said, staff understands the applicants have a very different opinion about whether this annexation should be reviewed in the same context as other annexation petitions that have been presented for the River Bottoms area. The petitioners believe their annexation is of such a limited scale and is situated such that it should be considered in a stand alone fashion.

Staff's reluctance to take the petitioners perspective is essentially due to the absence of infrastructure or relevant plans for services in the area. Accompanying this report is a Public Works Department Report that describes the infrastructure that would be required before the use of the subject properties could change. In certain cases, this report also identifies master plans that must be performed in order to define what improvements need to be made and where those improvements would be located.

Development Review Committee

The Development Review Committee reviewed this request and recommended that it be denied. Minutes from the DRC's March 19, 2008 meeting read as follows:

Huntington Leifson

Applicant: Ted Huntington and Lynn Leifson
 General Plan: Residential 1.5 to 2.5 Units Per Acre
 Zoning: R-1-12 Requested
 Location: 7825 South River Bottoms Road

Mr. Anderson gave background on the existing City boundary and the property proposed to be annexed. The property will be R-1-15 not R-1-12



to be current with the General Plan. He explained the annexation petition process and that Richard Nielson had prepared a report regarding the utilities that would need to be addressed.

Mr. Heap explained Mr. Nielson's report. The report indicated that master plans for water, sewer and transportation for the entire river bottoms area would need to be looked at, River Bottoms Road would need to be relocated and would be a major collector road, water lines/pressurized irrigation (due to the low pressure zone) would need to be looped, there is not a storm drain master plan in the area and one is needed. Mr. Heap explained the City Council would be meeting in the next few months to talk about these issues but feels all the zoning in the river bottoms needs to be addressed along with this proposal and this annexation petition is a premature.

Discussion was held regarding the need to widen River Bottoms Road to accommodate a major collector road.

Mr. Anderson explained that the subject property is within the current City annexation declaration boundary. He feels timing is a factor and the application is premature but that the City is not far off from answering the questions, within a year or two, in this area. He explained what he foresees the density will be and where in the river bottoms it would be located but that the growth boundary would need to be amended before growth would be allowed in the area.

Discussion was held regarding the Growth Boundary and the process to have it amended and the annexation proposal being premature.

Lynn Leifson

Mr. Leifson explained that the City approached him a few years back to annex his property but that he wouldn't. He explained what property he owned versus Ted Huntington. He and Mr. Huntington are looking at what they can do along River Bottoms Road and explained where an easement was for a high pressure gas line. He feels they are only looking at six homes and feels that everything can be done within reason. He feels that all of the utilities are already available. They would like to be looked at separate from the River Bottoms Annexation.

Discussion was held regarding utilities and the City's utility plans, where the water would need to

loop, flood plain study, electric master study, traffic study, and River Bottoms Road not being a City street.

Mr. Anderson moved to recommend the City Council deny the Huntington Leifson Annexation petition based on the following findings:

Findings

1. That the City's General Plan Elements for transportation, power and storm drain are not complete; therefore, the annexation is premature.
2. That the City's review of the land-use plan for adjacent properties is not complete.
3. That the subject properties are not within the Growth Boundary.

Mr. Bagley **seconded** and the motion **passed** all in favor.

Discussion was held regarding the process of taking the proposal to the Planning Commission, City Council and the costs that would be incurred.

Mr. Leifson

Feels they are being held hostage by the larger annexation and would like to be considered on his own parcel.

Budgetary Impact

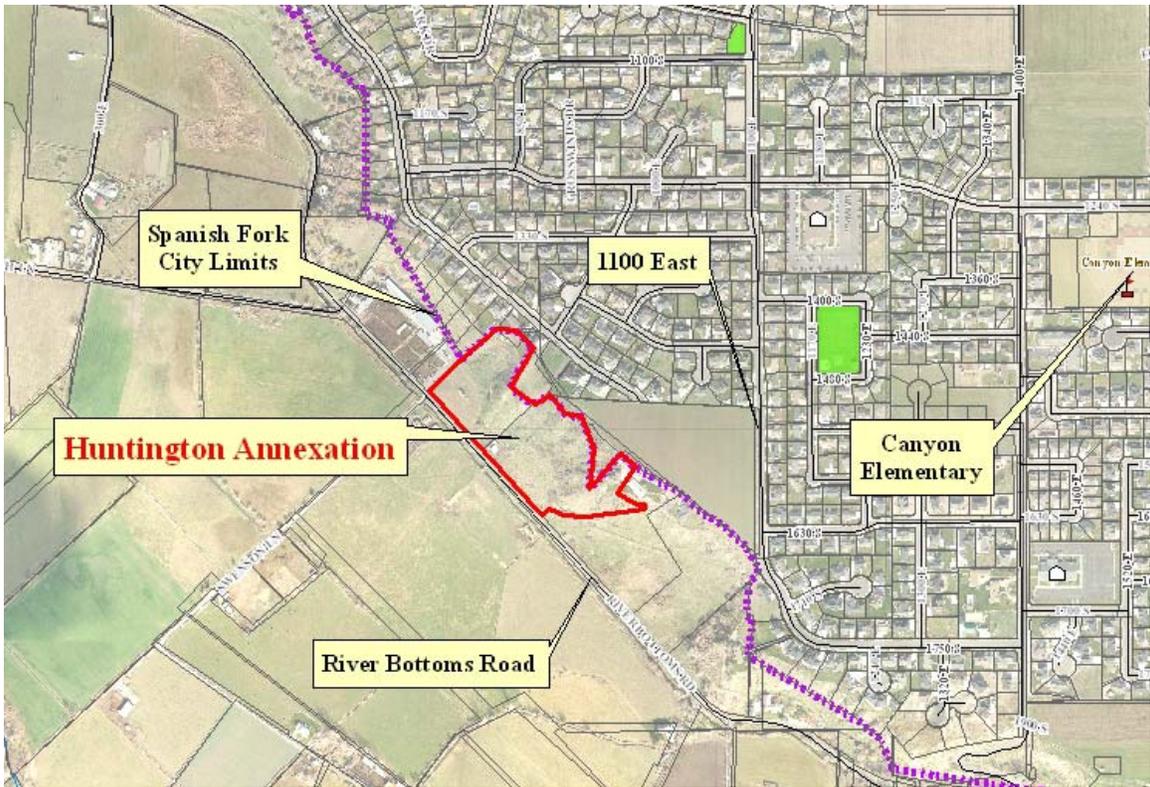
No significant budgetary impact is anticipated with the approval or denial of the proposed annexation.

Recommendation

Staff recommends that the Planning Commission recommend that the proposed Huntington Leifson Annexation be denied based on the following findings:

Findings

1. That the City's General Plan Elements for transportation, power and storm drain are not complete; therefore, the annexation is premature.
2. That the City's review of the land-use plan for adjacent properties is not complete.
3. That the subject properties are not within the Growth Boundary.



Spanish Fork City
Public Works Department
Huntington - Leifson Annexation Report
February 26, 2008

Streets

The streets in the Huntington - Leifson Annexation area that need to be addressed during the annexation process are; Riverbottoms Road and South Lane/ 7650 South (County). These streets will be needed to provide adequate traffic capacity in the area.

Riverbottoms Road

Riverbottoms Road is planned as minor collector (68' right-of-way w/40' of asphalt). The overall plan for the Riverbottoms area is to relocate Riverbottoms Road to the south away from the Mill Race Canal and the hill side.

South Lane/ 7650 South (county)

The street master plan shows a re-alignment of the access onto Main Street, which is currently provided by South Lane, to a 4-way intersection at Volunteer Drive. This re-alignment cannot take place until the property adjacent to Main Street develops. Due to the fact that we do not know when that property will develop and the street will be re-aligned, South Lane and 7650 South (county) will need to be planned and constructed as a minor collector (68' right-of-way w/ 40' of asphalt).

Culinary Water

The culinary water system will need to be extended into and through the proposed annexation along Riverbottoms Road. The annexation area is primarily lower than the bench area and the existing City limits. This will require the installation of Pressure Reducing Valves (PRV's) on the water system. The minimum size of any culinary line is to be 8". There are larger lines that are needed in the following streets:

Riverbottoms Road – South Lane to 2300 East – 16"

South Lane/ 7650 South (county) – Main Street to Riverbottoms Road – 16"

1400 East – Existing to Riverbottoms Road – 12"

This annexation would need to have a water loop installed from 1400 East along Riverbottoms Road and connecting to Scenic Drive at 980 East along or adjacent to the Questar Gas pipeline easement. As the area develops and final densities are established, the Engineering Department will evaluate the need for any additional 12" lines in the area. The City has adopted the policy that the City will cover the additional cost of water lines in excess of 12". This cost is funded through impact fees.

Sewer

This annexation will be served by the existing Riverbottoms trunk line to the southwest of the area. This line is located on the southwest side of Riverbottoms Road and the Mill Race canal. The appropriate easements to connect to the existing sewer line will need to be provided by the applicant. There is adequate capacity in this line for the proposed annexation.

Pressurized Irrigation

The pressurized irrigation system will need to be extended into and through the proposed annexation along Riverbottoms Road. The annexation area is primarily lower than the bench area and the existing City limits. This will require the installation of Pressure Reducing Valves (PRV's) on the pressurized irrigation system. The minimum size of any pressurized irrigation line is to be 6". There are larger lines that are needed in the following streets:

Riverbottoms Road – South Lane to 2300 East – 18"
South Lane/ 7650 South (county) – Main Street to Riverbottoms Road – 18"
1400 East – Existing to Riverbottoms Road – 10"

This annexation would need to have a pressurized irrigation loop installed from 1400 East along Riverbottoms Road and connecting to Scenic Drive at 980 East along or adjacent to the Questar Gas pipeline easement. As the area develops and final densities are established, the Engineering Department will evaluate the need for any additional 12" lines in the area. The City has adopted the policy that the City will cover the additional cost of water lines in excess of 12". This cost is funded through impact fees.

Storm Drain

The storm Drain system in the proposed annexation will need to Drain to the Spanish Fork River. This area has not been master planned at this time.

Surface Irrigation

The Spanish Fork Southeast Irrigation Company serves the Riverbottoms area, but there are no existing ditches within this annexation.

Existing Homes

There is 1 existing home within this annexation that should be connected to City utilities as the area develops.

There is an existing Questar Gas Company easement and high pressure gas line that crosses this annexation. This corridor should also be used to loop utilities to Scenic Drive.



REPORT TO THE PLANNING COMMISSION NORTHEAST BENCH GENERAL PLAN AMENDMENT

Agenda Date: April 2, 2008

Staff Contacts: Dave Anderson, Planning Director

Reviewed By: Development Review Committee

Request: The proposal is to change the Land Use Map of the General Plan for a parcel of land located in an annexation that the City is currently reviewing. The specific change would allow for commercial development and medium density residential uses. The current designation allows only for low density residential uses.

Zoning: Not Applicable

General Plan: Residential 1.5 to 2.5 Units Per Acre existing, General Commercial and Residential 5.5 to 8 Units Per Acre proposed

Project Size: 29.7 acres

Number of lots: Not Applicable

Location: 400 North 2550 East

Background Discussion

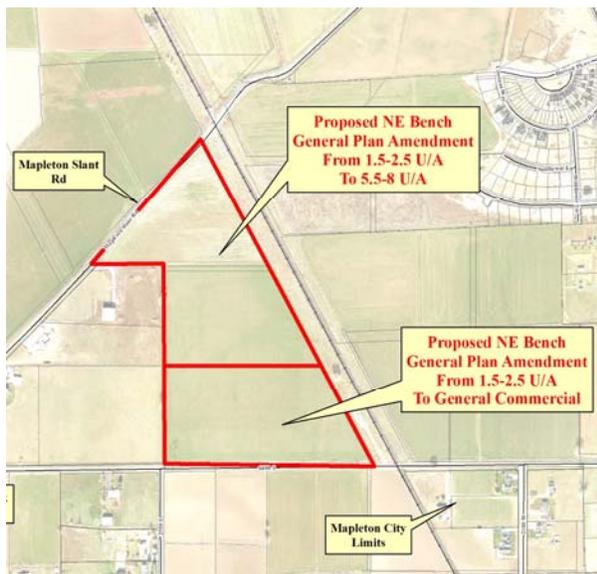
Staff has been working with a group of petitioners on an annexation application for the Northeast Bench Annexation since February of 2007. Over the course of the same period, staff and the Planning Commission have discussed the potential of having property designated for commercial development in the vicinity of the intersection of 400 North and 2550 East. Three of the four corners of this intersection are located in the proposed annexation area.

The review of this application has progressed to the point that the petitioners are preparing fairly detailed land-use plans that include most of the properties in the annexation area. As staff and the petitioners reviewed the early conceptual designs for the development, staff initiated a discussion with the annexation sponsor and the petitioners' consultants relative to the potential of having land set aside for commercial development on the northeast corner of the 2550 East 400 North intersection. The property at that location is currently owned by David and Michael Miner.

In summary, staff's discussions with the petitioners' consultants progressed and staff now understands that the Miners have consented to have a portion of their property set aside for commercial development. In fact, staff also understands that the Miners have also consented to dedicate some 3.4 acres at the time of annexation for the Expressway Lane right-of-way.

This dedication could prove to be very beneficial as it will essentially allow for the construction of a complete portion of Expressway Lane with the pertinent utilities. The construction of this roadway would provide access to numerous properties that are currently landlocked and would likely provide utility access to properties south of 400 North along 2550 East.

The only possible complication is that the Miners and a property owner to the north would like to have the General Plan also changed to allow for medium density residential uses on a portion or all of their property.



The proposal made by the petitioners therefore is to change the General Plan on the southernmost 12 acres of the Miner's 29.9 acres to General Commercial; to change the remaining 17.9 acres of the Miner property to Residential 5.5 to 8 units per acre; and to change the designation on the 10.5-acre property to the north to Residential 5.5 to 8 units per acre. The 10.5 acre parcel is owned by Hutchings Investments LLC.

In short, staff is very supportive of the overall concept. It is easy to find that this is an appropriate location for the uses that are proposed, both the commercial and the medium density residential. Staff's only hesitation pertains to changing the General Plan on the Hutchings Investments parcel.

It is anticipated that the Hutchings parcel will be included in a Master Planned Development. As such, the designers of that project have considerable flexibility in preparing a layout for the development. In this case, staff believes the applicants have the ability to utilize this flexibility to accomplish their goal, without changing the General Plan on the Hutchings property.

The impact of the proposal on density and the overall burden that will be placed on utilities, such as sanitary sewer, is two fold: by assigning a commercial designation, the number of dwelling units in a potential development will be reduced; however, the proposed change to medium density residential would allow for more dwelling units than what is currently permitted.

In this case, a developer could potentially obtain approval for 30 dwelling units for the portion of the Miner property that is proposed to be changed to commercial. On the 17.9 acres that are proposed to be changed to medium density residential, a 98 dwelling unit increase is possible.

With all of that said, changing the General Plan will not change the available sewer capacity. The petitioners understand that the total number of units that can be developed in the annexation area cannot exceed 2.8 units per acre. This 2.8 unit per acre limit is the average sewer capacity that's available on the Northeast Bench. It is also conceivable that the General Plan may allow for even fewer units than the sewer capacity average. In that case, the General Plan would establish the ceiling on density for the development. However, based on the numbers that staff is currently discussing it appears as though the sewer capacity

will limit density regardless of what the General Plan would allow.

Development Review Committee

The Development Review Committee reviewed this request in their March 19, 2008 meeting and recommended that the proposed changes be approved for the Miner property but not the Hutchings Investments parcel.

Northeast Bench General Plan Amendment

Applicant: City

General Plan: Residential 1.5 to 2.5 Units Per Acre to General

Commercial and Residential 5.5 to 8 Units Per Acre
Zoning: Industrial 1

Location: 2550 East and 400 North

Mr. Anderson explained that the Planning Commission and LEI have discussed the possibility of setting aside some property for commercial development. They feel that of the four corners surrounding the intersection the northeast corner is the most likely to support commercial development. It is owned by the Miner family.

Mr. Baker asked why not hit all four corners with the commercial development. For a total of 20 acres.

Mr. Anderson explained why he felt it would not work.

Discussion was held regarding what kind of commercial uses (retail, office etc), Expressway Lane, and higher density.

Mr. Anderson moved to recommend to the Planning Commission to include the General Plan for the Miner property changing the lower 12½ acres from residential 1.5 to 2.5 units per acre to general commercial and the remaining property changed from residential 1.5 to 2.5 units per acre to residential 5.5 to 8 units per acre. Mr. Baker seconded and the motion passed all in favor.

Budgetary Impact

In the long run, it's certainly conceivable that the proposed amendment would have a beneficial impact on the City's budget. This benefit would come as the property develops with commercial

uses, which would likely not occur for several years to come.

Recommendation

Staff recommends that the Planning Commission recommend that the proposed Northeast Bench General Plan Amendment be approved for the Miner Property, changing the General Plan for the southernmost 12 acres of the Miner property to General Commercial and the remaining 17.9 acres to Residential 5.5 to 8 units per acre.

