

Naples Planning and Land Use Public Hearing and Regular Meeting Minutes March 10, 2009

Public Hearing

Chairman Dale Harrison welcomes the public to the meeting.

All Present:

Chairman Dale Harrison, Walter Gale, Stanley Johnson, Lane Webb, Walter Gale, Cresta Slaugh, Stanley Johnson, Kenneth Reynolds, Mayor Dean Baker, Craig Blunt, Chris Hoem, Charles White, Don Scott, Zachary Scott, Mark Cook, Rae Rasmussen, Victor Simmons, Shane Mayberry, Mike and Rebecca Dimick, Vic Condie, Chris Clark, Scott Bingham and Brandy Salazar

Jim Richards moved to open the Public Hearing for the Naples Downtown Discussion. Walter Gale seconded the motion.

Roll Call Taken:

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|------------------------|------------|
| Walter Gale | Aye |
| Stanley Johnson | Aye |
| Jim Richards | Aye |

The motion passed with all voting Aye.

Naples Downtown Public Discussion Approximately 2850 South Hwy 40 Future Development on 100 Acres on East Side and 100 Acres on West Side Of Highway 40, Naples, UT

The public and Planning Commission was split in to five different groups to discuss and layout ideas for a possible future Downtown Naples conceptual Master Plan that consists of about 200 acres. The groups were given a key to represent big box retail, smaller retail, restaurants, office, medical, park and residential areas. The groups were instructed to use the key to cut out and paste what they would like to see in the different areas of the Master Plan. After time was given to the groups for discussion, the groups presented their ideas to the other groups and the consultants.

Ordinances 02-26-005 Height

Chairman Dale Harrison: We would like to change the height ordinance from thirty five feet to forty-five feet. The height was originally set at thirty-five feet because we didn't have access to fire equipment for anything higher. We now have access to a ladder truck and we have had a couple of requests from hotels that are higher than thirty five feet. We didn't want to go higher than forty-five feet and obstruct the skyline view. Paragraph F, we would like to remove the words golf

course and leave “to the mountains.” Chairman Dale Harrison asks the public for input, none was given.

02-15-011 Landscaping

There will be no changes to be made at this time.

02-15-006 Driveway

There will be no changes to be made at this time.

02-02-061 Definition of Façade

The definition of façade is defined as “any visible side of a building facing a public way or space.”

**02-27-010 Façade and
02-27-006 Trash Containers**

The Commission wants all visible sides to meet the southwest design criteria. 02-27-010 section G. #6: change to read decorative brick instead of brick. The City does not want red brick, decorative brick would look better. 02-27-006, third paragraph from the bottom of section N, change from Trash container enclosures should be constructed with materials that match the façade of the building to Trash container enclosures shall be constructed with materials that match the façade of the building. If we leave the word should, that implies the developer has the choice, we need to ensure the façade is matched on the trash container. All highly visible areas to the public should comply with the southwest design.

02-15-0004 Parking

Chairman Dale Harrison: The Commission needs to clarify parking for hotel/motels. I think we need to address employee parking. Chris Hoem asks about a 1.1 parking ratio or stating one parking space per guest room plus five. One parking space per bed would create a very large parking area. Gary Seivers: With a 1:1 ratio there would be plenty of parking. The developer does not want big truck parking. The Commission discusses mandating one parking space per bed for extended stay motels and all other hotels one parking space per room plus five. The public was asked for input. Chris Hoem recommends one parking stall per guest room plus five. Chairman Dale Harrison: One parking stall per guest room plus three should cover employees plus guests. Gary Seivers: People staying in an extended stay are not there during the day. There would be plenty of parking for employees.

**02-27-008 Parking
Requirements**

Chris Hoem reads Section E, paragraph a. Parking areas should provide safe, convenient access. They should be distributed to reduce overall scale of paved surface and to shorten walking distances between cars and buildings. No more than 50% of the off street parking area for the lot, tract, or area of land devoted to the large retail establishment **should** be located between the front façade of the building and the abutting streets. Chris Hoem: Should used to read shall. It has been changed because you want the general rule for parking to be mostly behind the building but with big box stores, there is no parking in the rear of the building. We changed shall to should so it is a suggestion; not a guideline.

02-15-012 Lighting

There will be no changes to be made at this time.

02-24-010 Preface

Chris Hoem reads the changes: The prominence and location of commercial and institutional buildings should encourage architectural design which is highly visible and innovative, while being sympathetic to surrounding built form. Chris Hoem reads the original paragraph: The prominence and location of commercial and institutional buildings along major roads should encourage architectural design which is highly visible and innovative, while being sympathetic to surrounding

built form. Chris Hoem: Major roads has been removed, highly visible was left in.

Walter Gale moved to close the public hearing. Jim Richards seconded the motion.

Roll Call Taken:

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| Walter Gale | Aye |
| Stanley Johnson | Aye |
| Jim Richards | Aye |

The motion passed with all voting Aye.

Regular Meeting

Commission Present: Chairman Dale Harrison, Walter Gale, Stanley Johnson, Lane Webb, Cresta Slaugh and Stanley Johnson

Commission Absent: Vice Chairman Jim Garner

Council Rep Present: Kenneth Reynolds

Others Present: Mayor Dean Baker, Craig Blunt, Chris Hoem, Charles White, Don Scott, Zachary Scott, Mark Cook, Rae Rasmussen, Victor Simmons, Shane Mayberry, Mike and Rebecca Dimick, Vic Condie, Chris Clark, Scott Bingham and Brandy Salazar

Verification of Full Quorum: Chairman Dale Harrison verifies a full quorum.

Open Ceremonies Chairman Dale Harrison called the regular meeting to order at 7:45 p.m. The pledge of allegiance was led by Cresta Slaugh followed by a prayer given by Stanley Johnson.

Approval of Agenda: Walter Gale moved to approve the agenda for March 10, 2009. Jim Richards seconded the motion.

Roll Call Taken:

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| Walter Gale | Aye |
| Stanley Johnson | Aye |
| Jim Richards | Aye |

The motion passed with all voting Aye.

Disclosures: None

**Approval of Minutes
February 10, 2009**

Page 2 change residential to industrial, page 3 change spelling to that instead of hat. Stanley Johnson moved to accept the minutes with the corrections for January 10, 2009. Jim Richards seconded the motion.

Roll Call Taken:

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| Walter Gale | Aye |
| Stanley Johnson | Aye |
| Jim Richards | Aye |

The motion passed with all voting Aye.

Public Hearing Discussion
Naples Downtown Public Discussion
Approximately 2850 South Hwy 40
Future Development on 100 Acres on
East Side and 100 Acres on West Side
Of Highway 40, Naples, UT

Gary Seivers: One of the tools to ensure the Downtown is designed and built as planned and discussed with the public is with Form based zoning codes. The current zoning codes are written that concentrate on guidelines and have a tendency to give choices. Form based codes lean toward enforcing design specifications. This type of ordinance will communicate to the developer what is desired for a specific zone. These codes are a way to give teeth to the Downtown Master Plan. Mr. Seivers reads through the table of contents of the Form Based Code draft. Table of Contents: I. Acknowledgements. II. Executive Summary: we want something that you can read in one to two pages that outlines what the ordinance is about. III. Introduction: we will outline the planning process with how we came to the design and when. This section will help future Commission and Council members understand why this Master Plan exists. IV: Downtown Naples Districts and Boundaries: defines what the district or downtown area is in general. We plan on breaking down the master plan into districts or areas and designate where the districts are such as medical, big box retail, offices, etc. V.: Existing Conditions and Future Initiatives: this will state what we would like to accomplish with this plan, Land Use, Transportation and Circulation, Public Services and Facilities, and Infrastructure and Utilities. The base is there but, it has to be filled in with the utilities. VI: Goals, Objectives and Governance. Introduction: What the City would like to accomplish and how it will be accomplished. Goals and Objectives, Design Review and Approval Process, this will define how a developer's plan is reviewed and approved. VII: Implementation; Downtown Design Policies. General Site Design, General Architectural Design, Specific District Standards and Guidelines. We will go into each of the areas specifically and define them graphically. The developer will actually be able to see the guideline. VIII. Conclusion. IX. References. X. Contacts. XI. Appendix. Chairman Dale Harrison: How can you put teeth in a concept plan? Gary Seivers: It comes down to the difference between shall and should in the language of the ordinance. Tracy Stocking: I

think that the question should be turned around, how badly does the City collectively want the vision? We could write the form based codes to designate areas with permitted uses. Chairman Dale Harrison: How do we specify what is allowed in certain districts? Tracy Stocking: As an example in the City's ordinance there is a list of permitted uses and conditional uses for every zone and things that are not listed are not allowed. We will write the form based codes the same way. The Commission and the Council will have to be prepared to say no if the development is something you do not like or maybe you will be a little flexible. Mr. Seivers suggests the areas in the master plan for rules should be "shall" and guidelines be "should." If they want to put a development in that is not designated, then the developer has to go through the expense of changing the entire master plan around their development showing that the development will work in that area. When you place teeth in an ordinance like this it will create extra hoops for the developers to jump through. This could cause the developer to question, why should he develop in your City. There should be incentives to go along with this ordinance. Chris Hoem talks about placing a moratorium for the downtown plan to give the consultants and the City time to get the code finished before further development is approved. Right now we are not prepared for any development to come in that we think is bad and we do not have the form based codes to discourage further bad development. If we wait, we will be prepared against poorly designed downtown developments. Chairman Dale Harrison asks to put the Moratorium on the next agenda for a motion to send to the City Council. Gary Seivers: The City needs to have an incentive for the developer to come in and develop in your City. If infrastructure is in place or phased in, the developer is more open to jump through the hoops. Another is low interest loans. The money would have to be insured to be beneficial to the public. I think a finance tax increment would be vital to the success of the Downtown Master Plan. Chairman Dale Harrison: Would we have to get with the entities for the infrastructure? Tracy Stocking: Whoever does your bonding will help you with it. You need to have developers first. Chairman Dale Harrison: I love the idea of being able to offer the developer something back.

Ordinances

02-15-011 Landscape and 02-15-006 Driveway will be removed from the agenda and 02-15-012 Lighting will be moved to the next agenda.

02-26-005 Height

After further discussion Jim Richards moved to recommend the change of maximum height from thirty-five feet to forty-five feet to the City Council. Walter Gale seconded the motion.

Roll Call Taken:

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| Walter Gale | Aye |
| Stanley Johnson | Aye |
| Jim Richards | Aye |

The motion passed with all voting Aye.

02-27-010 Façade

The ordinance should read "The trash enclosure shall hide the trash container from public view." The trash enclosure gate shall obscure a minimum of 80% of the view of the trash container. Stanley Johnson moved to accept the changes Jim Richards seconded the motion.

Roll Call Taken:

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| Walter Gale | Aye |
| Stanley Johnson | Aye |
| Jim Richards | Aye |

The motion passed with all voting Aye.

02-15-004 Parking

After further discussion Jim Richards move to accept the change to a minimum of one parking space per guest room plus three additional parking spaces. Walter Gale seconded the motion.

Roll Call Taken:

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| Walter Gale | Aye |
| Stanley Johnson | Aye |
| Jim Richards | Aye |

The motion passed with all voting Aye.

General Business

The Commission was given a color rendering for Winder Industrial Park Lot #11. The Commission recommends a decorative entry cover (out cropping) to be added to the façade.

Adjourn

Walter Gale moved to adjourn. Stanley Johnson seconded the motion.

Roll Call Taken:

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| Walter Gale | Aye |
| Stanley Johnson | Aye |
| Jim Richards | Aye |

The motion passed with all voting Aye.

Next Planning and Land Use Meeting will be held on March 24, 2009 at 7:00 p.m.