

**Naples Planning and Land Use
Public Hearing
March 15, 2016**

Commission Present: Mark Partridge, Andrew Bentley, Szeth Simmons, Chris Clark, and Cresta Slaugh

Commission Absent: Mishelle Rowell

Others Present: Joshua Bake, Heidi Lundberg, Ken Reynolds, Barry L. Colovich, Liberty Best, David L Hatch, Dustin Wilkey, Michael Johnson, and Christian Michaelson

Verification of full Quorum Mark Partridge verified a full quorum.
All five commission members will be voting in tonight's meeting.

Approval of Agenda Cresta Slaugh motions to approve the agenda for the March 15, 2016 meeting, Chris Clark seconds the motion

All in favor:

Mark Partridge	Aye
Szeth Simmons	Aye
Cresta Slaugh	Aye
Andrew Bentley	Aye
Chris Clark	Aye

Motion carried with all voting Aye.
None opposed.

Disclosures Joshua Bake stated the city has hired Chris Clark to review the plan for FedEx. We don't believe it creates a conflict in any matter. Mark Partridge asked if anyone had a problem with it. There were none.

Approval of Minutes Chris Clark motions to approve the February 16, 2016 minutes. Szeth Simmons seconds the motion.

All in favor:

Mark Partridge	Aye
Szeth Simmons	Aye
Cresta Slaugh	Aye
Andrew Bentley	Aye
Chris Clark	Aye

Motion carried with all voting Aye.
None opposed.

PLANNING/DISCUSSION

02-24 R1 Zone Ordinance Change

Joshua Bake introduced Dustin Wilkey. Mr. Bake stated we are not requesting an ordinance change tonight; Mr. Wilkey has a proposal for an ordinance change. Tonight we would like to know if this is something the commission would consider and put it on the next agenda for an ordinance change proposal. Staff recommends we do move forward with this. Mr. Wilkey lives in the Sunstone subdivision. He described his property and his desire to build a small shop in his backyard. It will not be attached to the house, but close up to the house. He has 90% of the residents who signed a petition to grant this ordinance change. The majority of the residents want to build a garage or shop. Mr. Wilkey asked for any questions. No questions from the commissioners. Joshua Bake stated that accessory buildings have to be 15 feet behind the house or it's considered an addition the house; if it is an addition the setbacks remain the same as if it were part of the house. Mr. Bake described the

other setback requirements. The way the rear setbacks are now, a homeowner would only have 10 feet to build an accessory building in their backyard. In our Code, if the building is 10x10 or smaller they do not need a building permit, but do need to meet all the setback requirements. We have seen a problem with others building a shed or garage without meeting with the City. If the commissioners should decide to move forward with this, we would need to change multiple ordinance sections. He has discussed with the Building Official Mr. Petersen about this; and he sees the bonuses of building a shed in your backyard. Mr. Bake stated the recommendation staff has is we move forward with gathering information. Commissioner Bentley asked if the setbacks from the back of the house were for fire protection or aesthetics. Mr. Bake replied that fire protection is part of it; from his research, it is mainly for water runoff, so water doesn't run off the shed and into a neighbor's yard. Commissioner Bentley asked what the setbacks would be changed to. Mr. Bake answered he would like to see what other cities have done.

Commissioner Bentley asked what setbacks would help Mr. Wilkey's situation. Mr. Wilkey described his shed would be 12 by 21 and it would be three and a half feet from his house. He also stated he would have it look nice and match his house. He stated he went to all his neighbors and all but two were for the project. Commissioner Slaugh asked what the frontage is on Mr. Wilkey's property. Mr. Bake did not know the exact number, and stated this subdivision is quite odd. The setbacks do not meet the requirements and Mr. Bake does not know why. Commissioner Slaugh asked if this ordinance was changed in the past. Mr. Bake stated he did not know when this was last changed. He assumed this hasn't been addressed in a while; people have just been building their sheds without coming into the City. Mr. Bake stated he was trying to get the word out and we want to encourage people to come to the City and doing it the right way. Commissioner Simmons asked if this applies to moveable sheds. Mr. Bake replied yes. Commissioner Slaugh asked if a conditional use could be granted for something like this. Mr. Bake responded no, technically you could do a variance, but they are so very difficult to get approved. Commissioner Bentley stated his only concern would be if it creates a fire hazard. Mr. Bake stated that is something we would look into. He asked if this is something we should move forward with gathering more information. Commissioner Partridge commented we should do more research. Mr. Bake mentioned an ordinance change is not by an individual, but what works for a community as a whole. Commissioner Clark and Commissioner Slaugh commented it would be worth looking into more. Staff noted to do more research on accessory buildings and bring it to the next Planning and Zoning meeting.

Discussion on Rear Setbacks for Cul-de-Sacs

Mr. Bake commented as we are looking at potential ordinance changes this is one that we need to address and look at what the intent of the ordinance was. He showed a picture of the cul-de-sacs in Sunstone subdivision. Mr. Bake stated the setbacks are not even close to the required 30 feet in this subdivision. The staff recommendation is a 30 foot setback with a clear cut or with cul-de-sacs is not the most feasible. This is one we would like to address if the commission feels appropriate to address since we're already in this ordinance. Mr. Bake mentioned cul-de-sacs are a unique problem. We are not bringing forth an ordinance change tonight, just a recommendation to move forward to do research. Mr. Bake asked if this is something we should move forward with. Commissioners said yes, let's do it. Staff noted to do more research on rear setbacks for cul-de-sacs and bring it to the next Planning and Zoning meeting.

Preliminary Plan Review FedEx Ground-Naples

Mr. Bake mentioned Chris Clark was hired from Uintah Engineering to review the plat. We have a memo from him and his findings. Joshua Bake turned the time over to the FedEx group. Michael Johnson and Christian Michaelson presented the preliminary plan. Mr. Michaelson stated the site and location are staying the same. It is on a single lot, the purpose of the building is receiving, sorting and distribution. The biggest change since the last meeting was the parking area and maneuvering areas from gravel to asphalt. The biggest affect it had was it bumped up the volume

of retention ponds by about 5,000 cubic feet. He mentioned from their meeting earlier in the afternoon, they will be submitting calculations to the City Engineer for the retention calculations. Mr. Michaelson described the floor plan of the building. The proposed landscape plan was given to the commissioners. Mr. Michaelson asked for any questions. Commissioner Partridge asked if they did any research on the irrigation canal. Mr. Michaelson said he will note it in the demolition plan the depth and size of the canal to protect it. He didn't see any evidence of it on the surface. Commissioner Simmons said a junction box is near the Nalco building, and it is 8-10 feet deep. Mr. Michaelson said he will note it. Councilman Reynolds asked about the Questar Gas line that used to go through the property. Mr. Michaelson showed on the plans that it was abandoned.

Mr. Johnson described the elevations of the building. He showed an example of the insulated metal panel that looks like stucco. Commissioner Partridge asked if it would cover the entire building. Mr. Johnson stated it was just going to be on the South elevation. Commissioner Partridge asked if there was going to be any decorative rock or brick. Mr. Johnson replied it would be just the metal panel. Commissioner Slaugh asked if we required brick on the front of the building. Commissioner Clark said it can't have the appearance of a metal building. There was discussion on businesses that had to have stone or brick. Commissioner Partridge expressed we have a lot of lax on not protecting or enforcing new businesses to stick with our idea on frontages. That has been a big thing with a lot of the new businesses since he's been on the board. Commissioner Slaugh agreed. Mr. Bake stated the ordinance in Industrial zone concerning metal buildings. Commissioner Partridge stated the example shown was going to look like a metal building and it needed to be discussed. Mr. Michaelson stated the metal foam board's purpose was to look like stucco. Mr. Johnson asked if a contrast color, like a wainscot of the foam board. Commissioner Partridge expressed that would just change the looks of it. Commissioner Bentley asked the way the ordinance sits now the example foam board for the whole frontage would work. Mr. Bake stated that is where it is left to some interpretation, it does state it needs to have some sort of treatment of brick, glass, wood, stucco, stone or Masard; there it leads it needs some of that, but the next sentence does state the exterior wall or façade of any metal building fronting upon any public street shall not have the appearance of a metal building. Commissioner Clark mentioned a metal building is a corrugated metal panel all around, which is what we are trying to get away from. There was discussion on the requirement for brick and stucco in industrial and commercial zones.

Mr. Michaelson stated the white color of the sample foam board might be confusing people. Mr. Johnson stated the proposed color would be a grey, not white. Commissioner Partridge asked if the front of the building will be all one color. Mr. Johnson confirmed yes. Mr. Bake asked if there could be two colors. Mr. Johnson stated he would talk with his supplier. Mr. Johnson will get a sample of the color for the commissioners. Mr. Bake stated the staff's recommendation is to approve the preliminary plan and there are a few items that we want for the final. Commissioner Partridge asked if by approving the preliminary we are approving to go as is. Mr. Bake answered with the exception of a couple things we are going to bring up, and if you want we can wait for the color sample as well. There are a few things that we want to hold off on approving, but still approve the preliminary to move to the final phase. Mr. Johnson asked if it applied to the panel as well. To help them move forward on the design with this panel, it will help them get the 90% set. Mr. Bake responded it would be up to the Planning Commissioners. Staff's recommendation is we feel this would be good; a colored panel like this will work. Commissioner Clark stated he believes this panel meets the ordinance requirements. Commissioner Bentley asked with this elevation will there be any type of trim on the windows that would help offset it. Mr. Johnson stated that could be done. Commissioner Bentley asked for an architectural rendering of the façade. Mr. Bake stated he could email that to the commissioners when Mr. Johnson gets that. There was discussion on how to approve with conditions. Commissioner Clark stated wouldn't you agree the panels are ok to use as long as there is enough color and texture to dress it up.

Commissioner Partridge agreed. Mr. Michaelson asked if there were any other questions. None.

Mr. Bake stated staff is recommending approval of the preliminary proposal with a couple minor conditions that they get these for the final. One would be now the panel is approved pending the color choices they bring back to us. Mr. Bake stated the requirements that were missing from their submittal that Commissioner Clark found and his recommendations. Engineer estimate for cost of improvements to use for bonding. The retention calculations for their storm water retention plan. Finalize the landscape calculations and that the requirements have been met. Parking space dimensions are incorrect on their plans. No sign was listed on their plans, if they put up a sign we need to check on that as well. The HVAC, garbage receptacles will need to be recessed, screened or enclosed. Parking lots with 5 or more spaces need a landscaping strip. They need to verify with Ashley Valley Water & Sewer District. Those are the conditions we would recommend approval for the preliminary phase to be addressed before the final phase.

Commissioner Simmons asked about the roundabout on 1000 south. Mr. Bake mentioned we are looking into that.

Time was turned over to Mr. Barry Colovich. Mr. Colovich described the landscaping details. The trees, shrubs, and greenery are all drought resistant. Mr. Barry asked for any questions. The Commissioners said it looks great.

Time was turned over to Mr. David Hatch from Ashley Valley Water & Sewer. Mr. Hatch stated there were some things that don't meet their requirements. Normally we require from any development is a letter of water & sewer availability. He stated they have been working with the architect through emails, and on these plans we have reviewed a few things. It's not clear what the connection is on the fire line around the perimeter of the building. There is no detail on where the water meter needs to be, it shows the one water line in the driveway, and the meter can't be in the driveway. The fire hydrant and the connection to the main needs to be by direct tap. There are two fire hydrants that will only be allowed. The trench detail requires trace wire plus warning ribbon, five foot bury. The sanitary sewer manholes, we only allow concentric cone with steps on 12 foot center. The water meter detail is determined on how they want to install it. The landscaping, we bill on commercial customer for the sewer what goes through the meter. We recommend a separate landscaping meter. On the landscaping detail, if they come off culinary line they need a backflow assembly. Commissioner Partridge wanted to make sure that list was sent to Joshua Bake or the architect. Mr. Michaelson confirmed he is in direct contact with someone from Ashley Valley Water & Sewer. Mr. Hatch stated he would like to review the plans before they do a final approval. He mentioned another item was the fire flow, if that has been addressed with the Fire Marshall. Mr. Michaelson stated he does have a fire flow test. There was discussion on water lines and connections between Mr. Michaelson, Mr. Hatch, and Mr. Colovich.

Commissioner Partridge confirmed before the final, Ashley Valley Water & Sewer will receive information from FedEx. Mr. Michaelson stated they are actively pursuing approval from Ashley Valley Water & Sewer. Mark Partridge asked if there were any further questions. None.

Szeth Simmons makes a motion to open the public hearing for the preliminary plan for FedEx Ground-Naples, Chris Clark seconds the motion.

All in favor:

Mark Partridge	Aye
Szeth Simmons	Aye
Cresta Slaugh	Aye
Andrew Bentley	Aye
Chris Clark	Aye

Motion carried with all voting Aye.
None Opposed.

PUBLIC HEARING

Preliminary Plan Review FedEx Ground-Naples

Mr. Jim Harper stated he is concerned with the increase in traffic flow down this road. With it being a dead end, where do they turn around at? If there is any way possible to get a cul-de-sac there, even a half of a cul-de-sac or hammerhead so this traffic can turn around. Commissioner Bentley stated the County already agreed to build a hammerhead there. Commissioner Clark asked wouldn't that be the County's responsibility? Mr. Bake stated it looks like at this point it is now up to the City to put a hammerhead in. There is a lot of research that needs to be done on it. There have been discussions with FedEx for the easements on that road. Mr. Harper stated if they do find an irrigation line, we have been trying to mark them so we have records of them. If they will let us know, we will get them surveyed also and have them marked. Mr. Bake stated it cannot be a requirement, but we can work with them and stay in communication. Mr. Michaleson stated he will make sure the contractor will notify the City of the irrigation line information. Ms. Liberty Best asked the exact location and estimated finish date. 1000 S 1127 E, Naples UT.

Commissioner Partridge asked if there were any other questions. None.

Andrew Bentley makes a motion to close the public hearing for the preliminary plan for FedEx Ground-Naples, Szeth Simmons seconds the motion.

All in favor:

Mark Partridge	Aye
Szeth Simmons	Aye
Cresta Slauch	Aye
Andrew Bentley	Aye
Chris Clark	Aye

Motion carried with all voting Aye.
None Opposed.

Commissioner Partridge asked how to approve with all the conditions.

Motion

Andrew Bentley makes a motion to approve the preliminary plan for FedEx Ground-Naples with the provisions they meet the Ashley Valley Water & Sewer, staff, and engineering conditions as follows:

1. 02-28-015(F) Preliminary Submittal
 - a. (2) Include summary of areas (i.e. building, landscaping, parking/pavement)
 - b. (7) Locate the Trash Enclosure location on the site plan – must be located on a hard surface
 - c. (8) Show parking space calculation and quantity provided on Site Plan.
 - d. (11) Include landscaping plan.
 - e. (12) Include the drainage calculations on the plan, including design storm event, retention pond volumes, and any assumptions made.
2. 02-28-015(C) Parking Requirements
 - a. Minimum parking space dimensions shall be 10'-0" x 20'-0"
3. 02-28-015(C) Service, Loading, and Special Equipment Areas
 - a. HVAC units and garbage receptacles shall be screened, recessed, or enclosed (if any).
4. 02-28-021(A) Exterior Lighting Design Guidelines
 - a. (8) It is a guideline that the pole height for exterior lighting does not exceed 30'. The Electric Luminaire Schedules shows the exterior pole lighting to be 45' high.
5. 02-16 Sign Regulations

- a. A sign was not found to be included on the site plan. If so, ensure that it complies with the regulations of Chapter 02-16 – Sign Regulations.
- 6. 02-15-011 Landscaping and Screening
 - a. Parking lots with five or more spaces must have a minimum of a 10 foot wide landscape strip adjacent to any street. Exterior perimeters of the parking lot shall have a minimum of a five-foot wide landscaping strip. Parking lots with more than twenty spaces must have a minimum of five percent interior landscaping. Trees shall be planted in the landscape areas at a ratio of one tree per 300 square feet of gross landscape area.
- 7. Civil Plans – General
 - a. Include truncated dome warning panels in sidewalks where it enters the vehicle travel path.
 - b. CU101 – Culinary Service Laterals Note 2 – Ashley Valley Water and Sewer Improvement District (AVWSID) typically requires Pressure Class 200 pipe not C900. Verify with AVWSID.
- 8. Structural Plans – Design Criteria
 - a. Ground Snow Load – Per the Utah Uniform Building Code Amendments, the ground snow load is 43 PSF (35 PSF shown).
 - b. Wind Design Criteria – Should be 115 mph Exposure “C” (Exp B shown – does not comply with open space distances for exposure B per ASCE 7-10).
 - c. Seismic Criteria - Verification Required for the following:
 - i. Seismic Design Category is typically “C” for Naples City, Utah, unless it is a Risk Category III or IV building.
 - ii. Verify pre-engineered metal building construction will be “Special Moment Frames”, as stated. These are not typical for this area.
- 9. Provide color samples for the building façade and an architectural drawing of the façade.
- 10. Engineer estimate for cost of improvements to use for bonding.
- 11. The retention calculations for their storm water retention plan.
- 12. Finalize the landscape calculations and that the requirements have been met.
- 13. Meet all of Ashley Valley Water & Sewer’s requirements

Cresta Slaugh seconds the motion.

All in favor:

Mark Partridge	Aye
Szeth Simmons	Aye
Cresta Slaugh	Aye
Andrew Bentley	Aye
Chris Clark	Aye

Motion carried with all voting Aye.
None Opposed.

ITEMS FOR FUTURE DISCUSSION

Land Use Approval Process

Mr. Bake stated he met with Economic Development Director from South Jordan. It used to be developers would want incentives such as land and money, now developers are most interested in time it takes to complete the approval process. We are looking at how we can help people when they meet all our requirements. Mr. Bake stated our ordinances require public hearings on almost everything, a state statute does not require a public hearing on site plans. Anything brought up during a public hearing is not really enforceable. It puts an undue burden on the commissioners, to know we can’t make stipulations from the public onto the developers. That is what we will be looking at is streamlining our ordinance to be competitive with other cities. Mr. Bake talked with the County and they are able to get a developer in and out in three days. We do need to look at what we can do to make it more attractive to these developers.

Commissioner Partridge asked if there were any other items for discussion.
Commissioner Clark asked about the status of our new website. Mr. Bake stated we are moving forward with the website company, we have a project manager, but is still 2-3 months out.

Commissioner Partridge asked about the hammerhead on 1000 south. Mr. Bake stated the situation with the County and the hammerhead. We are working on getting the easements.

Commissioner Partridge asked for any other items for future discussion.
Commissioner Bentley commented a hearing officer.

ADJOURN

Andrew Bentley motions to adjourn, Szeth Simmons seconds the motion.
All in favor:

Mark Partridge	Aye
Szeth Simmons	Aye
Cresta Slaugh	Aye
Andrew Bentley	Aye
Chris Clark	Aye

Motion carried with all voting Aye.
None opposed.

The next Planning and Zoning meeting will tentatively be held April 19, 2016 in the Naples City Council Chambers @ 7:30 P.M.