
**NORTH OGDEN CITY
STAFF REPORT**

TO: NORTH OGDEN CITY COUNCIL

FROM: CRAIG BARKER, COMMUNITY DEVELOPMENT
DIRECTOR

SUBJECT: REZONING AND PRELIMINARY PLAN APPROVAL FOR
SMITH'S DEVELOPMENT IN CP-2 ZONE AT
APPROXIMATELY 2550 NORTH 500 EAST

DATE: 8/22/2013

The property to be rezoned is a relatively small piece on the northeast part of the site which is just south and east of the existing store. The proposal is for a 123,000 square foot store which is approximately two times the area of the present store. The rezoned area will be zoned Commercial CP-2 (Planned Commercial) from Residential R-2. This zoning will make the entire site approximately 11 acres in area. These 11 acres will be east of the existing credit union, fuel center, and auto supply stores which front on Washington Boulevard. There will be three accesses to this site with a possible fourth, depending what develops south of the new store on the vacant property there. The site will have approximately 20% of the total site landscaped. The existing North Ogden Canal will be piped through this property and an easement for a public trail provided on top of the piped area. An eight foot high screened area is required when a commercial zone abuts a residential zone. This occurs on the east and south of the proposed site. The property to the south has the potential to be developed as a commercial site as well so the need for the fence at present exists but might not in the future. Most of the City's commercial areas have chosen to use a white vinyl fence, but other materials or landscaping may be used as long as the growth creates a 95% screen opacity value.

Building Features

- This building will be constructed of colored and textured CMUs (concrete masonry block)
- It will have a decorative front with building enhancements as the ordinance requires
- The building height is 38 feet at its highest point, 3 feet higher than the ordinance allows
- There will be a drive up pharmacy window on the north side

Parking Lot

- There will be over 500 parking spaces more than the ordinance requires
- The parking lot landscaping meets the 8% interior landscaping required
- Parking lot lighting fixtures to provide for light cone from recessed lighting

Walkways

- Shall be a minimum five feet wide
- A minimum of 20% of a walkway shall be decorative concrete (colored, stamped or exposed aggregate), pavers, or brick

Landscaping

- 20 % of the site shall be landscaped
- Up to 30% may be “hardscape” pedestrian plazas, walkways and other pedestrian oriented hardscape.
- Side and rear yard areas adjacent to lesser zoned areas (residential) shall have a 10 foot yard with trees planted every 50 feet and turf except or shrubbery.

It is recommended by staff that the rezoning be approved as well as the Preliminary Development Plan with the stipulation that it meets the ordinance requirements upon submittal of the Final Development Plan to the Planning Commission. The ordinance provides for the Planning Commission to approve the Final Development Plan.

Attached are the draft minutes from the August 7, 2013 Planning Commission meeting.

3. PUBLIC HEARING AND RECOMMENDATION TO REZONE PROPERTY FOR SMITH'S MARKETPLACE, LOCATED AT APPROXIMATELY 2500 N 450 E, FROM RESIDENTIAL R-2 TO COMMERCIAL CP-2.

A memo from Community Development Director Craig Barker explained this petition is quite different than a traditional rezoning request since it is being rezoned to a Planned Commercial CP-2 Zone. This process requires not only that the rezoning be heard by the Planning Commission but that a Preliminary Development Plan also be approved. Included with this report is a step by step process for the Planning Commission to see. The CP-2 ordinance requires that the developer, after the approval of the Final Development Plan is approved, actually provide a guarantee to the City for the installation of the landscaping. This requires a cost estimate be provided by the developer to the City. The other issues determined by staff are both items which could be of concern and some ordinance requirements. Staff recommends that the Planning Commission recommend to the City Council that the property not yet CP-2 be rezoned to CP-2 and the Preliminary Development Plan be approved as well.

Mr. Barker reviewed his staff memo and reviewed an aerial photograph of the subject property to identify the small portion of the property that is the subject of the rezone request. He cited the canal located in the vicinity of the property and stated the developer of the property has tentatively agreed to a public trails system on top of the canal once it is buried. He stated that before those particular aspects of the development can be discussed, the property must be rezoned. He added that the proposed new Smith's store will be approximately three times the size of the current store. He added that the engineer for the project is present this evening to answer any questions the Planning Commission or the public may have.

Bret Wahlen, from Great Basin Engineering, stated he is representing Smith's Food and Drug and he has been involved with the City for the past five or six years working on this proposed project; Smith's is very anxious to get it underway. He noted the original plans for the project included pads built on the front of the subject property to accommodate the new store, but Smith's and its parent company Kroger have slightly changed their plans during the recession and the proposal that is included on the proposal is for a

123,000 square foot building, which is not quite as large as Mr. Barker indicated, though there is the potential to expand the building in the future. He noted the project has long been anticipated; the store is old and tired and Smith's is willing to make a significant investment in the City of North Ogden. He stated it is appropriate for the public to know that the property was planned in a way to allow for additional residential development east of the property and there would be a buffer between the existing homes and the commercial development. He stated that the piping of the canal that Mr. Barker referenced is a significant improvement to the area and it will remove a significant hazard to children. He noted there will be a wall separating the development from the proposed residential development and there is a significant grade change between the improvements on the east side of the proposed project and the future residential development; the grade actually steps up by about eight feet. He stated that the grade change combined with a wall and landscaping will provide an appropriate way to minimize any impacts to the future residential development. He then stated he is here to answer any questions about the rezone request or the site plan for the project.

Commissioner Quinney stated he has a question about the existing store and the other retail shops in the development. He stated he is concerned about the development being impacted in a negative way and he asked if the current Smith's store will remain. Mr. Wahlen stated that is a good question and that concern was shared by many throughout the planning process. He stated there is a driveway that will extend behind the existing buildings and he is anticipating adding landscaping to the back of the building so that it does not feel like an alleyway. He stated the area will be opened up as the canal is piped. He noted there is no current proposal regarding the use of the Smith's building; Kroger is considering what to propose for the building and he would anticipate that it would be utilized for future retail space or possibly a restaurant or health club. He stated one of the exciting parts of redevelopment is the fact that things start to happen a lot quicker when there is dirt moving and new buildings going up. He added David Anderson owns the retail shops north of the existing Smith's building and he also owns the Subway restaurant located in the southwest corner of the development. He added that he is working to clean up the main driveway to the development in order to improve traffic movements. He stated he has been working with Matthew Godfrey to recruit new tenants for the building and there have been

ongoing conversations about how the area will redevelop possibly with some participation from the City. He stated Smith's wants to see that their investment in the project is well spent; they have a significant investment in the existing project and they want that to continue with the future project as well. Commissioner Quinney stated that what many people are concerned about is that there is already one larger grocery store that has been vacant for over 15 years and there is one on 12th Street in Ogden as well. He stated people are concerned that the vacated Smith's store will be used if it remains. Mr. Wahlen stated one of the important things that is important to note, which can be confirmed by Mr. Godfrey, is that Great Basin has developed this size of store throughout the western United States and this is the type of development that will provide synergy and economic development opportunities; typically in a shopping center like this is that 10,000 to 20,000 square feet of retail space will function in a strip design and there is then opportunity for additional retail space. He stated he knows one of the challenges with this project is that it is a redevelopment project and he does know that Mr. Anderson has had interest in additional pad space that is not available and he believes these issues will solve themselves as a result of the approximate \$30 million investment into the property.

Commissioner Knight stated that when the grocery store vacates the current building it will be possible to convert the space into at least eight retail spaces. He stated that when a big box store is built it will create a big draw for other businesses and it may even create interest in the other vacant grocery store space located behind Kirt's Drive-In. Chairman Residori stated that is a good point and it is one that has been discussed by the Economic Development Committee. He stated there will be a lot more traffic into the area and the other stores will benefit from that. He added that Mr. Godfrey has even talked about instances where two restaurants are located next to each other that build upon each other. Mr. Wahlen added that the plan shows the demised areas of the current development and he noted that a gym has been considered to fill the vacant grocery store; there are restaurants that have also looked at taking a portion of the space and it would be possible to add on that development by adding 'junior anchors'. He stated there are a lot of opportunities for the vacant store and he reiterated he feels the issues related with vacating the building will resolve themselves in time. He stated that one of the things he can tell the Planning

Commission is that the projected value of the property is \$4 million and it will need to pull its own weight and that will require some redevelopment. Matthew Godfrey, North Ogden's Economic Development Consultant, stated he has been working on this project for the past year and the value of the rezoning from the City's perspective is the increased tax revenue resulting from changing the zoning from residential to commercial. He added that there are some challenges with the land; one is the canal that divides the property and as Smith's carried out their due diligence with the land they also found some significant soil issues. He stated that is rare for this area, but it does exist; having a developer large enough to tackle the problem is important – otherwise the property may sit for a long period of time and it could become an undeveloped island forever. He stated that redeveloping further to the east and allowing a larger commercial block that will allow a user to develop the property that is not as desirable will result in a development that maximizes the economic return to the citizens of the community. He stated there is a convenience factor to having a larger store that will provide a much broader product offering and in addition to that the increased sales and property tax revenues will abate residential taxes. He stated he feels it is very positive for the residents of the community to have a user of this size tackle some of the legacy issues that exist with the property.

Commissioner Knight made a motion to open the public hearing at 7:14 p.m. Vice- Chairman Thomas seconded the motion.

Voting on the motion:

Chairman Residori	yes
Vice-Chairman Thomas	yes
Commissioner Brown	yes
Commissioner Knight	yes
Commissioner Quinney	yes
Commissioner Russell	yes

The motion passed unanimously.

LaDawn Hirst asked if the homeowners should have received a copy of the preliminary development plan. Mr. Barker answered no, but noted that any resident is welcome to request a copy from the City. He noted it will be reviewed following this discussion. Ms. Hirst asked if there will be a barrier

put up before all of the construction work begins or if all the dirt will be coming at the residential area. Commissioner Knight stated that is a valid concern and typically in a construction project of this nature there will be a construction barricade and there is also a requirement of the State Department of Environmental Quality for the contractor and the owner to register for and use silt fences and dust control mechanisms. He stated that if there are any issues related to those construction items, the residents have an avenue to register a complaint. Ms. Hirst then asked how much further east the canal will be realigned. Mr. Barker reviewed the plat map to identify the location of the existing canal as well as how the canal will be realigned. Ms. Hirst inquired as to which side of the canal the potential trail will be located. Mr. Barker stated it will be constructed on top of the buried canal. Ms. Hirst inquired as to the distance between the Smith's property line and the closest residential properties. Mr. Barker stated the distance is approximately 270 feet. Ms. Hirst asked what type of fence will be installed between the two land uses. Mr. Barker stated the standard is to use an eight foot vinyl fence. Ms. Hirst stated that is pretty much what she has seen in town, but she would rather see a beige fence than a white one.

Charles Schmaltz, 560 E 2350 N, stated he is president of the Legacy North Homeowners Association (HOA) and he has two comments; first is as far as the zoning is concerned he does not know of anyone that he represents that has any serious concerns about rezoning the corner from residential to commercial zoning because it seems to be in the best interest of everybody. He then inquired as to how far south the canal will be piped. Mr. Barker identified the point to which the canal will be piped on the plat map. Mr. Schmaltz asked if the canal will be piped all the way to 2300 North. Mr. Barker answered no and stated that property is not owned by Smith's. Mr. Schmaltz stated that as far as the residents in his HOA are concerned, it would be in the City's best interest for the canal to be piped to 2300 North. Commissioner Knight stated that would need to be addressed with the Pine View Canal Company. Mr. Schmaltz added Intermountain Health Care would also need to be involved in that discussion since they own the property.

Nola Warner, 2369 N 525 E, stated she lives behind the subject property and her concern is whether the road through the development will connect to Legacy Drive and create additional traffic in her neighborhood. Chairman

Residori stated traffic patterns will be addressed during the review of the development plan. Ms. Warner stated that she does not want a lot of traffic in her neighborhood. Commissioner Brown stated Legacy Drive is a private road. Ms. Warner stated that is correct and if there is a lot of traffic coming along the road it will be much more expensive to maintain and the residents there pay for that maintenance. Chairman Residori stated that it does not appear that the roads in the development connect to Legacy Drive and he reiterated it will be addressed during the discussion of the development plan. Commissioner Knight stated there is a driveway south of the Weber State Credit Union and that will be used to access the store from the south end. He added the existing access on 2550 North next to the Subway restaurant will remain as will the existing driveway located at the gas station site. He stated no additional driveways will be added. Mr. Barker added the existing driveway located on the north end of the development that exits onto 2600 North will also remain.

Commissioner Knight asked how far the Planning Commission can go in approving the preliminary development agreement if they are only making a recommendation to the Council regarding the rezone this evening. Mr. Barker stated the Planning Commission is required to make a recommendation regarding both items and he will make a presentation to the Council regarding both items. Commissioner Knight stated that he was simply reading the way the items are worded on the agenda and he clarified the Planning Commission is only recommending approval of the rezone and preliminary development plan. Mr. Barker stated that is correct.

**Vice-Chairman Thomas made a motion to close the public hearing.
Commissioner Knight seconded the motion.**

Voting on the motion:

Chairman Residori	yes
Vice-Chairman Thomas	yes
Commissioner Brown	yes
Commissioner Knight	yes
Commissioner Quinney	yes
Commissioner Russell	yes

The motion passed unanimously.

The public hearing closed at 7:24pm.

Vice-Chairman Thomas made a motion to recommend to the City Council approval of the rezone of the Smith's property located at 2500 North 450 East from Residential R-2 to Commercial CP-2. Commissioner Brown seconded the motion.

Voting on the motion:

Chairman Residori	yes
Vice-Chairman Thomas	yes
Commissioner Brown	yes
Commissioner Knight	yes
Commissioner Quinney	yes
Commissioner Russell	yes

The motion passed unanimously.

4. CONSIDERATION TO APPROVE THE PRELIMINARY DEVELOPMENT PLAN FOR SMITH'S MARKETPLACE.

A memo from Community Development Director Craig Barker explained this petition is quite different than a traditional rezoning request since it is being rezoned to a Planned Commercial CP-2 Zone. This process requires not only that the rezoning be heard by the Planning Commission but that a Preliminary Development Plan also be approved. Included with this report is a step by step process for the Planning Commission to see. The CP-2 ordinance requires that the developer, after the approval of the Final Development Plan is approved, actually provide a guarantee to the City for the installation of the landscaping. This requires a cost estimate be provided by the developer to the City. The other issues determined by staff are both items which could be of concern and some ordinance requirements. Staff recommends that the Planning Commission recommend to the City Council that the property not yet CP-2 be rezoned to CP-2 and the Preliminary Development Plan be approved as well.

Mr. Barker reviewed his staff memo. He noted an electronic copy of the preliminary development plan was provided to each member of the Planning Commission prior to this meeting and he briefly reviewed the various aspects of the development, including information about building sizes, landscaping, parking, and design features. He also provided a brief overview of the traffic patterns that will exist in the development.

Commissioner Brown stated she is most concerned about the traffic using the entrance near the credit union; the left turn is too sharp. She stated she would like to address that issue. Mr. Barker stated this is not the appropriate time to address the issue, but he has taken note of the concern.

Commissioner Brown stated that another concern she has is that there never seems to be a sufficient number of handicapped parking spaces at shopping centers in the City. Mr. Barker stated there is a federal requirement relative to the number of Americans with Disabilities Act (ADA) parking spaces that must be provided and all the City can do is suggest that the developer increase that number. Commissioner Brown stated that is all she is doing.

Commissioner Knight stated that behind the existing store there are some speed bumps; there is not a lot of barrier between where the trail will be constructed and the driveway and he was concerned about the safety of those using the trail. Mr. Barker stated there is a significant elevation change; the trail will be elevated six to eight feet above the road. Commissioner Knight stated that he feels there should be some speed impediment tool used in that area. Mr. Barker stated the Planning Commission can discuss those issues with the developer during review of the final development plan. He then reviewed the elevation plan for the marketplace itself and he noted it does meet the City's design standards. He added that a color board will be available at the final development plan stage. He noted there is one issue with building height; there is one point on the building that appears to be three feet taller than the maximum height allowed in the City. He stated there are several ways to address the issue. He then reviewed materials and colors to be used in the building facades on the project as well as potential signage to be used. He stated whenever a commercial development borders a residential development, the developer is required to install a fence or wall; vinyl fencing is typically used, but there are other options. He then reviewed the trail plan and highlighted some of the landscaping features that will be used at the development.

Chairman Residori stated he is still concerned about traffic. He stated he likes what the developer has done to address traffic near the Subway restaurant. Mr. Barker noted this is basically a self-contained site, but the Planning Commission should discuss access in the southern area of the project near the IHC building with the applicant. Chairman Residori stated it is difficult to get across Washington Boulevard to enter or leave the development. He stated that the access point near Subway is signalized and that is where cars will stack-up as they try to exit the center. Mr. Barker stated that it may be the case that traffic in the area warrants another traffic signal according to Utah Department of Transportation (UDOT) requirements. He added, however, that traffic signals generally cause more accidents. He stated that it is a challenge to get in and out of the development during peak driving hours. Chairman Residori stated the road behind the existing building exits onto 2600 North and he asked if that will be converted to a main road. Mr. Barker stated the road will still be relatively small, but some traffic will use it. Commissioner Quinney stated that access is very narrow and is more of a one-way access.

Commissioner Knight stated that he thinks the development plan looks great, but he is still concerned about the access onto and off of Washington Boulevard. He reviewed one of the renderings in the development plan and noted that the access between the existing Smith's parking lot and the Subway restaurant provides an exit corridor to Washington Boulevard and it is signalized. He stated the concern he has is that he believes the developer will want a lane that goes straight as well as both a right and left hand turning lane. He stated he thinks there will be more traffic from the west and he feels traffic will warrant more than two lanes in the access point. Chairman Residori stated there are currently three lanes. Commissioner Knight argued that point. He stated there is an option to go straight or turn right. Mr. Barker stated the straight lane is also the left hand turn lane and there is one lane coming into the development. Chairman Residori stated that is true. Commissioner Knight stated the access point will be the main corridor in and out of the project and two lanes will not accommodate all the traffic needing to exit the development. Chairman Residori agreed and stated he feels the overall traffic flow could end up being horrendous because there is not much access now.

Mr. Wahlen approached and stated traffic to the project is vital and it is one of the issues that he has spent the most time on. He stated he has been working with UDOT for five or six years to ensure the traffic signal stays in place. He added he is also working with IHC to create a future access onto the street that runs south of the development and there is a plan for a future traffic signal at that intersection of that street and Washington Boulevard. He stated his discussions with IHC have been very good, but they are a bit hesitant to allow Smith's short term access across their property because they do not want it to hinder their future development plans, but he believes they will want access to the future traffic signal and everything will work out well. He added that he is also looking at widening the southernmost access into the site that is adjacent to the IHC property and that would address one of the concerns raised regarding credit union traffic. He then reviewed the map of the development and highlighted the improvements that he would propose making to access points and overall traffic flow. He noted the location of a joint detention basin that will serve the project as well. He then stated his experience has been that the driveway on 2550 North has been the most used and important access and it needs to function properly. He stated he will instruct his traffic engineers to review that in further detail and he noted he has already reworked the Subway parking lot and the Smith's parking lot to make improvements. He stated he will check to see if dual left turn lanes are necessary or if it would be more beneficial to provide an additional right turn lane. He then stated the existing driveway behind the current store is more of a service entrance, but it will experience more traffic. He stated there are plans to widen it so that it will feel more like a normal sized driveway and the trees and vegetation will be removed in conjunction with piping the canal and building the trail there. He stated he appreciated Commissioner Knight's comments about speed bumps in the area and he believes those will be warranted in that area. He stated he will work with the City's trails committee in the effort of constructing the trail. He then stated as the existing shopping center is redeveloped and new tenants move in, there will not be as high a demand and traffic will be minimized. He then provided a brief description of the types of traffic access points that have been provided at other Smith's Marketplace developments and noted there are up to seven access points at this proposed development and he feels that is as good as can be offered at this point. He stated Smith's focuses on their customers first and they look to provide quick and reasonable access to all of their sites; they want to make sure the

entrances accommodate all traffic and he is working hard to make sure that happens. He added significant money will be spent to widen the road behind the building and landscape it in way that it will not feel like the back of a building. He added they are also constructing improvements and landscaping off of the property behind the retail shops. He referenced some changes that will be made to the existing buildings and parking areas to make them match the new development somewhat.

Commissioner Quinney asked if there has been any discussion about taking over the Subway restaurant. Mr. Wahlen stated there have been quite a few discussions about that issue and discussions about potentially purchasing all of the retail shops for redevelopment purposes are still ongoing, but one of the challenges is that the original purchase price of the properties were quite substantial and means it would be more feasible to redevelop than to tear town and rebuild the buildings. He added another challenge with the Subway restaurant is that it is such a small piece of property and it really has no value if the Subway building is torn down. He stated the owner of the property, Mr. Anderson, seems to be open to continuing discussions, but the current plan includes the existing Subway restaurant and reconfiguration of parking in that area to make it compatible with the access improvements. Commissioner Quinney stated he believes the intersection needs to be completely reconfigured because 2550 North will eventually be a main thoroughfare in the City due to all of the residential units being constructed there. He stated there are real access problems throughout the City and another nice intersection in that area would make it possible to use 2550 North as a traffic outlet or inlet for the City. Mr. Wahlen stated those are great comments and it may be possible for Mr. Barker and Mr. Godfrey to work with the current property owners to make that happen. He stated he would be willing to work on a plan to expand the intersection in the future.

Vice-Chairman Thomas asked how parking lots are designed to accommodate snow removal. Mr. Wahlen stated it will either be necessary to haul snow from the property or provide an area on site to stockpile the snow. Vice-Chairman Thomas asked who determines that. Mr. Wahlen stated the store director typically works on maintenance of the facility and he would be willing to provide the City with the names of the people responsible for those issues and the City can contact them if they are not satisfied with how the property is being maintained. Vice-Chairman

Thomas stated that during the winter some of the parking spaces at the existing store are used for snow storage and that drastically reduces the number of parking spaces available for customers. Mr. Wahlen stated that he believes the newer store will be better maintained and he will provide feedback to Smith's real estate department regarding snow removal practices. He then stated that he would prefer to have a larger site with a larger parking area, but due to budget and land constraints this is the best solution that will still provide for a residential development to occur east of the project.

Chairman Residori asked Mr. Wahlen to address Commissioner Brown's comment regarding handicapped parking spaces. Mr. Wahlen stated that he appreciates that feedback and noted that when the demographics of an area require additional ADA parking Smith's will plan for and accommodate that. He stated the plan was drawn to meet City Code, but it will not be difficult to provide additional stalls. He stated, however, that it is possible to add too many ADA stalls and he will try to avoid that. Commissioner Brown stated she loves the idea and the plan, but she is still concerned about allowing the existing building to remain. She stated she does not want to see rotating tenants and instead she would like for the existing building to be demolished and something built in its place that is specifically designed to fit into the overall development. Mr. Wahlen stated he would also love to demolish the development and start over, but to do that would require redevelopment funding or City participation. He stated discussions about those options can continue and Planning Commission input can be considered through that process. He stated there are many opportunities, but the emphasis in getting the project going and underway will push those discussions. He referenced a project he is currently working on in Los Alamos, New Mexico and stated it is very similar to this project and there are similar discussions about how the vacated building will be used; he is working with the community on redevelopment ideas and that is very exciting. He stated the only difference is that in this case Smith's does not control and own all property in the development. He stated he will work with the City to try to determine the best direction of the project.

Chairman Residori opened the meeting to public input.

Larry Hill, 2423 N 525 E, stated one concern he has that has not been addressed is that he has heard talk of additional business, which means additional restocking of the store and he is concerned about noise as more trucks and semis come to the site. He stated he assumes the loading docks will be located on the east side of the store.

Commissioner Knight stated his understanding is that Kroger does not allow trucks to come to the site before a certain time of day and they do not allow trucks to stay on site or remain running for a significant length of time. Mr. Wahlen stated Smith's will work with the community to determine the appropriate hours of the day during which trucks will be allowed on the site. He stated he does not believe there have been any discussions along those lines for this project, but that can be addressed prior to final approval of the development plan. He added it is important to note that the transition of the property on the east side of the development includes a significant elevation difference; the residential property will be above the commercial development and with the addition of an eight foot fence or wall there will be approximately 16 feet to help minimize any kind of nuisance from the loading docks.

Randy Hill, 2403 N 525 E, stated he is concerned about the 'heat island' effect; a significant amount of vegetation will be removed and running water will be eliminated from the area. He stated these things will be replaced by asphalt and that will increase the operating expenses for the abutting properties. He asked if there is any plan to account for heat islands. Mr. Wahlen stated he has not conducted any sort of study relating to heat and there are currently no detention areas designed for the shopping area. He stated it is his understanding that there will be a cooperative effort between the City, IHC, and Smith's to construct a new detention basin that will be landscaped. He noted Smith's will landscape 20 percent of the site and he is not aware of any other Smith's development that has that much landscaping. He stated that if there were no transition areas behind the building and the buffer zone between the Smith's parcel and the future residential parcel to the east, he would not be able to meet the City Code requirement. He stated that this project will result in removal of the asphalt on the south side of the existing Smith's building and that area will be regarded in preparation for new asphalt. Mr. Hill inquired as to the construction of the roof. Mr. Wahlen stated that it will be a white membrane roof. Commissioner Knight

stated the back parking lot is no wider than a new road and the northeast portion of the property will not get as much sunlight. He added the white membrane roofing will not create as much of a heat island.

Commissioner Knight made a motion to recommend City Council approval of the preliminary development plan for Smith’s Marketplace. Commissioner Brown seconded the motion.

Mr. Barker asked if the Planning Commission wanted to include any comments or recommendations in their motion. He stated the City Council will review the minutes of this meeting and it may be appropriate to make a statement about any recommendations or comments in the motion. Commissioner Knight stated he would do that in the final plan approval step of the process, but he does not think there is a need to do that at this step in the process. Mr. Barker stated that is fine and he reiterated he has sent the Planning Commission a copy of the process that will take place for this project. He stated this item will come back to the Planning Commission one final time for final approval of the development plan.

Voting on the motion:

Chairman Residori	yes
Vice-Chairman Thomas	yes
Commissioner Brown	yes
Commissioner Knight	yes
Commissioner Quinney	yes
Commissioner Russell	yes

The motion passed unanimously.