

**Adopted Minutes
Spanish Fork City Planning Commission Meeting
May 7, 1996**

The meeting was called to order at 7:25 pm by Chair Doug Barber.

Commission Members Present: Chair Doug Barber, and Commission Members J. Wayne Nelson and David Ludlow. Commissioner Doug Christensen arrived at 7:30 pm, Commissioner Brian Phillips arrived at 7:40 pm, and Commissioner Clyde A. Swenson was excused.

Staff Members Present: David A. Oyler, City Manager; and Heather Frost, Deputy Recorder. City Planner Greg Comstock was excused.

Citizens Present: Tony Dawe, Lee Robinson, Susan Bastian, Dick E. Bastian, Margot Bingham, and John Chakarun.

Minutes

A **motion** was made by Mr. Nelson to approve the minutes of the April 30, 1996, meeting of the planning commission. Mr. Ludlow **seconded** the motion, and it **passed** unanimously.

**Note: Commissioner Doug Christensen arrived at 7:30 pm.*

Albertsons - Plat B - Preliminary

Mr. Oyler explained the Development Review Committee has reviewed this plat. They recommend approval subject to the condition the 900 East street is dedicated upon recordation of the plat and the businesses on lots one and three do not have freestanding signs. Mr. Lee Robinson represented the developer and stated they have no problem with those conditions. The street to the east of the development will be dedicated as 920 East Street. Cross parking and access easements will be noted on the plat. Mr. Ludlow voiced concern with possible parking on the street. The commissioners discussed his concern. Because of the proposed layout of the buildings, they determined parking will not be a problem. The commissioners continued their review of the plat.

Mr. Nelson made a **motion** to recommend approval of the Albertsons - Plat B - Preliminary Plat subject to the following conditions: 1) The dedication of 900 East is included when the plat is recorded; and 2) Lots one and three do not have freestanding signs. The **second** was made by Mr. Ludlow, and the motion **passed** with a unanimous vote.

Bingham Zone Change Request (R-1-9 to R-1-6)

Mr. Oyler explained Ms. Bingham is requesting a zone change for her lot and four neighboring lots from R-1-9 to R-1-6. Ms. Bingham would like to rent her basement out as an apartment, and in order to do so, she needs to be in the R-1-6 zone. Mr. Oyler pointed out the surrounding properties include an LDS church, a school, a park, and Canyon Road, which segregates this property from other residential areas in the vicinity. There will be no new buildings. Therefore, there will be no increase in density. The area is not in the affected area of the Strawberry lawsuit. Mr. Oyler noted the Development Review Committee recommended approval of this zone change at their May 1, 1996, meeting. Mr. Nelson asked about parking issues. Mr. Oyler said if the homes are converted into duplexes, they will be required to meet the parking ordinance. Mr. Ludlow expressed concern with spot zoning areas. He indicated the general plan is not complete and if the commission recommends approval of this zone change it may set precedence. He noted the old block infrastructure will not handle spot zoning for duplexes. Mr. Oyler stated if approved, this zone would tie in with an adjacent R-1-6 zone. Mr. Nelson indicated this request is unique.

Ms. Bingham voiced her feeling this property is unique in that the surrounding areas are R-1-6. She noted Mr. Comstock had been to the property and had indicated her property is adequate to comply with the parking ordinance for duplexes. Some discussion took place regarding Ms. Bingham's home business. Mr. Oyler explained she can run her home business in either zone. Mr. Nelson indicated he shares Mr. Ludlow's concern with spot zoning, but does not feel this property meets what he feels would be spot zoning.

Mr. Christensen made a **motion** to recommend approval of the Bingham Zone Change Request from R-1-9 to R-1-6. The motion was **seconded** by Mr. Nelson.

Mr. Ludlow led a discussion regarding the update of the general plan and how it has affected decisions on previous zone change requests. He stated the commission has recommended denial of other zone change requests because of the general plan update. Mr. Nelson expressed his feeling because this area is segregated from other residential areas, this zone change would not pose a problem.

**Note: Commissioner Brian Phillips arrived at 7:40 pm.*

Mr. Ludlow asked Ms. Bingham if she would be interested in waiting until the general plan is complete. He explained the commission is considering allowing basement apartments in any owner occupied home in any zone. He noted should this change be made, there would probably be less restrictions and requirements. Ms. Bingham stated because she is this far in the zone change request process, she would like to proceed.

Chair Barber called for a vote on the **motion** made by Mr. Christensen to recommend approval of the Bingham zone change request from R-1-9 to R-1-6, and **seconded** by Mr. Nelson. The motion **passed** with a **majority** vote of 3:1; with Mr. Christensen, Mr. Nelson, and Mr. Barber voting in favor of the motion, and Mr. Ludlow voting opposed. Mr. Phillips abstained from voting as he was not present for the entire discussion on this issue.

General Plan - Zoning Ordinance

The commissioners discussed the possibility of allowing basement apartment rentals in any zone in the city.

Mr. Oyler led a discussion regarding the frontage requirement in the commercial and industrial zones. He asked the commission to consider the reason for the frontage requirement. He said as long as there is adequate parking and access, the frontage requirement may not be necessary. He noted there is no frontage requirement in the shopping center zone. Mr. Oyler informed the commission there are currently areas in both the commercial zone and the industrial zone that could be developed, but they do not have adequate frontage. He illustrated an example of such a property in the city. That particular example raised a question of whether or not light manufacturing is allowed in the commercial zone. Ask Greg -- Wally Osborn, Fritz, Cabinet Shop behind Fat Jacks non-conforming?

Mr. Oyler suggested light manufacturing be allowed in the commercial zone as a conditional use. Mr. Ludlow expressed feeling commercially designated property should be used to generate revenue for the city. The commission discussed the possibility of developing south Main Street in retail uses. They felt in most areas on south Main that possibility is not feasible. Mr. Ludlow pointed out the residential properties adjacent to the commercial zones and indicated the city should be mindful of those residences in allowing commercial and manufacturing businesses to be built next to them. Mr. Oyler noted outside storage, noise provisions, and hours of operation should be reviewed in determining the conditional use.

Zoning Ordinance - The commission continued their review of the draft zoning ordinance. They recommended some changes to the number of permitted animals table regarding peacocks. The commission reviewed the Master Planned Developments section of the zoning ordinance. Ask Greg -- Are restrictions on the monotony of house design included somewhere in ordinance?

General Plan Map - The commission reviewed the updated general plan map. Ask Greg -- Statewide Aluminum & Brad's Cabinet Shop are shown as residential on the map?

The commission discussed the density of the property above the Oaks subdivision. It is recommended on the map the density for that area is low density. Mr. Oyler pointed out the fact that the earthquake fault is located within the Oaks subdivision.

Mr. Oyler presented the proposal for the 32 acres near the ballpark the city is selling. He explained the city requested proposals for not only a price for the property, but also a proposal of how the property will be developed. The commission reviewed the proposed layout and densities.

The commission discussed their meeting schedule. They planned to hold their next

meeting on May 21, 1996.

Adjournment

Mr. Christensen made a **motion** to adjourn the meeting of the planning commission at 9:00 pm. The **second** was made by Mr. Nelson, and the motion **passed** with a unanimous vote.