

**Adopted Minutes  
Spanish Fork Planning Commission  
March 4, 1998**

The meeting was called to order at 7:00 pm by Commissioner J. Wayne Nelson.

Commission Members Present: Commissioners Kevin Baadsgaard, Roy L. Johns, J. Wayne Nelson, and Thora L. Shaw. Vice-Chair Doug Christensen was excused. Commissioner Chad Moffat was absent.

Staff Members Present: Gregory A. Comstock, City Planner; and Gina Peterson, Deputy Recorder. Mayor Dale R. Barney was also present.

Citizens Present: Bruce Hall, Don Lyster, LEI Engineering Consultants; LeGrand Woolstenhulme, Pinnacle Development; Ray Allen Swenson, Carol Swenson, Allen Swenson, Karen Swenson, Fred Vincent, Donna Vincent, Shirley Vincent, Dean Vincent, Blair R. Hamilton, Cleon Bird, Susan Huff, Barbara Bearnson, Sherman V. Bearnson, Pat Bearnson, James Eaton, Deanne Jex, Bryan Jex, Donna Harwood, Joe Harwood, Anna Mae Alviri, and Curtis Turnbull.

### **Minutes**

A **motion** was made by Ms. Shaw to approve the minutes of the February 4, and February 11, 1998 Planning Commission Meetings. The motion was **seconded** by Mr. Johns and it **passed** with a unanimous vote.

### **Alvari Subdivision Waiver**

The Board of Adjustment approved a variance request in December 1997 on the Alvari Flag Lot at 345 North 200 East to allow a one foot side setback and a 16.5 foot driveway access to the rear lot. The variance was subject to the front duplex converting back to a single family dwelling. The Development Review Committee recommended approval of the flag lot subdivision waiver subject to relocation of the secondary power line currently running across the property.

Mr. Bryan Jex, owns property south of existing home. He stated he and his wife were not officially notified Ms. Alviri had submitted a petition for variance for the driveway width. Mr. Jex is opposed to the concept of flag lots. He feels it would be difficult to provide fire protection with the limited driveway access. Mr. Jim Eaton, representing his mother living adjacent to the property, expressed opposition to flag lots and also stated his mother was not notified of the variance. Mr. Comstock felt all neighbors were notified of the variance and stated he would check his records to be sure.

Emergency access to the flag lot was discussed. Mr. Comstock stated City staff determined a turnaround for emergency vehicles was not needed if the property was within 150 feet of the road.

Ms. Shaw stated she is not comfortable with allowing the Alvani flag lot. She stated flag lots were intended to benefit the City, but the spirit of flag lots is not being upheld as designed. Mr. Nelson feels the Board of Adjustment should not grant a variance on a flag lot as they are a variance in themselves.

Ms. Shaw **moved** to deny the Alvani Subdivision Waiver. Mr. Baadsgaard **seconded**, and the motion **passed** unanimously.

### **Mount Loafer - Plat S - Preliminary Plat**

Mr. Comstock reviewed the Mount Loafer Plat S Preliminary located at 750 South and 1850 East. The Development Review Committee recommended approval of the plat.

Mr. Baadsgaard made a **motion** to approve the Mount Loafer Plat S Preliminary Plat subject to the Development Review Committee's condition of showing a connecting sump on 750 South to go west. Mr. Johns **seconded**, and it **passed** with a unanimous vote.

### **Davencourt Preliminary Plat**

The Davencourt townhome development is 8.8 acres located at approximately 400 North and U.S. Highway 6. In the R-3 zone, the development will have about eleven units per acre. Maximum density in the R-3 zone is twelve units per acre. The Development Review Committee reviewed the plat and recommended approval subject to seven conditions.

Discussion took place regarding drainage. Ms. Shaw stated a lot of drainage will occur on the south side as well as the north side of the development.

Mr. Comstock reviewed conditions set by the Development Review Committee. He also noted the plat presented to the Planning Commission shows 103 units rather than the 101 units approved by the Development Review Committee. The developer, Mr. LeGrand Woolstenhulme stated the additional units will help offset the cost of the conditions set by the Development Review Committee. He does not feel this will change the overall feel of the project.

Mr. Woolstenhulme addressed the requirement of installing a masonry block fence along Highway 6. He stated the entire project will be fenced with six foot privacy vinyl. Mr. Woolstenhulme feels a masonry fence is not necessary and will cause additional expense. He requested approval for vinyl fencing along Highway 6. After expressing concerns regarding noise and safety, consensus from the Commission was to require masonry fencing along Highway 6.

Mr. Baadsgaard asked if parking would accommodate guests. Mr. Woolstenhulme replied more parking than required is planned.

Mr. Johns made a **motion** to approve the Davencourt Preliminary Plat subject to the

following conditions:

1. All side, rear, and front setback requirements to be met;
2. A sidewalk is to be installed to the existing sidewalk on 400 North on the south side of the street to 1000 East;
3. Installation of a masonry block fence along Highway 6;
4. Groundwater drains installed where needed;
5. Surface drainage information submitted to Mr. Richard Nielson for his approval;
6. The approval is for 103 units.

Mr. Baadsgaard **seconded** and the motion **passed** with a unanimous vote.

### **Amendment to Trails Section of the General Plan**

Property owners along the brow of the hill overlooking the Spanish Fork River bottoms have expressed opposition to the trail proposed in that area. They presented a petition to the City Council at their January 20, 1998 meeting. The Council referred the issue to the Planning Commission for further review. Mr. Comstock stated property owners prefer to have their lots back directly to the hill, instead of a trail and the road directly to the hill as was approved. The Commission and Council previously felt this trails plan would provide a degree of safety as well as benefit the entire City.

Mr. Comstock has met with Sherman Bearson's daughter, Ms. Susan Huff to try and come to a resolution. Mr. Comstock presented an aerial photo and indicated where the trail could be constructed along the edge of the hill. He noted in a previous meeting developer Cris Child felt the trail concept would allow an equally or more marketable subdivision. Mr. Comstock felt the trail could actually become an amenity for the subdivisions in this area.

Ms. Susan Huff, representing the property owners along the brow of the hill addressed the Commission. She stated none of the property owners were notified or aware of the change affecting their property until it was reported in the Spanish Fork Press on December 25, 1997. Ms. Huff outlined four major reasons the property owners were against trails along the brow of the hill as follows:

1. Family use of the property. Families have owned the property for many generations.
2. They feel their property value will decrease. Ms. Huff stated some developers may see a financial advantage in a trail system because they are compensated with higher density.
3. Geologic Stability of the Brow. Property owners do not feel their property is at the same risk as Scenic Drive. Ms. Huff agreed a geologic survey would need to be done if development were to occur. She also acknowledged a study was done at scenic drive and water problems still occurred.
4. Multiple bike paths are already planned in the same vicinity. Property owners do not feel the trails will be worth the maintenance costs and liability to the City.

Mr. Nelson asked citizens for additional comments. Citizens reiterated comments from Ms. Huff, including discussion regarding stability of the hill, use and possible dangers of the trails.

Mr. Allen Swenson asked, if the trails plan is not amended, would he be denied a building permit because his home would block the view on the north side. Mr. Nelson does not think a building permit could be denied due to an obstructing view.

Ms. Shaw does not want to disturb the pioneer cemetery or take private property away from citizens. She feels citizen requests should be respected.

Ms. Shaw made a **motion** to amend the Trails Plan portion of the circulation element of the General Plan eliminating the proposal as passed by the City Council along the brow of the hill. Mr. Johns **seconded**, and the motion **passed** with a unanimous vote.

Mr. Baadsgaard feels trails are an important part to the city as a whole. He asked if landowners would be willing to figure a way to incorporate trails into their property without hampering their planned use of the land. Ms. Susan Huff stated she would be happy to work out some ideas.

*\*\*Note: The issue will return to the City Council for their review.*

### **Adjournment**

Ms. Shaw **moved** to adjourn the meeting of the Spanish Fork City Planning Commission at 8:40 pm. Mr. Baadsgaard **seconded**, and the motion **passed** unanimously.