

**Adopted Minutes
Spanish Fork City Planning Commission
February 3, 1999**

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

Commission Members Present: Vice-Chair J. Wayne Nelson, and Commissioners Roy L. Johns, David Lewis, Chad Moffat, and Thora L. Shaw.

Staff Members Present: Gregory A. Comstock, City Planner; Chris Thompson, Design Engineer; Nate Crow, Engineering Intern; and Gina Peterson, Deputy Recorder.

Citizens Present: Cris Child, Clark Mitchell, Ken Pinegar, Don Lyster, Dave Hood, Karen Schiess, and Dave Schiess.

Appointment of Chair

Mr. Johns made a **motion** to appoint J. Wayne Nelson as Chair of the Spanish Fork Planning Commission for 1999. Ms. Shaw **seconded**, and the motion **passed** with a unanimous vote.

Mr. Lewis **moved** to nominate Chad Moffat as Vice-Chair of the Spanish Fork Planning Commission for 1999. Mr. Johns **seconded**, and the motion **passed** with a unanimous vote.

Minutes

Mr. Johns made a **motion** to approve the minutes of the January 6, 1999 meeting of the Spanish Fork Planning Commission with noted amendments. Mr. Lewis **seconded**, and the motion **passed** with a unanimous vote.

Public Hearing - Taylor Homes Zone Change (R-R to R-1-8)

Ms. Shaw made a **motion** to open public hearing at 7:10 pm. Mr. Moffat **seconded**, and the motion **passed** with a unanimous vote.

A **motion** was made by Ms. Shaw to table the Taylor Homes zone change until the March 3, 1999 Planning Commission meeting. The **second** was made by Mr. Moffat and the motion **passed** with a unanimous vote.

Public Hearing - Willowbend Zone Change (R-R to R-3) and Preliminary Plat

A request has been submitted by Mr. Cris Child to rezone approximately 5.02 acres at 600 North State Route 51 from R-R, Rural Residential, to R-3, High Urban Residential. Preliminary Plat approval will create 39 lots from 5.02 acres for a density of 7.8 units per acre.

The Development Review Committee reviewed the zone change in January, 1999. It was

noted the General Plan for this area is residential: 5-12 units per acre. The applicant proposes to develop 17 townhouse units, 12 twinhome units, and 10 single residence dwellings. Four of the single residence units are also designed to allow accessory apartments over the garages. (Lots 9, 11, 12, and 13).

The loop street through the project will be private with a 24 foot pavement width, no on-street parking, and designated guest parking east of the townhouse units. There will be a 9 foot wide tree-lined planter strip around the outside of the road and a detached sidewalk beyond that. All homes and twinhomes will have covered front porches.

A gazebo will be provided in the townhouse area and a tot lot/playground will be provided in the northeasterly corner of the project. A concrete fence is being constructed adjacent to the railroad tracks to provide separation and improved safety.

Mr. Johns noted side fencing between Lots 9 through 14 will be built on the Questar Gas easement. Developer Cris Child stated if the gas line needs maintenance, the gas company will have to replace the fence. There is no designated access for the gas company, but Mr. Child noted the line could be accessed from the railroad tracks.

Chair Nelson opened the meeting for public comment.

Mr. Clark Mitchell stated he is familiar with Mr. Child's previous work, and is in favor of the project.

Mr. Child spoke about the diversity of income levels in projects. He stated he wanted to mix the house product, but keep the same architectural theme. Mr. Child reviewed the theory of the "Granny Flats" to be built above certain detached garages in the project.

Mr. Dave Hood, an adjacent property owner, stated he is favor of Mr. Child's project. He asked the zoning designation on his own property. Mr. Comstock indicated his zoning is R-3, so the property could be sold for multi-family use.

Mr. Lewis questioned the "designated commercial use" noted on Lots 1, 2, 21, and 22. Mr. Child explained his idea of having nice looking structures which are an office on the main floor and an apartment above. He stated it is one step beyond a home business. Mr. Comstock indicated the R-3 zoning would not permit the commercial use. Mr. Child could pursue this concept, but a zone change to R-O would be needed. Mr. Lewis questioned if there would be sufficient parking for customer traffic. Mr. Child stated he would need to make sure adequate parking was available. It was noted this item was not on the agenda for approval at this time.

Discussion took place on the responsibility of cleaning sewer lines. Mr. Child feels the issue is a gray area, but stated it can be worked out with the City.

The Commission discussed enforcement of the CC&R's. Mr. Child indicated a

homeowners association will be established to assist with this area. Mr. Moffat questioned if the City should be added as an enforcing agent as part of the CC&R's.

Mr. Moffat **moved** to recommend approval of the Willowbend Zone Change from R-R to R-3 and the Preliminary Plat subject to the following conditions:

1. Setbacks for the perimeter lots shall be 15 feet from back of sidewalk to the porch; 20 feet to any living area; and 25 feet to any garage. Side setbacks will be 5 feet except for a 15 foot corner setback adjacent to SR 51. Rear setbacks will be 25. Rear setbacks on property adjoining Davencourt will be equal to or greater than the Davencourt setback.
2. Accessory apartments over the garages on lots 9, 11, 12, and 13 are allowed. Lot 9 may have an accessory apartment only if it meets Davencourt's rear setback.
3. Drainage calculations shall be approved by the Engineering Department.
4. A power line shall be extended north from Davencourt prior to occupancy of any units.
5. Approval must be obtained from Questar for use of their gas line easement.

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

Mr. Johns made a **motion** to exit the public hearing at 7:54 pm. Mr. Lewis **seconded**, and the motion **passed** with a unanimous vote.

Willowbrook Preliminary Plat

This project, east of 1100 East approximately 1000 feet north of Expressway Lane, was previously approved in May 1997. Since the final plat was not recorded within one year from preliminary plat approval, the approval expired. The applicant has resubmitted the same plat, landscaping plan, and community development guidelines. Preliminary Plat approval will create a one lot subdivision with 62 manufactured home rental spaces from 15.73 acres.

Mr. Comstock noted the plat has been reviewed extensively and recommended approval subject to seven conditions recommended by the Development Review Committee.

Mr. Don Lyster, LEI Consulting Engineers, presented the mitigation plan for the wetlands. Mr. Thompson requested sewer lines for Spanish Fork Ranch be shown on the plat so the City will know what is needed before the roads are constructed.

Ms. Shaw made a **motion** to recommend approval of the Willowbrook Preliminary Plat subject to the following conditions:

1. The entire sewer system will be maintained by the Park owner.
2. The roads within the Park will be private and maintained by the Park owner.
3. Water system mains and secondary irrigation mains will be maintained by the City.
4. All drainage from 1100 East must be accommodated within the development and may not drain to the west or north.
5. Landscaping, common area improvements, perimeter fencing, skirting material, setbacks and building coverage, and architectural diversity shall be in accordance

with the plans and materials submitted in conjunction with the conditional use permit application.

6. Provide approved Corps of Engineers' drawings showing mitigation of wetlands.
7. Provide necessary easements for storm drainage and sewer lines for Spanish Fork Ranch as required by Engineering Department.

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

Marsh Flag Lot - Subdivision Waiver

The Subdivision Waiver for the Marsh Flag Lot is a proposal to create a twinhome flag lot behind the existing home at 675 East 400 North. The Development Review Committee reviewed issues regarding storm drainage, fire protection, and public utility easements.

Mr. Moffat made a **motion** to approve the subdivision waiver for the March Flat Lot subject to the following conditions:

1. A new fire hydrant installed on 400 North on the north side of the right-of-way near the driveway;
2. The driveway be shown as a public utility easement, also a ten foot wide public utility easement on the south, west, and north side of the twinhome lots.
3. Bonding in place for necessary improvements, including a new fire hydrant and relocation of the power lines, before the deed creating the new lot can be recorded.

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

Discussion Item - Flag Lots

Mr. Comstock led a discussion regarding the City's flag lot ordinance. He stated City staff has sensed there is dissatisfaction regarding flag lots. Concern has been expressed that units being built on the flag lots are not compatible with the uses around it, and the units are being constructed closer to the neighbors than the neighbors would like.

Mr. Comstock reviewed options including, doing nothing, eliminating the flag lot ordinance, increasing required setbacks, limiting the new lot use to single family, and requiring the new home to reflect the character of the block.

Mr. Child and Mr. Mitchell contributed comments in favor of flag lots. Mr. Mitchell feels a survey should be completed on each flag lot by a licensed engineer. He also expressed concern about second time buyers being required to complete improvements required of the original owner.

After much discussion, the consensus was to leave the flag lot ordinance unchanged. The Commission requested statistical information regarding how many of the twinhome units are rentals, compared to how many are owner occupied. Review of this information will take place at a future meeting.

Discussion Item - Accessory Buildings

Mr. Ken Pinegar owns a very large lot at 500 East and 400 North. The lot contains a house and a large shop. Mr. Pinegar would like to build an enclosed pavilion behind his home, but

because he already has an accessory building, the City's ordinance will not allow it. Mr. Comstock asked the Commission to address issues regarding the size limitation of accessory buildings on larger lots. Much discussion took place.

Mr. Lewis suggested the ordinance be amended to allow graduated accessory building sizes proportional to the size of the lot.

Commission members also discussed categorizing certain structures like a gazebo, shop, pavilion, or raising the minimum accessory building size from five percent to ten percent.

After further discussion, the Commission directed Staff to examine all options discussed and prepare a draft ordinance amendment for a public hearing at a future meeting.

Future Agenda Item

Mr. Moffat requested a discussion item be placed on a future agenda regarding the mix of housing, and recent housing that has been approved. He felt it might be beneficial to have developers present to discuss these issues as well.

Adjournment

A **motion** was made by Mr. Johns to adjourn the meeting of the Spanish Fork Planning Commission at 9:25 pm. Ms. Shaw **seconded**, and the motion **passed** unanimously.