

**Adopted Minutes**  
**Spanish Fork Planning Commission Meeting**  
**February 2, 2000**

The meeting was called to order by Chair Kevin Baadsgaard at 6:30 pm for a preliminary review of the agenda. At 7:00 pm regular business commenced.

Commissioners Present: Chair Kevin Baadsgaard, and Commissioners Paul Healey, Thad S. Jensen, Roy L. Johns, David E. Lewis, and Thora L. Shaw. Councilmember Glenn A. James was also present.

Staff Members Present: Emil Pierson, City Planner; Richard J. Heap, Engineer/Public Works Director; Julia Stout, Planning Intern; and Gina Peterson, Deputy Recorder.

Citizens Present: Peter Barnett, Blake Bills, Windy McLean, Gena Terry, Brian Morrow, Steve Leifson, Mike Gardner, Sherman Bearnson, Bryan Jex, Deanne Jex, Doug Barber, Shirley Baxter, Rick Ainge, Deanne Ainge, Mark Dixon, Todd Heslop, and Cliff Hales.

**Minutes**

Mr. Johns made a **motion** to approve the minutes from October 6, 1999 meeting of the Spanish Fork Planning Commission as corrected. Ms. Shaw **seconded**, and the motion **passed** with a unanimous vote.

Ms. Shaw made a **motion** to approve the minutes from the November 3, 1999 meeting of the Spanish Fork Planning Commission as presented. Mr. Lewis **seconded**, and the motion **passed** with a unanimous vote.

Mr. Johns made a **motion** to approve the minutes of December 1, 1999 meeting of the Spanish Fork Planning Commission as corrected. Mr. Jensen **seconded**, and the motion **passed** with a unanimous vote.

**Public Hearing - James Nielsen General Plan Amendment**

Mr. Lewis made a **motion** to open public hearings at 7:15 pm. Mr. Johns **seconded**, and the motion **passed** with a unanimous vote.

Mr. James Nielsen has requested a General Plan amendment from Residential to General Commercial on a small piece of property located at 100 South 1500 East. Chair Baadsgaard noted this item has been permanently withdrawn by the developer. He directed citizens to call the City Planner with questions regarding the issue.

## **Public Hearing - H.E. Davis & Sons Zone Change (R-R to R-1-12) and Spanish Oaks Estates Preliminary Plat**

H.E. Davis is requesting a zone change on 42.90 acres from R-R, Rural Residential, to R-1-12, Low Urban Residential. Preliminary Plat approval is requested for 72 to 77 single family lots for a maximum density of 2.86 units per acre. Nebo School District plans to construct an elementary school on approximately 10 acres of the property.

Mr. Pierson reviewed proposed amenities provided with the subdivision including, 50% hard surface material on single family homes; covered porches; alternative street lights; and uniform mailboxes. The Development Review Committee reviewed the issue and recommended approval subject to conditions.

Chair Baadsgaard opened the meeting for public input.

Mr. Kent Messenger representing the Spanish Oaks development stated a tie road will have to come from Oakview Estates Plat E, to connect with Riverview Drive.

Mr. Sherman Bearnson indicated they would like to pipe the ditch along his property to the southeast. He stated the pipe will need to handle 80-100 psi. Mr. Heap questioned the need for that much pressure, he also noted the ditch design will have to be approved by the irrigation company.

Mr. Johns questioned how construction traffic will be handled. Mr. Messenger stated they currently do not have a traffic plan. Discussion took place about using 2900 East when it is completed. Mr. Pierson feels, due to the hillside, construction traffic will have to go through one of the subdivisions at the north or east. Mr. Johns stated the roads will have to be kept clean. Mr. Lewis expressed concern with the noise and wear on the roads caused by construction traffic. He requested the developers submit a plan showing how inconvenience to the residents will be minimized.

Mr. Johns made a **motion** to recommend the City Council's approval of the H.E. Davis Zone Change from R-R to R-1-12 because the amendment is consistent with the General Plan. Ms. Shaw **seconded**, and the motion **passed** with a unanimous vote.

Mr. Lewis made a **motion** to approve the Spanish Oaks Preliminary Plat subject to the following conditions:

1. Required amenities for the subdivision include but are not limited to, 50% masonry or solid surface on the entire home elevation; covered porches on every home; alternative street lights which are approved by the Electric Department; uniform mailboxes (type and location to be approved by the Post Office and Electrical Department). All amenities must be completed by the developers as shown in the development packet.
2. Setbacks will be: front - 20 feet to the living area, 25 feet to the garage; side - 10 feet; and rear - 25 feet.
3. No home with the same elevation to be within 200 feet of the other.
4. Minimum 1200 square feet required on ramblers, and 1600 combined square feet on two

story homes.

5. Trees for the subdivision to be reviewed by the Shade Tree Commission.
6. Lots 1-17 and 27-42 required to be engineered separately taking into consideration the specific house for the specific lot. Individual geo-technical reports are required on these lots. If the lot fails, it becomes non-buildable unless, through engineering requirements, it can pass a geo-technical test.
7. A construction traffic plan must be submitted by the developer which mitigates adverse impacts on residential neighborhoods. Construction drivers must control their speed.
8. Storm drainage calculations and storm water plan need to be finalized before going to City Council meeting. Water cannot be permanently retained onsite.
9. Installation of a 6 foot wide concrete walkway between lots 25 & 26 with chain link fence on both sides. CC&R's to include verbiage for Lots 25 & 26 which states a site obscuring fence cannot be installed along the walkway.
10. Power and utilities extended through Oakview Plat F.
11. Canyon Crest Drive must match the tie from Oakview Plat F.
12. The subdivision meets all plans and profiles approved by the Engineering Department.
13. Ditch owners or irrigation company must sign off on all ditches.

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

### **Public Hearing - Jex/Barber Zone Change (C-2/R-O to C-D)**

The Commission reviewed the Jex/Barber Zone Change for the rezoning of the north side of Center Street from Main Street to 100 East and the east side of Main Street from Center Street to 100 North. This issue has previously been addressed during the general plan amendment.

The meeting was opened for public comment. Mr. Jex feels it is not necessary for him to obtain a building permit, when all he has done is re-roof the building. Mr. Pierson reminded Mr. Jex that walls were torn out, and the entire building was re-wired.

Ms. Shaw made a **motion** to recommend the City Council's approval of the Jex/Barber zone change to C-D, Downtown Commercial subject to the following conditions:

1. The property at 31 North 100 East be required to obtain a building permit and business license;
2. Submission of a site plan for the business located at 31 North 100 East which shows relocation of the water meter to a landscaped area;
3. Adequate parking shown on the site plan. Parking cannot be on the sidewalk.

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

### **Public Hearing - Rick Ainge Conditional Use Permit**

Mr. Rick Ainge is requesting a conditional use permit to locate small retail shops, within the proposed Ainge Professional Center, located in the Commercial Office (C-O) zone. The proposed project will be located at the northwest corner of 800 North and 100 East.

Engineering Intern Julia Stout explained the Commercial Office zone is intended to provide for general office development and serves as a transition between commercial and residential uses. Retail stores are permitted as uses subject to conditions. The proposed Ainge Professional Center would consist of 7,983 square feet of commercial office space, 10,190 square feet of retail space, and 5,095 square feet of storage space.

The Development Review Committee recommended approval of the Conditional Use Permit subject to conditions. This was reviewed at their January 19, 2000 meeting.

The meeting was opened for public input.

Developer Rick Ainge feels the small retail shops are consistent with the neighborhood and adjoining businesses.

Mr. Jensen made a **motion** to grant a conditional use permit to Rick Ainge to allow retail uses in a C-O zone at 800 North 100 East subject to the following:

1. The Commission finds the proposed use is consistent with the general plan and the intent of the zoning district because uses on that block are commercial in nature;
2. The Commission also finds the proposed use is not materially detrimental to the health, safety, or general welfare of persons residing or working within the neighborhood, and that fencing will be installed along the western boundary to minimize any detrimental effects of the use;
3. The site is adequate to accommodate the intended use, and all zoning requirements for the district;
4. Conditions pertaining to the layout including fencing, lighting, parking, and access will be imposed during site plan review.

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

### **Public Hearing - Amendments to the Sign Ordinance for a Billboard Text Amendment**

Simmons Media is requesting a text amendment to the zoning ordinance that would allow billboard spacing every 750 feet in the I-3, Heavy Industrial zone. Current ordinance requires spacing every 1000 feet. The Development Review Committee reviewed this request at the January 19 and 26 meetings.

Mr. Pierson reviewed the proposed ordinance amendment which would address billboard spacing as “corridor” specific, rather than zone specific. Text is proposed as follows:

*“Billboards are permitted on I-15 from 3100 North to 1600 North and on U.S. Highway 6 from mile post number 177 (Highway 89) to mile post number 178 (heading south).”*

The following items will also be added to the billboard sign ordinance:

- Must be monopole;
- UDOT must approve the billboard location prior to City approval;

- Spacing will be changed from every 1,000 feet to every 750 feet.

Mr. Pierson noted most billboards are spaced 500 feet apart based on County jurisdiction prior to property being annexed. These billboards are considered non-conforming. The face may be changed, but in order to change actual construction or poles, the sign would have to come into conformance.

Chair Baadsgaard opened the meeting for public input. None was received.

Ms. Shaw made a **motion** to recommend approval of the modifications to the Spanish Fork City sign ordinance pertaining to billboards as outlined. The Commission finds the amendment to be consistent with the policies of the General Plan. Mr. Jensen **seconded**, and the motion **passed** with a unanimous vote.

### **Public Hearing - Fox Run Zone Change (R-R to R-1-9) and Preliminary Plat Leifson Estates Preliminary Plat**

Dave Cloward and Cliff Hales are requesting a zone change from R-R to R-1-9 on 11.736 acres at 1400 South 1700 East. They, along with Steve Leifson, are also requesting preliminary plat approval for the Fox Run and Leifson Estates Preliminary Plats. The Fox Run subdivision consists of 27 single family lots, and Leifson Estates has 9 lots. Property owned by Steve Leifson was previously rezoned as part of the Bryan C. Mathews zone change.

Homes in the subdivision will have front elevations consisting of mainly solid surface, and not more than 40% siding on the entire home. Lots sizes in the subdivision range from 8,500 to 14,945 square feet.

The Development Review Committee reviewed the requests at length discussing amenities, curb, gutter, and sidewalk, ditch piping, and pedestrian access to the school. Ultimately, the Development Review Committee recommended approval subject to conditions.

Mr. Lewis asked if 1400 East and 1700 East are considered collector roads. Mr. Heap indicated they are collector roads, just not “major” collectors.

Mr. Johns questioned what is meant by the front elevation of the homes being “mainly masonry”. Mr. Pierson indicated approximately 90% of the entire house will be solid surface.

The meeting was opened for public comment. None was received.

Ms. Shaw made a **motion** to recommend the City Council’s approval of the Fox Run Zone Change from R-R to R-1-12 as the amendment is consistent with the policies of the General Plan and conditions to mitigate adverse impacts on nearby properties will be imposed with Preliminary Plat approval. The following conditions are included with the zone change:

1. Zoning for the subdivision will be R-1-12 instead of R-1-9;
2. The Baxter property be included in the rezoning to R-1-12, and included as part of the development. The City will provide information necessary to add the Baxter property to the

zone change;

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

Mr. Lewis made a **motion** to recommend approval of the Fox Run and Leifson Estates Preliminary Plat subject to the following conditions:

1. All ditches be signed off by the irrigation company or ditch owner prior to being placed on the Planning Commission agenda;
2. Curb and gutter placed on the south and east of the Baxter property. A connectors agreement may be entered into for the curb and gutter;
3. Driveway access for Lot 9 must be from the easterly road;
4. All amenities must be completed as shown by the developer in their master plan;
5. A minimum of 24 foot width asphalt must be installed on 1400 East from the north edge of the drive to the south edge of Wolf Hollow East (approximately 65 feet);
6. Water, sewer, and pressurized irrigation must loop on 1700 East. Power will also be picked up from 1700 East;
7. Setbacks as follows: Front - 25 feet; Rear - 25 feet; and Side - 10 feet. Corner lots: 15 feet to living area and 25 feet to garages;
8. 100% of the main level on all single family homes shall be brick, stucco, or rock;
9. Single family homes to have minimum of 1,200 finished square feet on the main level, and two-story homes to be a minimum of 1,800 combined square feet with 1,000 finished square feet on the main level;
10. A six foot walkway to Canyon Elementary School installed as part of the first phase;
11. A six foot walkway to Bearnson's property installed as part of the first phase.

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

Ms. Shaw made a **motion** to exit the public hearings at 8:29 pm. Mr. Jensen **seconded**, and the motion **passed** with a unanimous vote.

### **Johnson Brothers Commerce Park - Preliminary Plat**

Robert and Richard Johnson are requesting preliminary plat approval to create four industrial lots at 1900 North Main Street. One of the lots will house Dickerson Automotive which is already under construction. The property is zoned I-1, Light Industrial.

The Development Review Committee reviewed the request and recommended approval subject to conditions.

Mr. Johns made a **motion** to recommend approval of the Preliminary Plat subject to the following conditions:

1. Dedication of ½ the road plus of 10 feet on 1900 South. 10 feet may not be available to dedicate, but the developers must dedicate the full amount available;
2. A temporary turnaround is needed at the southwest corner of Lot 4;

3. The subdivision must abide by all plans and profiles approved by the City Engineering Department;
4. A preliminary title report must be provided prior to final plat approval.

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

### **Adjournment**

Mr. Johns made a **motion** to adjourn the meeting of the Spanish Fork Planning Commission at 8:58 pm. Ms. Shaw **seconded**, and the motion **passed** with a unanimous vote.