

Tentative Minutes
Spanish Fork Planning Commission Meeting
March 1, 2000

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

3 Commission Members Present: Chair Kevin Baadsgaard, and Commissioners Paul Healey, Roy L.
4 Johns, David E. Lewis, and Thora L. Shaw. Commissioner Thad S. Jensen was excused.

5 Staff: David A. Oyler, City Manager; Emil Pierson, City Planner; Richard J. Heap, Engineer/Public
6 Works Director; Nate Crow, GIS Specialist, and Gina Peterson, Deputy Recorder.

7 Citizens Present: Ed Budge, *Peak Physical Therapy*; Rich Morley, Chris Thompson, Lisa Elliott,
8 Kevin Smith, Joseph N. Thomas, Brandon Thomas, Nikki Thomas, and John Smiley.

9 **Minutes**

10 Commissioner Johns made a **motion** to approve the minutes of the January 5, 2000 meeting of the
11 Spanish Fork Planning Commission as presented. Commissioner Shaw **seconded**, and the motion
12 **passed** with a unanimous vote.

13 Commissioner Shaw made a **motion** to approve the minutes of the February 2, 2000 meeting of the
14 Spanish Fork Planning Commission as presented. Commissioner Healey **seconded**, and the motion
15 **passed** with a unanimous vote.

16 **Public Hearing - Brandon Thomas General Plan Amendment**

17 Commissioner Johns made a **motion** to open the public hearings at 7:06 pm Commissioner Shaw
18 **seconded**, and the motion **passed** with a unanimous vote.

19 Brandon Thomas is requesting a General Plan amendment from Business Park/General Commercial to
20 Residential 3.5 to 5 units per acre on approximately 37 acres located at 3100 East Canyon Road. If
21 granted, Mr. Thomas would rezone the property to develop residential units. Canyon Road and U.S.
22 Highway 6 run adjacent to the property.

23 The Development Review Committee reviewed the request at great length. Issues discussed included
24 the effects of the change on surrounding properties and the lack of commercial areas currently in the
25 City. The Committee felt the site is ideal for commercial/business park use due to its proximity to
26 Canyon Road and Highway 6, and therefore recommended denial of the request.

27 Chair Baadsgaard opened the meeting for public input.

28 Kevin Smith representing Brandon Thomas addressed the Commission. He stated the original plan of
29 the owner was to do a commercial park, but they were unsuccessful in attracting a commercial
30 business. They approached grocery stores such as Smith's and Fred Meyer's who weren't interested
31 in the site. Mr. Smith stated 37 acres is a large property to market for commercial land use, especially
32 with the population size of Spanish Fork. He feels Highway 6 is a barrier rather than an asset to the
33 property due to access issues.

34 Ms. Lisa Elliott, 2984 East 1300 South, expressed safety concerns with the area becoming commercial.
35 She stated 1300 South, which runs parallel to Canyon Road is a heavily populated residential
36 development with lots of small children. Ms. Elliott feels residential use on the property will keep the
37 surrounding areas safer than a commercial area.

38 Commissioner Johns indicated the developer is proposing to construct a twinhome subdivision with
39 approximately 60 units, which would also be an increase to traffic.

40 Ms. Chris Thompson, 1284 South 2900 East, expressed support for residential development in the
41 area, but stated she would like a zoning for single family homes rather than twinhomes. She feels
42 citizens will invest in the area if it is a single family development. Ms. Thompson also requested the
43 developer not begin the subdivision until a new elementary school has been constructed.

44 Mr. Tim Ingo, 2963 East 1300 South, indicated he is against commercial use and agreed with the
45 opinions expressed by other neighbors.

46 Mr. Pierson reviewed letters received by the Pershon's and the Larsen's who live in the Red Pines
47 subdivision. They were unable to attend the meeting. The letters requested the property be designated
48 for residential use.

49 Chair Baadsgaard closed the public input portion of the issue.

50 Commissioner Shaw explained the original reasons for master planning the area commercial, including
51 the location between two major roads, and the railroad tracks not being conducive to a residential area.
52 She feels the City is in need of commercial areas.

53 Commissioner Healey stated the property is more valuable as commercial. Mr. Smith agreed, but feels
54 the property would remain undeveloped for twenty years if the use remains commercial.

55 Commissioner Shaw made a **motion** to recommend denial of the Brandon Thomas General Plan
56 amendment. Commissioner Johns **seconded**, and the motion **passed** with a majority vote of 3:2,
57 Commissioners Baadsgaard, Johns and Shaw were in favor, with Commissioners Healey and Lewis
58 opposed.

59 This issue will be scheduled for City Council public hearing on April 4, 2000.

60 **Public Hearing - Domain at the Meadows Annexation**

61 Richard Morley and Jeff Hughes are requesting to annex 7.9 acres located at 300 North 630 West.
62 The property is contiguous to the City boundaries on all sides. The general plan recognizes the
63 property will eventually be in the City, and shows the proposed zoning as residential. Mr. Pierson
64 indicated the annexation would be favorable to the City.

65 The Development Review Committee reviewed the request and recommended approval of the
66 annexation subject to conditions.

67 Chair Baadsgaard opened the meeting for public input.

68 Property owner Richard Morley reviewed the proposed use of the property for single family homes
69 with part of the area geared toward retirement age citizens. He expressed concern with the speed limit
70 on 630 West once the road is completed.

71 Commissioner Johns made a **motion** to forward a positive recommendation to the City Council
72 regarding the Domain at the Meadows annexation on 7.915 acres based on the property being within
73 the growth management boundary and shown in the General Plan as residential use. The annexation is
74 subject to the following conditions:

- 75 1. 630 West must be constructed during the first phase of development. A road must tie
76 back into the property to the west;
- 77 2. The ditch will be piped with development;
- 78 3. The City will be reimbursed for it's share of the SESD line, with the amount to be
79 determined by Jeff Foster from the Electric Department;
- 80 4. The zoning for the northern part of the annexation (approximately 200 feet) be R-1-8,
81 and the remaining property be zoned R-2.

82 Commissioner Shaw **seconded**, and the motion **passed** with a unanimous vote.

83 **Public Hearing - Cabin Creek Zone Change (R-R to R-1-12) and Aspen Meadows Preliminary**
84 **Plat**

85 Commissioner Johns made a **motion** to table discussion on the Cabin Creek Zone Change and Aspen
86 Meadows Preliminary Plat to the end of the meeting. Commissioner Lewis **seconded**, and the motion
87 **passed** with a unanimous vote.

88 Commissioner Shaw made a **motion** to exit the public hearings at 8:12 pm. Commissioner Healey
89 **seconded**, and the motion **passed** with a unanimous vote.

90 **Peak Physical Therapy - Preliminary Plat**

91 Von Hill and Ed Budge are requesting preliminary plat approval for a two lot commercial subdivision at
92 100 South 400 West. They are planning to construct a new office building on one lot. The property is

93 zoned Commercial Office (C-O).

94 Commissioner Shaw made a **motion** to recommend approval of the Peak Physical Therapy Preliminary
95 Plat subject to the following conditions:

- 96 1. The subdivision must abide by all plans and profiles approved by the Engineering
97 Department;
- 98 2. The property will comply with requirements of the Commercial Office (C-O) zone;
- 99 3. If utilities are not installed by the Ginie J development prior to final plat approval, then
100 Peak Physical Therapy must bond for installation of the utilities.

101 The motion was **seconded** by Commissioner Healey, and it **passed** unanimously.

102 **Michael Vincent Subdivision Waiver (Creer Farm)**

103 Michael Vincent is requesting a subdivision waiver on 47 acres at 900 South 1200 West. He proposes
104 to construct two single family homes on two lots. The property is zoned R-R and is currently used for
105 agricultural purposes. There are no major topographic features that would inhibit residential
106 development.

107 Access to the rear lot will come from 900 South. The first 200 feet of the access road must be paved
108 with road base on the remaining drive as per the City's Construction and Development Standards.

109 The Development Review Committee reviewed the request where they reviewed issues regarding
110 access, power and water. Approval was recommended by the Development Review Committee
111 subject to conditions.

112 Commissioner Healey **moved** to approve the Vincent Subdivision Waiver subject to the following
113 conditions:

- 114 1. Setbacks will be as follows: Front - 50 feet; Rear - 50 Feet; and Side - 25 feet;
- 115 2. The development must meet all plans and profiles approved by the Engineering and
116 Electric Departments;
- 117 3. Property owners must sign a fire protection waiver with the City;
- 118 4. 200 feet of asphalt will be installed off 900 South, the remaining road must consist of
119 all-weather road material;
- 120 5. The property owner is responsible for costs and obtaining easement to get Spanish
121 Fork City power to the lot. Power issues must be approved by the Electric
122 Department.

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

124 **Public Hearing - Cabin Creek Zone Change (R-R to R-1-12) and Aspen Meadows Preliminary** 125 **Plat**

126 Commissioner Lewis made a **motion** to reopen public hearing at 8:24 pm. Commissioner Shaw

127 **seconded**, and the motion **passed** with a **majority** vote of 3:2. Commissioners Baadsgaard, Lewis
128 and Shaw were in favor of the motion; with Commissioners Johns and Healey opposed as they do not
129 feel an item should be discussed if the representatives do not attend the meeting.

130 John Smiley and Bruce Hall of Cabin Creek Enterprises are requesting a zone change from R-R, Rural
131 Residential, to R-1-12, Low Urban Residential, on 40.28 acres located at 1750 South 1400 East.
132 Aspen Meadows Preliminary Plat approval will create 109 building lots for a density of 2.71 units per
133 acre. The lots sizes range from 8,000 square feet to 38,049 square feet with most lots shown at
134 approximately 9,000 square feet.

135 Mr. Pierson reviewed proposed amenities for the subdivision including berming along 1400 East and
136 1700 East, and unique CC&R's which contain a point system to diversify housing products while
137 ensuring quality. Each home design must be approved by the development's Architectural Review
138 Committee.

139 The Development Review Committee recommended approval of the zone change and preliminary plat
140 subject to conditions.

141 Commissioner Johns made a **motion** to table the issue until developers were present to discuss the
142 issue. Developer John Smiley then arrived at 8:32 pm. Commissioner Johns **withdrew** his motion.

143 The meeting was opened for public input and Mr. Smiley was asked to detail the proposed
144 development. Mr. Smiley reviewed the point system in the CC&R's which requires each homeowner
145 to achieve a minimum number of 31 points. He indicated the point system does not mandate building
146 materials such as brick and stucco, but it encourages creative architectural design with a choice of
147 materials. Mr. Smiley feels Aspen Meadows will be the premier subdivision in Spanish Fork. It will
148 include a waterscape at the entrance and landscaping around the perimeter of the development which
149 will be maintained by a homeowners association.

150 The Development Review Committee recommended approval of the subdivision but due to City
151 standards, would not allow a combination curb, gutter and sidewalk inside the development as was
152 proposed. City standards require a park strip between the sidewalk and curb/gutter. The developer
153 had planned to install tree bulbs at corner lots in the subdivision. Mr. Smiley indicated without
154 combination curb, gutter, and sidewalk the tree bulb will provide a much less dramatic look than they
155 had hoped. He suggested the money planned for the tree bulbs be used to install three-rail white vinyl
156 fencing along 1400 and 1700 East.

157 Commissioner Lewis asked the reasoning for not allowing combination curb, gutter, and sidewalk. Mr.
158 Heap explained the standard is due to safety reasons, to separate pedestrians from the traffic, and
159 provide a place for snow during the winter months. Much discussion took place on the issue. Due to
160 sidewalk standards, Commissioners Lewis and Healey feel fencing would be a more favorable option
161 than the tree bulbs. Commissioner Shaw asked if the developers could be required to provide both
162 fencing and tree bulbs. Mr. Smiley anticipated pricing for the tree bulbs to be \$800 each with 47 tree

163 bulbs, and the berming, landscaping and fencing to cost \$56 a foot. He indicated costs to provide both
164 amenities would be unreasonable.

165 Commissioner Lewis made a **motion** to recommend approval of the Cabin Creek Enterprises zone
166 change from R-R, Rural Residential to R-1-12, Low Urban Residential as the zone change is consistent
167 with the general plan and will not adversely affect adjacent properties. Commissioner Healey
168 **seconded**, and the motion **passed** with a unanimous vote.

169 Commissioner Lewis made a **motion** to approve the Aspen Meadows Preliminary Plat at 1750 South
170 1400 East subject to the following conditions:

- 171 1. Landscaping along 1400 East and 1700 East to include a meandering sidewalk and be
172 approved by the Shade Tree Commission and City Planner; Landscaping in the
173 common areas must also be approved by the Shade Tree Commission and City
174 Planner. Berming along 1400 East must be installed with the first phase of
175 development;
- 176 2. Electrical issues & final drawings regarding landscaping and sidewalks to be worked
177 out with the Electrical Department;
- 178 3. Amenities shown on the current plans will be required including 3 rail white vinyl fencing
179 along 1400 East and 1700 East. Tree bulbs will not be required.
- 180 4. The project must meet current development standards;
- 181 5. The architectural review committee must certify all plans to the specifications of the
182 CC&R's;
- 183 6. Review of the CC&R's by the City Attorney and Planner;
- 184 7. The property will be zoned R-1-12 and must meet all the setbacks of the R-1-12 zone;
- 185 8. Preliminary title report must be received before final plat approval;
- 186 9. All ditches be signed off by the irrigation company or ditch owner;
- 187 10. Setbacks as follows: Front - 25 feet; Rear - 25 feet; and Side - 10 feet. Corner lots -
188 15 feet to living area and 25 feet to garages;
- 189 11. All single family homes will have a minimum of 1,200 square feet finished on the main
190 level of a one-story home and a minimum of 1,000 square feet finished on the main level
191 of a two-story home;
- 192 12. Each home shall have at least a 5/12 pitched roof;
- 193 13. No other home within 200 feet shall have the same footprint, style and elevation;
- 194 14. A six foot walkway be installed to the development to the north;
- 195 15. Monument signs for the development must be approved by the City Planner;
- 196 16. The subdivision must abide by all plans and profiles approved by the Engineering
197 Department.

198 Commissioner Healey **seconded**. Discussion took place on the motion. Commissioner Shaw made a
199 **motion** to **amend** condition #3 of the main motion to still require the developer to install tree bulbs as
200 show on the plans, as well as the vinyl fencing. The motion **died** for lack of a second. Chair
201 Baadsgaard called for the vote on the main motion, which **carried** with a **majority** vote of 4:1.
202 Commissioners Baadsgaard, Healey, Johns, and Lewis were in favor of the motion, Commissioner
203 Shaw was opposed.

204 **Adjournment**

205 Commissioner Shaw made a **motion** to adjourn the meeting of the Spanish Fork Planning Commission
206 at 9:21 pm. Commissioner Lewis **seconded**, and the motion **passed** with a unanimous vote.