

Adopted Minutes
Spanish Fork Planning Commission Meeting
August 7, 2002

The meeting was called to order at 7:00 p.m. by Co-Chair Thora L. Shaw.

Commission members present: Commissioners Roy L. Johns; Thora L. Shaw; Paul Healey; Thad S. Jensen and Ted Scott.

Commission members absent: Chair David E. Lewis

Staff Members Present: Emil Pierson, City Planner; Carl Miller, GIS Intern and Marlo Smith, Engineering Secretary.

Citizens Present: Nick Lopez, Bruce K. Taylor, Christy Shepherd, Holly Warner, Tom Shepherd, Bonnie Bowen, Mark Dallin, Ted Hansen, Susan Johnson, Alan Johnson, Cheryl Miller, Merlin Miller, Gwen Miller, Norma Norman, Darlene Hansen, Ted Hansen, Tim Vincent and Robert Hone.

Agenda Review

The Planning Commission reviewed the staff reports for each item on the agenda.

Preliminary Activities - Pledge of Allegiance

The Pledge of Allegiance was led by Commissioner Jensen.

Minutes

Commissioner Johns made a **motion** to approve the minutes of the July 3, 2002 meeting of the Spanish Fork Planning Commission with noted corrections. Commissioner Shaw **seconded**, and the motion **passed** with a unanimous vote.

Expressway Plaza Preliminary Plat

Mr. Pierson reviewed the request from Utah Armadillo, LLC for preliminary plat approval in order to develop seven lots in the Shopping Center zoning district. This preliminary plat is east of Food-4-Less, Spanish 8 and K-mart. The applicant is requesting seven lots at this time all more than one acre in size with 22.37 acres saved for future development in the center of the property. They are showing a future road on the north side of the property to access the center of the property. At this time staff knows of no proposed developments for this property but any new development will be required to meet all of the standards in the S-C zoning district and go through the site plan and DRC approval. The DRC reviewed this request at their July 10th meeting. The DRC made the following recommendation:

Mr. Nielson made a motion to approve the Expressway Plaza preliminary plat with the following

conditions:

1. The corrections noted on plans are to be completed.
2. The geological technical study is to be updated, and
3. Address any mitigation studies for the methane gas.

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

Discussion took place regarding the Spanish Fork Ranch property and the issue with methane gas.

Commissioner Jensen asked Mr. Pierson if these lots will be used for homes. Mr. Pierson answered no, only for commercial or business purposes.

Commissioner Jensen asked Mr. Pierson if they are required to bring in any fill dirt. Mr. Pierson stated that will be a requirement in the final plat stage.

Ms. Bowen questioned the commissioners if they approve this plat will it add traffic to an area that seems to be too busy now. Commissioner Shaw agreed to the traffic, but commented on the use of semaphores and the fact that Spanish Fork City is always looking for new businesses.

Commissioner Jensen made a **motion** to approve the Expressway Plaza at Expressway Lane and Chappel drive subject to the following conditions of approval:

1. The geological technical study is to be updated, and
2. Address any mitigation studies for the methane gas.

Commissioner Scott **seconded**, and the motion **passed** unanimously.

Elizabeth Estates Preliminary Plat

Mr. Pierson reviewed the request from Mark Dallin for preliminary plat approval in order to develop three single family lots. With the utility restriction still in place Mark should not be able to submit a preliminary plat but he is taking the development rights from three lots in Dallin Estates Plat B and will record a deed restriction against those lots until the restriction is lifted. The DRC reviewed this request at their July 31st meeting. The DRC made the following recommendation:

Mr. Baker made a motion to approve the Elizabeth Estates preliminary plat with the following conditions:

1. A deed restriction is recorded that three lots (2,3,4) in Dallin Estates Plat B cannot be built on until the utility restriction is lifted.
2. The developer makes all redline corrections to plans.
3. A letter from Blair Hamilton is submitted to the city stating that the ditch on 1400 East can be abandoned.

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

Commissioner Johns asked if a letter from Mr. Hamilton would be able to be obtained. Mr. Dallin has already received that letter.

Commissioner Johns made a **motion** to approve the Elizabeth Estates Preliminary Plat at 1750 South 1400 East subject to the following conditions of approval:

1. A deed restriction is recorded that three lots (2,3,4) in Dallin Estates Plat B cannot be built on until the utility restriction is lifted.
2. The developer make all redline corrections to plans.
3. A letter from Blair Hamilton is submitted to the city stating that the ditch on 1400 East can be abandoned.
- 4.

Commissioner Healey **seconded**, and the motion **passed** unanimously.

Zoning Text Amendment

Commissioner Shaw stated that the Shepherd Zoning Text Amendment is not a public hearing but public comments will be taken. Commissioner Shaw reviewed the rules and regulations for a public hearing.

Mr. Pierson discussed that Vernal and Cindy Shepherd are requesting to amend the zoning ordinance to allow awnings in the side yard to the property line. This request went before the Planning Commission on June 5, 2002. At that time the Planning Commission recommended denial. When the City Council held a public hearing on July 2, 2002 discussing this item in detail they tabled the item and would like the Planning Commission to re-discuss the request with the applicant present and looking at the whole city and not just the applicant's awning.

Mrs. Shepherd discussed that three months after the awning was built they received a letter from the City. Her husband came in and met with Emil and Doug to find the best solution. That recommendation was to change the ordinance. Mrs. Shepherd feels that the appearance of the awning is nice. When she drove around town there are a lot of awnings that the appearance is not nice.

Commissioner Johns asked why a building permit was not obtained. Mrs. Shepherd stated that her husband has done construction for fourteen years and had never had to obtain a building permit for an awning. Mrs. Shepherd also stated that she wasn't aware of needing a building permit.

Commissioner Jensen stated that if the Shepherds are required to tear down the awning that it will need to be enforced all over town.

Discussion took place regarding the enforcement of the awnings citywide and the problems with draining and safety issues.

Commissioner Jensen suggests a committee be formed to find a solution for the problem with awnings citywide.

Commissioner Jensen made a **motion** to table the Shepherd Zoning Text Amendment for four

months to form a ad-hoc committee for recommendations on the awnings in the side yards. Commissioner Johns **seconded** and the motion **passed** unanimously.

Parking on Main Street

Mr. Pierson discussed that over the last couple of years the City Council has noticed a large number of vehicles parked on Main Street with “For Sale” or “yard/garage sale” signs. A number of residents have written letters to the Mayor or members of the City Council on how unsightly these vehicles make Main Street. The Council would like input and a recommendation from the Planning Commission on how these tissues could be handled.

Last month the Planning Commission held a public discussion on these issues and other parking problems with businesses along Main Street from the Chamber of Commerce.

Mr. Pierson stated that the first issue with the parking for the businesses cannot be solved. The second issue with the “For Sale” or “yard/garage sale” signs is the real issue and a recommendation needs to be given to the City Council.

Open discussion took place including the citizens present, staff and commissioners.

Commissioner Jensen made a **motion** that the Planning Commission approve the following recommendation to the City Council:

1. To utilize channel 17 to allow residents to show the information that they are selling.
2. To install a sign at the City Hall and the ends of town recommending that the public use the internet site and Channel 17 as a public service for the residents of Spanish Fork City.

Commissioner Johns **seconded** and the motion **passed** unanimously.

Adjournment

Commissioner Healey made a **motion** to adjourn the August 7, 2002 Spanish Fork Planning Commission meeting. Commissioner Scott **seconded** and the motion **passed** with a unanimous vote. The meeting was adjourned at 8:55 p.m.