

Approved Minutes
Spanish Fork City Planning Commission
February 1, 2006

1 Agenda review at 6:30 p.m. by Mr. Pierson

2 The meeting was called to order at 7:00 p.m. by Chairman Bradford.

3 Commission Members Present: Chairman Paul Bradford, Assistant Chairman Del Robins,
4 Sharon Miya, Ted Scott, Dave Lewis, Sherman Huff.

5 Staff Members Present: Emil Pierson, City Planner; Richard Nielson, Assistant Public Works
6 Director; Christine Johnson; Asst. City Attorney, Pam Bradley Secretary.

7 Citizens Present: Paul and Linda Bartholomew, David Grotegut, Mark Dallin, Luan Simons,
8 Diane Anderson, Randy Anderson, David Nelson, Richard Bean, Carillisa Bean, Janet
9 Hutchings, Dennis Johnson, Nadine Johnson and Marvin J. Banks.

10 The pledge of allegiance was led by Commissioner Scott.

11 **Minutes**

12 Commissioner Scott made a **motion to approve** with changes as noted. Commissioner Lewis
13 **seconded** the motion and the motion **passed** with a unanimous vote.

14 **Public Hearings**

15 Commissioner Robbins made a **motion** to move into public hearing. Commissioner Huff
16 **seconded** the motion and the motion **passed** with a unanimous vote.

17 **A. General Plan Amendment**

18 Mr. Pierson presented the following information to the Planning Commission regarding a request
19 by Mr. Michael Nelson for an amendment to the General Plan at 115 East 300 North to rezone
20 from Residential 5-12 to Residential 5 -12 u/a and Residential Office.

21 Michael Nelson is requesting to Amend the General Plan for the property at 115 East 300 North.
22 Currently the property is General Planned for Residential 5-12 unit per acre and the applicant is
23 requesting to Amend the General Plan at this location to Residential 5-12 u/a and Residential
24 Office.

25 If the General Plan Amendment is approved the applicant would also like to rezone the property
26 from the R-3 zoning designation to Residential Office. The applicant is planning on remodeling
27 the single family home to build an office.

28 Analysis
29 To the north and east is single family homes which are General Planned as Residential 5-12 u/a.
30 To the south is 300 North and a home that has a beauty salon in it. To the west is property
31 General Planned as Residential 5-12 u/a and Residential Office. The property is .22 acre or
32 9,498 square feet in size.

33 General Plan, page 40 G. Commercial Goals and Policies, Goal Two.

34 *Policy d. Allow limited retail, service commercial, office, and other similar uses in those portions of Main*
35 *Street, which are currently residential, subject to strict design review standards to maintain a residential*
36 *character consistent with the area. Allow the same uses along the east side of 100 West and along the west*
37 *side of 100 East between 100 North and 300 North.*

38
39 Development Review Committee

40 The Development Review Committee reviewed this request at their January 25, 2006 meeting
41 and recommended denial of the General Plan Amendment for the following reasons:

- 42 1. The parking must be in front of the building and on the side of it therefore not
43 meeting the requirements of the R-O zone.
- 44 2. The office (home) wouldn't fit in with the neighborhood character with parking
45 on the side and front of the building.
- 46 3. Concerns with the parking and the sight triangle
- 47 4. Is the use an office or a medical use which requires additional parking

48 Mr. Richard Bean said he attended the Development Review Committee meeting on Wednesday
49 to get input . He does not want the general plan amended to include just one lot. He said this
50 rezone is not wanted there and that it has been a residential neighborhood years. Rather just
51 keep it at the current zone. He wants to maintain the area as a residential neighborhood. Mr.
52 Bean presented a petition from his neighbors to the Planning Commission regarding opposition
53 to the rezone.

54 Mr. Bean also said the only way he can see the area rezoned is to tear down homes. In his
55 opinion is not worth the rezone on the general plan. Commercial is already set up for West side
56 of 100 East and the East side of 100 West and should be kept that way as far as the general plan
57 is concerned.

58 Ms. Diane Anderson who lives at 170 East 300 North said there are a lot of families and a lot of
59 traffic in this area already. She pointed out that parking on 300 North and 100 East is already
60 difficult. She does not want to see the property rezoned because it would affect a lot of families
61 in that area and she wants to preserve current architecture in the neighborhood. She also stated
62 once you start changing there, where do you stop.

63 Mr. Pierson presented to the commission the information, that he received two phone calls from
64 citizens regarding the rezone. Ms. Laverne Hunt would like to recommend approval. Also, one
65 phone call from someone named Mercedes (last name unknown) who wanted to recommend
66 approval.

67 There was discussion regarding parking and changing the General Amendment for one property.

68 Commissioner Miya made a **motion to deny** the Michael Nelson General Plan Map
69 Amendments at 115 East 300 North for the following reasons:

- 70 1. The parking must be in front of the building and on the side of it therefore not
71 meeting the requirements of other R - O zone.
- 72 2. The office (home) wouldn't fit in with the neighborhood character with parking
73 on the side and front of the building.
- 74 3. Concerns with the parking on the sight triangle.
- 75 4. Office use is medical which would require additional parking.

76 Commissioner Scott **seconded** the **motion** Roll call was taken and the voting was **unanimous**.

77 **B. Zoning Map Amendment (rezone)**

78 The applicant(s), Michael Nelson, is requesting to rezone approximately .22 acres or 9,498
79 square feet from the R-3 to the R-O (Residential Office zoning designation. If approved the
80 applicant is planning to construct a podiatrist office in the existing single family home. This
81 property is shown on the General Plan as Residential 5 to 12 u/a and the General Plan would
82 need to be changed prior to the zoning request so it conforms with the General Plan.

83 Analysis

84 The property is .22 acres in size and currently has a single family home on the property. To the
85 north and east of the property is two single family homes. To the south is 300 North and a single
86 family home on the corner which also has a beauty salon. To the west is property owned by the
87 City zoned for Residential Office.

88 The purpose of the Residential Office zoning designation is defined in 15.3.16.040.

89 *This district is intended to allow low intensity professional office uses on a scale*
90 *consistent with residential areas. Strict architectural and site plan review will be*
91 *required to ensure compatibility with adjoining residential areas. This district serves as*
92 *a transition between more intense commercial areas and residential land uses, or is*
93 *located along busier streets where limited office use is being introduced. Residential and*
94 *office use of the same structure is allowed. Some limited commercial use may also be*
95 *allowed in selective locations.*

96 Issues on the Rezone: These are items that need to be changed in the Land Use Code to remodel
97 the home into an office.

98

99 Permitted Uses....

100 The following uses will only be allowed on properties between 100 West and 100

101 East: (Concern): when reviewing the General Plan is states only on the west side
102 of 100 East and on the east side of 100 West.

103 3. Personal services businesses

104 H. Parking

105 No parking will be allowed in front of the principal structure for non-residential uses.

106 Development Review Committee

107 The Development Review Committee reviewed this request at their January 25, 2006 meeting
108 and recommended denial of the General Plan Amendment and then the Rezone. The DRC
109 recommended denial for:

- 110 1. The parking must be in front of the building and on the side of it therefore not
111 meeting the requirements of the R-O zone.
- 112 2. The office (home) wouldn't fit in with the neighborhood character with parking
113 on the side and front of the building.
- 114 3. Concerns with the parking and the sight triangle
- 115 4. Is the use an office or a medical use

116 Mr. David Nelson questioned Emil regarding the general plan and the number of parking spaces
117 needed for the square footage.

118 Mr. Pierson explained that it depends on whether the property would be used for medical or
119 personal offices.

120 Mr. Nelson interpreted this needing 29 parking spots and pointed out there is no way for enough
121 parking. He said that it is zoned residential and he would like to see it kept residential.

122 Mr. Richard Bean pointed out that on the zoning that even if you only needed 8 spaces there is
123 not enough space. He has to have a 10 foot landscape setback and then at least another 10 feet
124 for a parking stall. Not enough square footage. As far as the neighborhood goes. The look of
125 that then makes it a commercial building, not residential. The issue of whether it is a medical or
126 dental office should not be an issue. It would be a medical office. Mr. Bean described the
127 neighbors and the neighborhood. Homes are beautiful and fully landscaped and he would like to
128 see the neighborhood stay the same. He would like to see someone in the home to keep the
129 home up. It is a beautiful home and ideal circumstance on a corner lot should have a family
130 come in and keep up property. It does not make sense to change the zoning.

131 Nadine Johnson who operates a beauty salon across the street from proposed property discussed
132 her problems in the past with parking in the proposed rezone.

133 There was discussion of regarding the previous use of the property. Commissioner Robbins
134 stated that the parking would be an issue and there is no reason to approve rezone in this area.
135 Commissioner Robbins made the **motion** to give a **negative** recommendation for the Michael
136 Nelson Rezone of .22 acres at 115 East 300 North from R-3 to R-0 for the following reason(s):

137 1. Not consistent zoning of residential office. Does not have the space for parking
138 and would be inconsistent with area. Would be a negative impact upon area.

139 Commissioner Huff **seconded** the **motion**. Roll call was taken and voting was unanimous.

140 **C. Zoning Map Amendment (rezone)**

141 The applicant(s), Clay Grant, is asking for rezone approval of approximately .26 acres or 11,271
142 square feet from the R-1-8 to the R-1-6 zoning designation. If approved the applicant is
143 planning to construct a duplex on the property. This property is shown on the General Plan as
144 Residential 3.5 to 5 u/a and the zoning requested follows the Plan.

145 **Analysis**

146 The property is .26 acres in size and currently has a single family home on the property. To the
147 north is a welding shop. To the south and west is single family homes zoned R-1-8. To the east
148 is more single family homes that are zoned R-1-6 which allows for duplexes if the lot is over
149 10,000 square feet in size and can meet the parking requirements.

150 **Development Review Committee**

151 The Development Review Committee reviewed this request at their January 25, 2006 meeting
152 and recommended approval. The DRC discussed the adjacent properties and surrounding uses
153 and the condition of the existing homes and why the street has been used as the barrier for the
154 map.

155 Mr. Pierson stated to the committee, DRC recommended to approve with findings.

156 Mr. Clay Grant presented to the committee information regarding the neighborhood. There are
157 both residential homes and businesses in the area along 300 West. Also, there are schools in the
158 area. On the west side of 300 West in an R1-8 already there are two duplexes.

159 Mr. Robbins questioned how the duplex would be placed on the property and what would be
160 done with the existing home?

161 Mr. Grant said he would plan on tearing down current home. He looked at the possibility of
162 fixing up home and adding to it and it is not feasible.

163 There was discussion regarding parking for the duplex and accessibility concerns with the traffic
164 on 300 West.

165 Mr. Grant said he has talked with the neighbors and they would like to see the current house
166 gone and would like the duplex built consistent with the other homes in the area as far as
167 placement on the property.

168 Mr. Pierson suggested the owner should make sure driveway is together with possibly pad sits on
169 one side based on the fact that everything else is single family homes. Split driveways would not
170 be consistent with the area.

171 Commissioner. Lewis made a **motion** to approve with the following findings:

- 172 1. That the zone change is consistent with the policies of the General Plan, including
173 any policies of the Capital Improvements Plan; and the General Plan shows this
174 property as Residential 3.5 to 5 u/a and the R-1-6 is within that density range.
175 That consideration has been given to include any conditions necessary to mitigate
176 adverse impacts on adjoining or nearby properties.

177 Commissioner Huff **seconded** the **motion**. Roll call was taken and the voting was **unanimous**.

178 **D. Zoning Map Amendment (rezone)**

179 The applicant(s), Mark Dallin, is asking for rezone approval of approximately .93 acres or
180 40,464 square feet from the R-1-9 to the R-1-6 zoning designation. If approved the applicant is
181 planning to construct three single family homes on the property. Any additional units would
182 make the proposal non-conforming to the General Plan. This property is shown on the General
183 Plan as Residential 2.5 to 3.5 u/a and the zoning requested follows the Plan.

184 *Analysis*

185 The property is .93 acres in size and currently has a number of out buildings on the property. To
186 the north of the property is Canyon Road and a field with agricultural uses zoned R-R. To the
187 south, west and east is a single family homes zoned R-1-9.

188 *Development Review Committee*

189 The Development Review Committee reviewed this request at their January 18, 2006 meeting
190 they discussed the width of the property and the density with the R-1-6 zone and if it met the
191 General Plan. After discussing the issues the DRC recommended approval.

192 There was discussion regarding frontage on the properties and how the homes would be set on
193 the property as far as driveway access.

194 Mark Dallin addressed the commission and explained how the homes would be placed on the
195 parcel.

196 Linda Bartholomew 1200 East Canyon Road addressed the commission and expressed that
197 overall she thinks this would be good. She did question that there would be three additional
198 driveways coming onto Canyon Road and this was a concern.

199 Commissioner Robbins discussed traffic regarding Mrs. Bartholomews pre-school. There was
200 discussion regarding parking and traffic generated from her home business.

201 Commissioner Miya asked if driveways could be positioned so that they could drive out onto
202 Canyon Road rather than backing.

203 Mr. Dallin already discussed with Mrs. Bartholomew the parking and there is traffic in and out
204 as it is being used for agricultural. In order to make use of the property there would need to be
205 driveways somewhere.

206 Pat Parkinson suggested that maybe the property be set up for a cul-de-sac however that in order
207 to avoid the driveways onto Canyon Road.

208 Emil told the commission that he had previous discussed with Mr. Dallin the possibility of a cul-
209 de-sac would take too much area out of the lot. Mr. Pierson suggested the possibility of a
210 circular drive on the frontage of the property.

211 Commissioner Robbins made a motion to give the City Council a positive recommendation on
212 the Mark Dallin rezone of .93 acres at 1180 East Canyon Road from R-1-9 to R-1-6 with the
213 following findings and conditions:

- 214 1. Entering into a development agreement that would require side yard setbacks to
215 have a minimum of 10 feet,
- 216 2. Density can not be greater than the requirement of the General Plan,
- 217 3. Only single family homes can be built on this property.
- 218 4. The developer enter into a development agreement for a common circular
219 driveway on the front of the property.

220 Commissioner Lewis **seconded** the **motion**. Roll call was taken and the vote was **unanimous**.

221 Commissioner Scott made a **motion** to close public the public hearing. Commissioner Lewis
222 **seconded** the **motion** and the motion **passed** with a unanimous vote.

223 Staff Reports

224 Landscaping ordinance was not reviewed due to a draft not being completed for review.

225 Commissioner Robbins **motion** to adjourn. Commissioner Scott **seconded** the motion. The
226 meeting adjourned at 8:13 p.m.