

**Adopted Minutes  
Spanish Fork City Planning Commission Meeting  
January 3, 2007**

Agenda review 6:30 p.m.

**Commission Members Present:** Chairman Paul Bradford, Sherman Huff, Michael Christianson, Dave Lewis, Del Robins, Sharon Miya.

**Staff Present:** Dave Anderson, Planning Director; Richard Nielson, Assistant Public Works Director; Shelley Hendrickson, Planning Secretary.

**Citizens Present:** George Adams, Blanche Adams, Jim Locke, Ranae Locke, Jay Orton, George Terry, David Grotegut, Justin Irvin, illegible Olsen, Shirl Olsen, Shana Woolsey, Kaye Poulsen, Blaine Poulsen, Rex Facer, Moira Facer, Makenzie Facer, Glade Schwartz, illegible Schwartz, Sharlene illegible, LaRue Petty, Geraldine Bingham, Sharon Jensen, Steve Jensen, Andrea Parrish, Clark Mitchell, Brent Bowers, Paul Johnson, Jay Garlick, David Biggs, Grady Edenfield, Scott Parsons, Ernst Ickler, Jay Birch, Susan Edenfield, Bill Fifield, Royace Richins, George Adams, Geri Jackson, Jack Carter, Greg Magleby, Nate Simpson.

**CALL TO ORDER:**

Commissioner Bradford called the meeting to order at 7:00 p.m.

**PLEDGE:**

Commissioner Miya led the pledge of allegiance.

**PUBLIC HEARINGS:**

Commissioner Bradford **moved** to open into Public Hearings. Commissioner Huff **seconded** and the motion **passed** all in favor.

**Colonial Builders Group General Plan Amendment**

Applicant: Colonial Builders Group

General Plan: Light Industrial existing, 9-12 units per acre Residential requested

Location: 2200 North 1100 East

Commissioner Huff **moved** to continue this item to next month; per the applicant's request. Commissioner Robins **seconded** and the motion **passed** all in favor.

**Pheasant Run General Plan Amendment**

Applicant: Paul Johnson

General Plan: 3.5 to 4.5 units per acre/General Commercial existing, 5.5 to 8 units per acre/General Commercial requested

Location: 300 West Volunteer Drive

Mr. Anderson gave background and explained the proposal.

Commissioner Robins asked what the total acreage was.

Commissioner Lewis asked about a piece of property adjacent to this development.

Discussion was made regarding the adjacent property, a concept plan for Pheasant Run, the trail, and who will be responsible to bury the canal.

Commissioner Bradford opened for public comment.

Paul Johnson & Jay Garlick

Mr. Johnson and Mr. Garlick addressed the Commission. Mr. Johnson explained the concept plan, a Questar gas line on the property, and other issues with regard to the plan.

Commissioner Robins asked for the total number of units.

Commissioner Bradford asked about fencing.

Mr. Garlick said that the Nebo School District will have to address the fencing.

Commissioner Huff asked for clarification on the number of units adjacent to this proposal.

Commissioner Lewis asked who will be responsible for installing landscape on the property the City owns if it is included.

Commissioner Bradford closed public comment.

Discussion was made regarding density and if a cap could be put on the number of units if the zone was approved.

Mr. Anderson addressed the Commission on this issue.

Discussion was made regarding density, a Master Planned Development, and the parcel of property that the City owns that is adjacent to this project.

Mr. Garlick addressed the Commission. He gave examples of what their options will be with a lower density and asked the Commission if they were comfortable with that.

Commissioner Miya likes this proposal and feels that this is a win win development.

Commissioner Bradford feels that this part of town does not have a very high density and feels that spreading high density throughout the City is good.

Mr. Anderson addressed the Commission.

Commissioner Lewis made a **motion** recommending approval of the proposed General Plan Amendment at approximately 300 West Volunteer Drive, changing the General Plan Map from

General Commercial/Residential 3.5 to 4.5 units per acre to General Commercial/Residential 5.5 to 8 units per acre based on the following findings:

**Findings:**

1. That the proposed designation would not create an incompatible land use arrangement.
2. That the increased need to allocate sewer connections for this property can be accommodated without significantly impacting the City's current objectives.
3. That the configuration of the subject properties is conducive to the type of development that is being contemplated with the proposed amendment.

Commissioner Miya **seconded** and the motion was a **tie** by a role call vote. Commissioner Robins voted nay, Commissioner Christianson voted nay, Commissioner Huff voted nay.

Commissioner Lewis made a **motion** to withdraw his motion. Commissioner Miya **seconded** and the motion **passed** all in favor.

Commissioner Lewis made a **motion** recommending approval of the proposed General Plan Amendment at approximately 300 West Volunteer Drive, changing the General Plan Map from General Commercial/Residential 3.5 to 4.5 units per acre to General Commercial/Residential 4.5 to 5.5 units per acre based on the following findings:

**Findings:**

1. That the proposed designation would not create an incompatible land use arrangement.
2. That the increased need to allocate sewer connections for this property can be accommodated without significantly impacting the City's current objectives.
3. That the configuration of the subject properties is conducive to the type of development that is being contemplated with the proposed amendment.

Commissioner Miya **seconded** and the motion **passed** by a unanimous role call vote.

**Spanish Highlands North Zone Change**

Applicant: Ivory Homes

Zone Change: Rural Residential existing, R-1-12 requested

Location: 150 North 1700 East

Mr. Anderson gave background and explained the proposal.

Commissioner Bradford opened for public comment.

There was not any public comment.

Commissioner Bradford closed public comment.

Commissioner Robins made a **motion** recommending approval of the proposed Spanish Highlands North Zone Change request, changing the zoning at approximately 150 North 1700 East from Rural Residential to R-1-12, based on the following findings:

**Findings:**

1. That the proposed Zone Change is consistent with the General Plan designation.
2. That it is consistent with the surrounding zoning.

Commissioner Lewis **seconded** and the motion **passed** by a role call vote. Commissioner Christianson voted nay. Commissioner Huff voted nay.

### **Revisions to Title 15 of the Municipal Code**

Applicant: Spanish Fork City

Location: Citywide

Mr. Anderson explained the proposal.

Commissioner Lewis **moved** to table this item until further discussion is made with the Public Safety Department. Commissioner Robins **seconded** and the motion **passed** by a unanimous role call vote.

### **Westfields Development**

Applicant: Westfields Development and Spanish Fork City

Zoning: R-1-6 existing, Commercial-2 requested

Location: 400 East 1000 North (North Park and surrounding properties)

Mr. Anderson gave background and explained the proposal.

Commissioner Bradford opened for public comment.

Discussion was made regarding the cost to provide services to residential areas..

Andrea Parrish

Ms. Parrish asked if the properties had been sold.

Steve Jensen

Mr. Jensen feels that residential is being pushed out and there is a lot of other commercial property in the City that this development could go.

Rex Facer

Mr. Facer feels new access to sales tax dollars will be good.

David Biggs

Mr. Binks is opposed to this.

Grady Edenfield

Mr. Edenfield feels that the developer ought to look at Food-4-Less for this development.

Scott Parsons

Mr. Parsons addressed the Commission. He feels the number one draw to Spanish Fork was the small town atmosphere. Feels that the impact on how this area will be affected has not been addressed. Does not feel that the loss of this development will have an adverse affect on the rest of the City.

Royace Richins

Mr. Richins feels that other commercial areas in town are viable and that we need open space in this area of town. He is opposed to this proposal.

Ernst Ikler

Mr. Ikler feels that traffic is congested.

Jay Birch

Mr. Birch feels that safety is a big concern. That traffic is congested already in this area of town.

Susan Edenfield

Ms. Ednefield feels that traffic is going to be increased. Her children use the park and would like to see it stay.

Larue Petty

Ms. Petty would like to see the current park enhanced and not change the zone. That if you allow the box stores this part of town will turn into nothing but asphalt.

Jim Lock

Mr. Lock feels the City is giving ground away. He feels the State will wipe the park out when the freeway is redone.

Sharon Jensen

Ms. Jensen feels that the City is not being honest about the proposal.

Sharleen Irvine

Ms. Irvine is in favor of the Zone Change.

George Adams

Mr. Adams feels that the City should put the stores somewhere else in town where they would be easier to get to.

Geri Jackson

Ms. Jackson asked how many residential homes have been affected.

Mr. Nielsen addressed the concerns with UDOT and the freeway.

Mr. Birch addressed the Commission. He has been involved with UDOT and what they are proposing.

Discussion was made regarding UDOT and their proposals.

Commissioner Lewis **moved** to close Public Hearing on this issue. Commissioner Christianson **seconded** and the motion **passed** by a roll call vote. Commissioner Robins voted nay.

Commissioner Miya likes the small town feel. But feels that there needs to be some relief on the taxes.

Commissioner Robins feels that this proposal is good but will be concerned until he sees an equivalent to the current park.

Commissioner Lewis feels that if a park is there he is in favor of the Zone Change and that there will be another chance to go over the park issue.

Mr. Anderson addressed the Commission on issues relating to North Park being relocated and reconfigured.

Commissioner Christianson asked how commercial sales tax is used.

Mr. Anderson clarified the issue.

Commissioner Lewis asked Mr. Anderson to clarify the process after an approved zone change.

Mr. Anderson addressed this issue.

Commissioner Lewis made a **motion** recommending approval of the proposed Westfields Properties Zone Change request, changing the zoning at approximately 1000 North 400 East (North Park and surrounding properties) from R-1-6 to Commercial-2, based on the following findings:

**Findings:**

1. That the proposed Zone Change is consistent with the General Plan designation.
2. The economic development of the City for the next 20-30 years will hinge upon this commercial development based upon the perspective that retail uses coming either here or to another City will impact the growth in this area for a long time to come.

Commissioner Miya **seconded** and the motion **passed** by a role call vote. Commissioner Robins voted nay. Commissioner Huff voted nay.

Commissioner Miya **moved** to open into Public Hearing. Commissioner Robins **seconded** and the motion passed all in favor.

**Summers Ridge Townhomes**

Applicant: Advantage Investment Group

Zoning: R-3

Location: 130 North 300 West

Mr. Anderson gave background and explained the proposal.

Commissioner Bradford opened for Public Comment.

Shurl Olsen

Mr. Olsen addressed the Commission. He is concerned that a new fence be built and not at his expense.

Bill Fifield

Mr. Fifield addressed the Commission. His concern is with the fence. And the fence being fixed.

Mr. Anderson said he feels there is justification to require a masonry wall.

Discussion was made regarding the difference in the level of the land between the adjacent properties.

Jack Carter

Mr. Carter is concerned with during the reconstruction what security measures will be taken.

Commissioner Bradford closed public comment.

Commissioner Huff made a **motion** recommending approval of the Preliminary Plat for Summers Ridge subject to the following conditions:

**Conditions:**

1. That the building themselves not be enlarged in order to cause a non-conforming structure.
2. That they make any necessary modifications to meet the current Building Code.
3. That they include covered parking according to the City's ordinance.
4. That they amend the plat to show the accurate configuration.
5. That they meet the requirements of the City code on fencing.
6. That they remove any obstruction that is encroaching on any adjacent properties.

Commissioner Robins **seconded** and the motion **passed** by a unanimous roll call vote.

Commissioner Lewis **moved** for a break. Commissioner Christianson **seconded** and the motion **passed** all in favor at 9:23 p.m.

*\*\* Reconvened at 9:30 p.m.*

Commissioner Robins **moved** to close Public Hearing. Commissioner Huff **seconded** and the motion **passed** a unanimous roll call vote.

**STAFF REPORTS**

**Harvest Ridge Preliminary Plat**

Applicant: American Housing

Zoning: R-1-9

Location: 1520 South 1400 East

Mr. Anderson gave background and explained the proposal.

Commissioner Lewis made a **motion** to approve the proposed Preliminary Plat for Harvest Ridge subject to the following conditions:

## Conditions

1. That lot number nine (9) is resized in order to be wider.
2. That curb and gutter be extended to 1400 East during the first phase of construction.
3. That they install curb and gutter and grant the appropriate easement along 1400 east.
4. That they work with the Power Department in putting the power underground throughout the plat.
5. That they meet the City's Construction and Development Standards.

Commissioner Robins **seconded** and the motion **passed** by a unanimous role call vote.

## Revisions to Title 15 of the Municipal Code (continued from 12-6-2006)

Applicant: Salisbury Development

Location: Citywide

Mr. Anderson gave background and explained the proposal.

Commissioner Bradford addressed a change in verbiage.

Mr. Anderson said that he would make the correction.

Commissioner Miya made a **motion** to approve the revisions to Title 15 of the Municipal code.

Commissioner Lewis **seconded** and the motion **passed** by a unanimous role call vote.

Mr. Anderson said that the City does not have a formal process for citizens or developers to request revisions to our construction standards. He feels that there is a substantial concern with regard to maintaining consistency with the standards manuals since they are used on a daily basis. In March there will be revisions submitted to the City Council and Mr. Haycock's and Mr. Grotegut's concerns can be reviewed then.

Discussion was made regarding the trail, fence and landscape buffers on 400 north.

## Maple Mountain Preliminary Plat (continued from 12-6-2006)

Applicant: Salisbury Development

Zoning: R-1-12

Location: 150 North 1500 East

Mr. Anderson gave background.

Commissioner Lewis is in favor of this proposal.

David Grotegut

Mr. Grotegut addressed the Commission with his issues in regard to the trail, fence and landscape.

Mr. Anderson addressed the Commission regarding the trail and the need for developers to follow the City's standards.

Commissioner Miya believes limiting access onto 400 North is a good thing and feels that there is a conflict going on between the developers on this proposal. She feels as though Mr. Grotegut is developer is trying to have it both ways.

Brent Bowers

Mr. Bowers addressed the Commission. He said the way that the proposal has been submitted meets the City code and that if it were to be submitted any other way that the Planning Commission could not approve it.

Greg Magleby

Mr. Magleby addressed the Commission. He presented the Master Planned Development packet.

Discussion was made regarding requirements of a trail and who participates in the cost.

Commissioner Lewis made a **motion** recommending approval of the Maple Mountain Preliminary Plat located at 150 North 1500 East subject to the following findings and subject to the following conditions:

**Findings:**

1. That the requested bonus density is justified.
2. That with the necessary changes the development will conform to the City's standards.

**Conditions:**

1. That the necessary corrections are made to the plans and the plans be resubmitted before presentation to the Planning Commission.
2. That they meet any Electrical Department concerns prior to final plat submittal.
3. That they meet any Engineering department concerns prior to final plat submittal.
4. That they obtain letters of approval from UDOT and East Bench irrigation companies.
5. Subject to the City Council approving the proposed changes to the City's Master Planned Development ordinance.
6. That any new lots fronting Major Collector roads are removed.
7. That any center street addresses be changed.

Commissioner Huff **seconded** and the motion **passed** by a unanimous roll call vote.

*\*\* Commissioner Lewis excused himself early at 10:30 p.m.*

Discussion was made regarding master planned developments, and a meeting with the City Council to discuss the issues. Meeting to be held January 23, 2007 at 6 p.m.

**Amendment to the General Plan and Zoning Maps (continued from 12-6-2006)**

Applicant: Clark Mitchell

Zoning: Commercial 1 existing, R-3 requested

General Plan: General Commercial existing, requesting Residential 9-12 units per acre.

Location: 1700 East Canyon Road

Mr. Anderson gave background and explained the proposal.

Clark Mitchell

Mr. Mitchell addressed the Commission. He is asking for instead of attaching a concept plan he would like a Zone Change with a development agreement.

Commissioner Robins asked if they have had anyone try to buy this property for commercial use.

Mr. Mitchell said that it has been under contract 4 separate times.

Commissioner Bradford would like to see this developed commercial.

Discussion was made regarding density and the number of units, adjacent properties being changed to commercial if a proposal was brought in.

Mr. Mitchell feels there has been a shift in how the Planning Commission is looking at this piece. He feels that after the last meeting the Commission was more open for a residential zone.

Discussion was made regarding density and zones.

Commissioner Christianson made a **motion** to approve the General Plan Amendment of 5.5-8 units per acre and the Zoning Map to R-1-6 with a development agreement that caps the number of units at 14.

Commissioner Miya **seconded** and the motion **passed** by a role call vote. Commissioner Bradford voted nay.

## **OTHER DISCUSSION**

### **Master Planned Development Ordinance**

Commissioner Robins asked whether or not the Council placed a moratorium on Master Planned Developments.

Mr. Anderson said that the City Council did approve it and that it may remain in place for 6 months, but that staff had been instructed to resolve the issues so that it could be removed sooner.

## **ADJOURN**

Commissioner Miya **moved** to adjourn. Commissioner Robins **seconded** and the motion **passed** all in favor.

Meeting **adjourned** at 11:10 p.m.

**Adopted: February 7, 2007**

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Shelley Hendrickson, Planning Secretary