

**Adopted Minutes
Spanish Fork City
Planning Commission Meeting
March 7, 2007**

Agenda review 6:30 p.m.

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

Staff Present: Dave Anderson, Planning Director; Chris Thompson, Design Engineer; Christine Johnson, Assistant City Attorney; Shelley Hendrickson, Planning Secretary.

Citizens Present: Jim Taylor, Burtine Baum, David & Evelyn Odermatt, Marvin H. Stewart, Duane Hutchings, Christopher Snow, Sherald James, Kevin and Danielle Payne, Richard Snow, Emily Edmondson, Pete Maurer, Gary Millward, Jennifer Smith, David Grotegut, Bob Canaard, Jeff Kochevar, Steve Pappa, Frank illegible, Melanie Farnsworth, Mike Gardner, Tim Taylor, Bart Boggess, Bud Gardner, Richard Mendenhall, Joseph Johnson, Gary Sandel, Greg Magleby, Melanie illegible, Mary Jane Tuttle, Glay Foy, Kris Kelly, Trent Kelly, Jace Kelly, Kevin Payne, Leland Jay Birch, Farron Lefevre, Chris Jackson, Rick Giles.

CALL TO ORDER:

Commissioner Bradford called the meeting to order at 7:06 p.m.

PLEDGE:

Commissioner Huff led the pledge of allegiance.

MINUTES

February 7, 2007

Commissioner Christianson made a **motion** to **approve** the minutes of February 7, 2007. Commissioner Robins **seconded** and the motion **passed** by a unanimous roll call vote.

PUBLIC HEARINGS:

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

Westfield's Development Preliminary Plat

Applicant: Westfield's Development

General Plan: Public Facilities/General Commercial/Residential 5.5 to 8 Units Per Acre

Zoning: Commercial 2

Location: 400 East 1000 North

Mr. Anderson gave background and explained the proposal. He told the Commission that there had been one change made to the Plat which brings the plat into conformity with staff's recommendation.

Richard Mendenhall

Mr. Medenhall addressed the Commission. He explained the proposal and the intended uses. A powerpoint presentation was provided.

Farron Lafevre

Mr. Lafevre addressed the Commission. He feels that he will lose the ability to park in front of his house and would like to know what will happen with the City services to his home such as garbage collection.

Chris

Mr. Chris addressed the Commission. He feels that widening the road would help and then he would be able to get out of his driveway easier.

Sherald James

Mr. James addressed the Commission. He feels that people are getting off of the Springville exit to enter into town. He feels that traffic is a big concern.

Kevin Payne

Mr. Payne addressed the Commission. He lives on 700 east. He feels that the widening of 700 east will encroach on his property and the entire design of the proposal needs to be addressed.

Rick Snow

Mr. Snow addressed the Commission. He feels that the roads in Spanish Fork City are terrible and need to be fixed.

Jay Birch

Mr. Birch addressed the Commission. His biggest concern is that he feels he is not being heard. He expressed his concern with traffic and ingress and egress to the development.

Tim Taylor, Traffic Engineer

Mr. Taylor addressed the Commission. He addressed the parking issues on 10th North.

Commissioner Christianson asked if there was a way to protect the parking on 10th North for the residents that live there.

Mr. Medenhall addressed the issue.

Mr. Taylor continued addressing the traffic issues on 700 East.

Gary Sandel

Mr. Sandel addressed the Commission regarding the road width on 700 East and stated that they are aware of the encroachment issues on 700 East.

Mr. Mendenhall addressed the Commission with regard to road width.

Discussion was held regarding road width encroachment and right-of-way easements, parking on the south side of 10th North, and traffic solutions.

Mr. Taylor addressed the Commission. He explained the process of a traffic analysis and explained the traffic solution mitigation.

Discussion was held regarding 10th North from 200 East to Main street.

Commissioner Christianson asked Mr. Taylor to address the traffic during peak hours.

Mr. Taylor addressed the issue number specific.

Discussion was held regarding growth, traffic, 800 north, Mr. Snow and Mr. Lefevre's properties, zoning, and the general plan in the areas adjacent to the proposal.

Mr. Anderson explained the zoning and the General Plan designations adjacent to the development proposal.

Commissioner Bradford recommended Commission discussion.

Discussion was held amongst the Commission with regard to traffic and parking on 10th north.

Commissioner Robins asked Mr. Taylor if the traffic study looked at the intersection by Conoco.

Mr. Taylor said that the traffic study did indeed cover that section of the City.

Discussion was held amongst the Commission with regard to landscaping within the development and the possibility of some way to camouflage the big box stores walls.

Commissioner Christianson would like something on the plat addressing the artesian well.

Mr. Thompson addressed the issues with the well.

Commissioner Robins asked Mr. Thompson if the Engineering Department was addressing 10th North from 200 East to Main Street.

Discussion was held regarding a specific mitigation process with regard to landscape buffering in the development.

Commissioner Lewis made a **motion** recommending **approval** of the proposed Preliminary Plat for the Westfield's Development based on the following finding and subject to the following conditions:

Finding:

1. That the proposed plat does conform to the City's requirements for subdivision in the Commercial 2 (C-2) zone.

Conditions:

1. That all utility plans be provided and approved by the City Engineer and Power Department as part of the Site Plan approval process.
2. That they make the correction to add the City parcel located at the corner of Chappell Drive and Highway 6 and the pertinent street improvements.
3. That the necessary easement language be added to the plat.
4. That the City Council be provided details of the proposed street improvements from Main to 200 East.
5. That the City Council be provided details of the proposed street improvements from Highway 6 to 800 North on 700 East.
6. Developers provide Landscape Plans that mitigate impacts to dwelling on the south side of 10th North.

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

Proposed Growth Boundary Amendment

Applicant: Spanish Fork City

Location: Citywide

Mr. Anderson explained the proposed amendment and how the proposed amendment conforms to what has been discussed in multiple meetings with the Planning Commission and City Council. He explained that two options are now proposed Options A and B. Mr. Anderson explained that the D.R.C. had recommended that Option B be approved and that answered questions about Option B.

Commissioner Bradford opened for public comment.

Jim Taylor

Mr. Taylor addressed the Commission and would like the Commission to hear his proposal on the agenda before making a motion on the Growth Boundary Amendment.

Mr. Anderson feels that Mr. Taylor's property is already within the Growth Boundary.

Melanie Farnsworth

Ms. Farnsworth asked for clarification on the Growth Boundary.

Mr. Anderson corrected himself and clarified that Mr. Taylor's property is not within the Growth Boundary but noted that the property can be developed today as it is not zoned residential.

Ms. Farnsworth does not understand why her property is not included in the annexation. She feels she is land locked in unincorporated County between Spanish Fork City and Mapleton City. She also feels that her property should be included in Spanish Fork City.

Mr. Anderson said that there are several concerns with respect to adding properties south of 7200 South. Sewer capacity is the most significant concern adding additional properties. He addressed the other issues with regard to the proposed Growth Boundary.

Marvin Stewart

Mr. Stewart addressed the Commission. He asked for clarification on the Growth Boundary.

Rick Giles

Mr. Giles addressed the Commission. He does not understand why there is a sewer problem with his property. He is also concerned about where his utilities will come from in the future.

Mr. Thompson addressed the sewer issue.

Discussion was held regarding properties in the County.

Mr. Anderson explained that the question before the Commission tonight is not about annexation. He showed on the map that all of the properties people were concerned about annexing are in the City's Annexation Declaration. The City plans on annexing and providing services to all of those properties. There is a question of timing and the City has taken a proactive stance with respect to encouraging orderly growth.

Burtine Baum

Ms. Baum feels that the City entertained the idea of a commercial area adjacent to her property and now sewer is an issue for four (4) homes.

Discussion was held amongst the Commission with Mr. Anderson with regard to Option B of the Growth Boundary Amendment.

Commissioner Robins feels that he is ready to table this item until he knows what the sewer capacity issues are with Jim Taylor's property.

Commissioner Bradford asked if they could act on just a portion of the amendment.

Mr. Anderson addressed the issue.

Commissioner Huff made a **motion to table** this item for one (1) month for further study. Commissioner Robins **seconded** and the motion **passed** by a unanimous roll call vote.

Julie Ann Curtis

Ms. Curtis feels that she would like to stay in the County and is concerned that she might be forced to annex. She would like the density to remain at a lower level.

*** Five minute break given at 9:12 p.m. Reconvened at 9:21 p.m.*

Maple Highlands Zone Change

Applicant: Highland Homes

General Plan: Residential 2.5 to 3.5 Units Per Acre

Zone: Rural Residential existing, R-1-12 proposed

Location: 2550 East 350 South

Mr. Anderson gave background and explained the proposal.

Commissioner Lewis asked when the railroad crossing on 2550 East will be finished.

Mr. Thompson said that the City and UDOT are finished with their work. The railroad is not done with theirs.

Discussion was held regarding the streets within the development and adjacent proposals.

Commissioner Christianson asked about bonus density points.

Mr. Anderson addressed the issue.

Commissioner Miya asked for clarification on the landscape bonus density.

Greg Magleby

Mr. Magleby addressed the Commission. He explained the request of the additional bonus density points for landscape.

Discussion was held regarding the bonus density matrix, lots 99 & 100, and the irrigation ditch.

Mrs. Johnson addressed the landscape issue with the Municipal Code.

Mrs. Curtis feels that there should be some green space within this proposal for a place for kids to play.

Evelyn Odermatt

Ms. Odermatt is concerned about where the kids are going to go to school.

Discussion was held amongst the Commission with regard to the railroad, the bonus density matrix, and whether or not to maintain consistency on Master Planned Developments.

Mrs. Johnson feels that we open ourselves up for liability if we do not maintain consistency and that is her recommendation.

Commissioner Miya made a **motion** recommending **approval** of the proposed Zone Change for Maple Highlands based on the following finding:

Finding:

1. That the proposed zoning is consistent with the General Plan.

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

Commissioner Miya **moved** to close Public Hearing. Commissioner Lewis **seconded** and the motion **passed** by a unanimous roll call vote.

STAFF REPORTS

Maple Highlands Preliminary Plat

Applicant: Highland Homes

General Plan: Residential 2.5 to 3.5 Units Per Acre

Zone: Rural Residential existing, R-1-12 proposed

Location: 2550 East 350 South

Commissioner Miya made a **motion** recommending **approval** of the proposed Preliminary Plat for Maple Highlands based on the following findings and subject to the following conditions:

Findings:

1. That the proposed Preliminary Plat conforms to the City's standards for Master Planned Developments in the R-1-12 zone.
2. That the proposed features warrant the requested density bonus.

Conditions:

1. That the density matrix for the Master Planned Development be followed as outlined.
2. That they obtain an easement on 2550 East at the City's request.
3. That they meet the City's Construction and Development Standards.
4. That they obtain a connectors agreement with Nebo School District for the utilities.
5. That all of lots 99 & 100 be included in this plat or excluded from this plat.

Commissioner Robins **seconded** and the **motion passed** by a roll call vote. Commissioner Christianson voted nay.

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

PUBLIC HEARINGS

Jim Taylor Zone Change and General Plan Amendment

Applicant: Jim Taylor

General Plan: Light Industrial/Business Park

Zone: Industrial 1

Location: approximately 3450 East 1300 South

Mr. Anderson gave background and explained the proposal.

Commissioner Christianson asked what the recommendations were upon annexation.

Mr. Anderson stated that the intent of the property's Annexation in 2004 was to facilitate industrial development. He stated that both the minutes from meeting when the annexation was reviewed and the Annexation Agreement make that clear. It's his understanding from staff that were present at that time that the property would not have been annexed in 2004 for residential development.

Commissioner Bradford opened for public comment.

Jim Taylor

Mr. Taylor addressed the Commission. He feels that this land has always been residential. He said the ground was annexed to stop the nuisance of a gravel pit. He has submitted a proposal for storage units on the property but will not go through with the proposal if the zone he is requesting is approved. He brought up issues with regard to a trail, and the canal. He feels that light industrial just does not make sense. He also feels that current City property should have priority over County land with regard to the Growth Boundary and the City's capacities.

Commissioner Miya asked who would maintain a lift station if Mr. Taylor paid to build it.

Mr. Thompson said the City would maintain a lift station.

Discussion was held regarding lift stations, transmission lines, storage units, the Vitacost proposal, and whether or not to table this item for further study and more information.

Bud Gardner

Mr. Gardner feels that that for a developer to come in and pay for improvements as well as request low density makes sense.

Burtine Baum

Ms. Baum read a letter from a citizen. Then she addressed the Commission. She is in support of the residential and not the storage sheds.

Commissioner Lewis asked for clarification on the storage units.

Mr. Anderson explained that Jim Taylor had submitted a Site Plan application for storage units and that staff was currently reviewing that application. He also clarified that storage units are allowed and that there is no reason for the City to not approve storage units.

Greg Giles

Mr. Giles addressed the Commission. He does not understand how his property cannot get sewer but now the City is going to put in a park and there will be sewer available for the park.

Discussion was held regarding annexation, building processes once an annexation occurs, and 3400 East.

Melanie Farnsworth

Ms. Farnsworth feels that it is ironic that there is concern about the power lines affecting the residential value of her property because when the wind mills were proposed the discussion was that the wind mills would not devalue her property and she does not see a difference between the wind mills and the power lines. She is opposed to storage units. She feels that storage units bring in more crime, meth labs, drugs, graffiti etc.

Commissioner Bradford does not see how the property adjacent to the proposal can be eliminated from the Growth Boundary.

Discussion was held regarding the excluded properties and tabling this item.

Commissioner Lewis made a **motion** to **table** the proposed Jim Taylor General Plan Amendment and Zone change request for one month for further study and Richard Nielson's review and input.

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

Nate Jacobson Zone Change

Applicant: Nate Jacobson

General Plan: Residential 5.5 to 8 Units Per Acre

Zone: Rural Residential existing, R-1-6 proposed

Location: 2550 East Highway 6

Mr. Anderson gave background and explained the proposal.

Discussion was held regarding roads and connecting parcels of properties.

Nate Jacobson

Mr. Jacobson addressed the Commission. He would be fine with purchasing the property adjacent to his property at a fair market value price.

Discussion was made regarding the property that the City owns, ingress and egress.

Les Allen

Mr. Allen addressed the Commission. He showed them the property that he owns and the private roads.

Discussion was held amongst the Commission regarding Mr. Jacobson purchasing the parcel that the City owns, and the need for better planning with adjacent properties for roads.

Commissioner Robins made a **motion** recommending **approval** of the proposed Nate Jacobson Zone Change request, changing the zoning at approximately 2550 East and Highway 6 from Rural Residential to R-1-6, based on the following finding:

Finding:

1. That the proposed Zone Change is consistent with the General Plan designation.

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

Commissioner Robins made a **motion** to close Public Hearing. Commissioner Huff **seconded** and the motion **passed** all in favor.

Commissioner Bradford asked for an update from the Public Meeting held with the Leland Area citizens.

Mr. Anderson reported on how the meeting went.

OTHER DISCUSSION

Planning Update

No discussion.

ADJOURN

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

Meeting **adjourned** at 11:13 p.m.

Adopted: April 4, 2007

Shelley Hendrickson, Planning Secretary