

Adopted Minutes
Spanish Fork City Planning Commission Meeting
August 1, 2007

Agenda review 6:30 p.m.

Commission Members Present: Chairman Del Robins, Commissioners Michael Christianson, Sharon Miya, Dave Lewis, Shane Marshall, Sherman Huff

Staff Present: Dave Anderson, Planning Director; Richard Nielson, Public Works Assistant Director; Christine Johnson, Assistant City Attorney, Kimberly Robinson, Deputy Recorder

Citizens Present: Steve Clayson, Gerald Hill, Kevin Pritchett, Larry Murdock, Mark Harrison, Larry Vest, Ralph Clayson, Cynthia Rees, Cody Roberts, Tyler Cope, Betty Hunt, Dave Freiss

CALL TO ORDER

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

Mr. Anderson welcomed the new member of the Planning Commission Shane Marshall.

Commissioner Christianson **moved** to appoint Del Robins Chairman and Sherman Huff Vice Chair. Commissioner Lewis **seconded** and the motion **passed** by roll call vote all in favor.

PRELIMINARY ACTIVITIES

Pledge

Commissioner Robins led in the pledge of allegiance.

Adoption of Minutes: June 27, 2007

Commissioner Huff made a **motion** to **approve** the minutes of June 27, 2007 with the changes. Commissioner Miya **seconded** and the motion **passed** all in favor.

PUBLIC HEARINGS:

Commissioner Christianson **moved** to open the Public Hearings. Commissioner Huff **seconded** and the motion **passed** all in favor at 7:05 p.m.

Tyler Cope Amendment to the Zoning Map

Applicant: Tyler Cope

General Plan: Residential 3.5 to 4.5 units per acre/General Commercial

Zoning: Residential Office existing, Commercial 2 proposed

Location: 850 South Main Street

Mr. Anderson explained the request for all four of the parcels. In the two areas that are involved the zoning is consistent with the General Plan. The DRC recommends approval. This plan represents what the applicant can develop consistent with the City codes. It is his opinion that as the developer moves forward and adapts to meet the customers needs this plan will be changed to accommodate it.

Commissioner Christianson clarified the proposal can't change. This is only a zoning approval.

The item was opened for public comment. There was no public comment on this agenda item.

Commissioner Huff made a **motion** to close the public hearing. Commissioner Miya **seconded** and the motion **passed** all in favor.

Tyler Cope

Mr. Cope explained they feel it will be a good project for the community with hopes of a gas station and convenience store type businesses.

Commissioner Marshall asked that they make sure nothing is too close to Main Street because of UDOT's plans for widening it in the near future.

Commissioner Miya feels it looks like a nice project and is something the town needs on the road to Salem.

Commissioner Robins stated there were comments regarding the historical significance of the home; the neighbors would like to ensure it is a nice attractive development.

Commissioner Huff noted the City owned property in that area needs to be included in this change.

Commissioner Christianson **moved** to recommend approval of the proposed Tyler Cope Zone Change request, changing the zoning at approximately 850 South Main Street from Residential Office to Commercial 2, based on the following findings:

Finding:

1. That the proposed Zone Change is consistent with the General Plan designation.
2. That the conceptual design represents the manner by which the property can be developed according to the City's requirements for the Commercial 2 zone.
3. That the zone change includes the City owned property to the west.

Commissioner Miya **seconded** and the motion **passed** all in favor.

Betty Hunt Zoning Map and General Plan Amendment

Applicant: Betty Hunt

General Plan: 5.5 to 8 units per acre Residential/Residential Office existing, Commercial Office Proposed

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

Location: 375 East 300 South

Mr. Anderson explained the subject property is currently zoned R-1-6, however it is General planned as 5.5 to 8 units per acre, or Residential Office. The property is currently a nonconforming use so the owner cannot make any changes. The applicant would like to update the building and add drive thru bays with some landscaping. The plan meets the City standards as far a parking and landscaping. The Residential Office zone which it is General planned does not allow drive thru bays for financial institutions as it is currently written. The DRC proposed to make financial institutions with or without drive thru bays in a Residential Office zone a Conditional Use. The DRC reached a consensus that this is not a significant change to the use of the property, as part of the Conditional Use they can review any concerns that will need to be addressed.

Commissioner Marshall asked regarding the logic of not having a drive thru in the area of 100 East and 100 West on Main Street.

Mr. Anderson stated he is unaware of the specific reason that drive thrus are prohibited in the Residential Office Zone between 100 East and 100 West.

Commissioner Christianson clarified that if the Planning Commission approved this change the applicant would have to start the application process from the beginning getting an approval for the use, building, landscaping etc.

This item was opened for public comment.

Commissioner Christianson **moved** to open this item for public hearing at 7:26 p.m. Commissioner Huff **seconded** and the motion **passed** all in favor.

Larry Murdock

Mr. Murdock is concerned about the traffic in this area it is already difficult to get out of his driveway onto 300 South when school is in session. There are also big trucks coming out of the canyon and he feels the City will be incurring a traffic problem. This is a serious problem and he feels they do not need a credit union in a residential area. He asked if the zone change would affect the tax base for the area.

Commissioner Lewis does not think it will affect the taxes of the area.

Mr. Murdock also addressed the issue of onsite parking. He is most concerned about the traffic and pedestrians, there are constantly people throughout that area, he is also concerned about the speed of the vehicles. He asks that this not be built in a neighborhood where there are a lot of children.

Mark Harrison

Mr. Harrison owns the property directly north of the proposal. He is in favor of upgrading the property, but he does not want to change the use, they already have a traffic problem and he would speak against the change.

Betty Hunt

Ms. Hunt owns the property, and feels it will be a great asset to the community. She already has a lot of traffic that comes to the property it is currently an insurance agency, beauty parlor, and renters live in the downstairs. She cannot see how a credit union would change the impact of the area. She thinks it will be a wonderful asset and she cannot see it making traffic busier, it is already a very busy road. She feels it will be a great improvement and stated she has no interest to improve that property herself.

Commissioner Lewis appreciates Larry and Mark's comments, he realizes there is a lot of traffic there, this is already a commercial office and he would like to see a concrete fence installed. He feels there will be the same amount of traffic not more with the change of use.

Commissioner Miya added that the two busiest times are before school and after school and noted this credit union would not be open when people take their children to school the only affecting time would be when they get out of school. She agrees with Commissioner Lewis and feels it will not add that much traffic to the area.

Commissioner Marshall thinks this is a good place for a residential office building, but he has a hard time believing a drive thru fits in the context of a residential area. He is against changing the text to allow drive thru anywhere in a Residential Office zone. He feels this is a good zone change he just has problem with the proposed text amendment.

Discussion was made regarding turning room and room for back up traffic getting onto the property.

Commissioner Miya explained as she sees it there is room for at least four cars on the property before it would back up onto the streets, with approximately 30 – 40 cars per day, she cannot see when they would have a problem with more cars backing into the streets.

Commissioner Huff stated the credit union in Springville has never had a problem with cars backing onto their roads. He acknowledged he is on the board of directors for this credit union and will recuse himself from voting.

Discussion was made regarding a right turn only requirement onto Canyon Road as a condition of the Conditional Use approval.

Mr. Anderson explained that the Commission is the Land Use Authority for Conditional Use applications and that they can impose requirements to help mitigate the impact on the neighborhood.

Commissioner Miya **moved** to recommend approval of the proposed Zone Change and Zoning Text Amendment based on the following findings:

Finding:

1. That the proposed changes allow for a use that is similar to the existing use of the subject property.
2. That the proposed Zone Change is consistent with the General Plan.
3. That by making the proposed Text Amendment, the City may address any site specific concerns on a case by case basis.

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

Commissioner Marshall voted nay, he explained he is fine with the zone change proposal but uncomfortable with the proposed text amendment allowing drive-thrus in all Residential Office areas of City. Commissioner Huff abstained from voting due to the reasons stated.

Freiss Development Group

Applicant: Nyle Layton

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

Zoning: Industrial 1 existing, R-3 requested

Location: 1100 East Expressway Lane

Mr. Anderson feels the important thing is to develop the property with a commercial use. The DRC recommends focusing on the bigger land use question and dealing with what is the most appropriate use of the property. It is his belief that at some point in the future the property will become viable for commercial uses. He is of the opinion that it should remain as it is currently General planned. The property has some problems to be mitigated before it can be developed such as wetlands. The DRC recommends denial.

Dave Freiss

Mr. Freiss is with the Freiss Development Group, because of the wetlands issues they feel this property is better developed as residential instead of commercial. They feel they can design the property better with a residential use to address the wetlands issues. The development would be an active adult community with single level rambler style homes.

This item was opened for public comment. There was no public comment on this agenda item.

Commissioner Lewis shares the ideas of Mr. Anderson; he feels this will be a crucial corridor for future development. It has been stated the land close to the frontage road will not be developable or usable for commercial development due to the wetlands issues. He is concerned because there is currently a ton of homes in that area. He explained one reason he would support this development is because it would utilize the property even though he would like to have them develop along the road.

Commissioner Miya would like to wait and see commercial development, she also is concerned because there is a lot of high density housing in that area and is hesitant to go forward with this at this time.

Commissioner Marshall agrees with them. He feels the City has a General Plan that is well thought out and doesn't see it should be changed at this point.

Mr. Anderson added again that the wetlands along Expressway Lane would inhibit visibility and would not be good for commercial development at this time.

Commissioner Lewis feels that without the visibility he would support some other use for the property.

Mr. Anderson expressed that he believes the broader picture of the area in the future of the City, one would have a hard time finding properties as well suited as this for commercial development.

Commissioner Robins stated they already have a lot of traffic and high density in that area.

Commissioner Lewis noted our children will only be able to afford that type of housing area.

Commissioner Huff agrees with the comments and stated they have been reminded many times there is a lot of high density in this area and the stress it puts on everyone.

Commissioner Huff **moved** to recommend denial of the proposed Zone Change and General Plan Amendment for the Freiss Development Group located at 1100 East Expressway Lane based on the following findings:

Findings:

1. That the most appropriate land use designations are Light Industrial or Commercial.
2. That the Light Industrial and Commercial uses will become more viable as Expressway Lane is extended to the East.
3. That the Planning Commission has consistently expressed concerns with high density residential development in this area of the City.

Commissioner Miya **seconded** and the motion **passed** by a roll call vote. Commissioner Lewis voting Nay. Commissioners Miya, Robins, Marshall, Christianson and Huff voting Aye. Commissioner Lewis stated his reason is because the wetlands are so close to road, if they could put commercial right on the road it should stay commercial, there is a lot of density in the area and they need affordable housing the Commission will have to be willing to support developments like this to get that. He feels since it is proposed as an adult living community it is different than the other developments in that area.

Trails Master Plan

Applicant: Spanish Fork City

Location: Citywide

Mr. Anderson explained the proposed Trails Master Plan; this plan is an upgraded and more detailed plan that designates width, building materials etc. This includes the realignment of the Bonneville Shoreline Trail. Several months ago Councilman Chris Wadsworth started meeting with a City Trails Committee and discussions have ranged broadly from funding, building, repairing, and the location of trails. They have been working hard to accomplish a workable trails plan.

Discussion was made regarding the proposed location of the Bonneville Shoreline Trail.

Commissioner Lewis thanked Councilman Chris Wadsworth for all his work on the trails, getting funding and creating trails. He also thanked Chris Thompson and the great job he has done with the rest of the staff. The City has been doing a lot of good things with the trails and he has enjoyed serving on the trails committee. He would like to forward this to the City Council to implement the proposed plan.

Commissioner Marshall expressed concern that we get the trails crossings on the plan so that UDOT can accommodate the City's needs with the projects they're planning.

Discussion was made regarding the road crossings.

Commissioner Christianson **moved** to recommend to the City Council adoption of the Trails Master Plan as proposed. He added that the I-15 crossings be added to the UDOT plan to prevent any future issues. Commissioner Lewis **seconded** and the motion **passed** all in favor by a roll call vote.

STAFF REPORTS:

Hatch Annexation and Growth Boundary Amendment

Applicant: CW Management

General Plan: Residential 1.5 to 2.5 units per acre

Zoning: R-1-15 Requested

Location: approximately 1800 South 600 West

Mr. Anderson explained this property was included after they adopted the Old Mill development to ensure access. This property has run through the proper process and has had no protests received. This would be for the Annexation and zoning designation of the property.

Commissioner Lewis **moved** to recommend approval to the City Council of the proposed Hatch Annexation and accompanying Growth Boundary Amendment, assigning R-1-15 zoning to the Annexation subject to the following conditions:

Conditions:

1. That the SESD power buyout be completed before recordation.
2. That a boundary agreement be executed with the neighboring property owner before the plat is recorded.

Commissioner Christianson **seconded** and the motion **passed** by a roll call vote all in favor.

Commissioner Lewis **moved** to adjourn out of the public hearing at 8:24 p.m. Commissioner Marshall **seconded** and the motion **passed** all in favor.

OTHER DISCUSSION

Clarification on proposed Farnworth Zoning Text Amendment

Mr. Anderson stated this item was not sent back to the Commission for discussion but for clarification of the motion made.

Commissioner Christianson explained his concern, some flag lots are necessary because surrounding properties have been created it that way that flag lots are necessary. However, he feels to take a large lot already in an improved subdivision and then subdivide it is not good.

Commissioner Robins says he understands the history behind flag lots. He feels they came from an agricultural base, back when we had big lots and farmers needed access to their property. He feels flag lots can be detrimental to safety and used the close proximity of driveways on 900 East as an example. Too much coming and going in that small of a section creates concern for people walking, he feels it is also unattractive and raises privacy issues. With the specific lot requested the people bought the houses around assuming there would not be a house built in their backyard, he feels it does not benefit the City as a whole to build like that.

Planning Update

Mr. Anderson gave some dates for upcoming meetings and training, such as the Utah League of Cities and Towns in September. He explained Thursday is dedicated as planner's day. There will also be a two day training held by Utah Local Governments Trust, he cannot speak highly enough about this training, it is outstanding. He feels every Commissioner within the first year or two should attend these trainings. He also proposes on September 15, 2007 getting out and looking at development in other cities.

Mr. Anderson gave an update on the North Park development. He stated announcements will be made by the big retailers sometime in September.

Commissioner Lewis feels the development is great.

Mr. Anderson stated the interest in the area for commercial development has been great.

Cody Roberts

Mr. Roberts explained they have the property annexed and boundary lines adjusted. It is under contract and the wetland delineation has been done. They are hoping to come back to the Commission for approval next month they would just like to get some information if the Commission would like to see anything changed before they formally submit their proposal.

ADJOURN

Commissioner Christianson **moved** to adjourn the meeting. Commissioner Marshall **seconded** and the motion **passed** all in favor.

The meeting **adjourned** at 8:48 p.m.

Adopted: September 5, 2007

Kimberly Robinson, Deputy Recorder