

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

Agenda review 6:30 p.m.

**Commission Members Present:** Chairman Del Robins, Michael Christianson, Dave Lewis, Shane Marshall.

**Staff Present:** Dave Anderson, Planning Director; Chris Thompson, Assistant City Engineer; Shelley Hendrickson, Planning Secretary.

**Citizens Present:** Kimberly Dewey, Paul Wittsell, Ernst Eichler, Scott Jarvis, LaDean Jarvis, Gary Jarvis, Danny Davis, Mike Davis, Sadie Young, Suzan MeEwan, Valerie Perry, Chester Perry, Sharon Bies, Susan Thompson, Kent and Kari Barber, Dan Williams, Suzette Allen, Christine Domiguez, Clark Olsen, James Webster, Drew S. Thompson, Virginia Biggs, Ana E. McWhorter, Deidre Henderson, Jed Morley, Sharon Storrs, Jan Storrs.

**CALL TO ORDER**

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

**PRELIMINARY ACTIVITIES**

**Pledge**

Commissioner Christianson led the pledge of allegiance.

Chairman Robins excused Commissioner Huff and Commissioner Miya.

**Minutes**

**October 3, 2007**

Commissioner Lewis made a **motion** to **approve** the minutes of October 3, 2007; with the noted corrections. Commissioner Christianson **seconded** and the motion **passed** all in favor.

## **PUBLIC HEARINGS**

Commissioner Christianson **moved to open** into Public Hearing. Commissioner Lewis **seconded** and the motion **passed** all in favor at 7:03 p.m.

### **Spanish Fields Business Park Preliminary Plat**

Applicant: Dan Williams

General Plan: Light Industrial

Zoning: Industrial 1

Location: approximately 2000 North Chappel Drive

Mr. Anderson gave background and explained that in order to provide traffic circulation in this area an expansion of 1100 east from a three lane to a five lane road would be needed and the applicant would need to provide 15 feet more than is shown on the plat. Mr. Anderson expressed concern about wetlands on the subject property which the developer may have delineated with the core of engineers, he did not know because the city requires developers to deal with the core of engineers. Final Plat approval cannot take place without the wetland approval through the state.

Dan Williams

Mr. Williams explained that he did have a professional look at the wetland issues and does not know if it has been recorded with the core. He asked for the width of the 5 lane right-of-way and Mr. Thompson gave him the specifications.

Discussion was held regarding the storm drain ditch and the realignment of it.

No public comment.

Commissioner Lewis supports the project but only with approval from the core of engineers.

Commissioner Lewis made a **motion** to recommend **approval** of the proposed Preliminary Plat for the Spanish Fields Business Park subdivision 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 Industrial 1 zone.

### **Conditions**

1. That the applicant address redlines provided by the City and submit 3 corrected copies of the plat for the City's files.
2. That the applicant makes any necessary adjustments to the right-of-way widths on his submittal for Final Plat approval.
3. That the applicant have the wetland issues reviewed and approved by the core of engineers and any unmitigated wetland areas be removed as lots at Final Plat.

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

### **Spanish Fork Storage Conditional Use and Ordinance Amendment**

Applicant: Jed Morley

General Plan: General Commercial

Zoning: Industrial 2

Location: Arrowhead Trail and Del Monte Road

Mr. Anderson explained in order for the applicant to develop with a high level of quality the ordinance needs to be amended and explained the changes that would need to be made in the ordinance. He feels that given all the facts this is the best decision for the city and explained the Development Review Committee was not comfortable in supporting all of Mr. Morley's requests because of several properties within the city zoned I-2 that are islands within residential zones which heighten concerns with all of Mr. Morley's requests.

Commissioner Christianson asked about notification to adjacent property owners. Mr. Anderson explained the notification process and standards.

Jed Morley

Mr. Morley explained he has spent a lot of time with consultants in designing a concept plan. He realizes this is a gateway to the city and feels he will have adequate parking, lighting, and a decorative wall that would be pleasing to the eye and reduce sound, and noise. He feels this will be more of a retail look than a self storage.

Chairman Robins does not like shrinking setbacks and asked Mr. Morley to help him understand how shrinking the setback would be the best option.

Mr. Morley explained the architecture of the wall will be very pleasing and in front of that will be nice landscape as well as an existing canal that will serve as cushion between his proposal and adjacent properties.

Commissioner Christianson asked Mr. Morley if he had researched or thought of other uses.

Mr. Morley explained that he had but feels his proposal is conducive to the current market demand.

Discussion was held regarding zoning, and what Mr. Morley's concept request for a conditional use would be.

James Webster

Mr. Webster appreciates Mr. Morley's comments. He feels the proposal will be an eyesore and cannot make sense of an Industrial zone being next to a low density residential zone. He feels the city should look at zoning this property to residential.

Mr. Anderson passed out the concept plan for the architecture of the proposed masonry wall.

Mr. Morley explained the concept plan and feels that it is very pleasing to the eye.

Diedre Henderson

Ms. Henderson asked where the ingress and egress would be. Mr. Morley explained. Ms Henderson feels that the access onto Del Monte is not good and does not see how the road could accommodate an increase in traffic.

Discussion was held regarding the use at the proposed site and that traffic would be affected no matter what. Chairman Robins discussed with Ms Henderson what she felt would be the best Industrial use on the property.

Clark Olson

Mr. Olson explained that Arrowhead peaks right in the middle of the proposed project and feels that there will be a lot of accidents. Would like to see professional office buildings and feels they would be the best fit.

Sharon Bies

Ms. Bies explained she was in an accident in Provo where a vehicle hit her because they failed to see her due to a reduced setback. She feels that she is living proof that the reduction in setbacks is dangerous.

Mr. Morley feels that the setback issue only applies to the residential side and will not affect visual on the other sides.

Mr. Anderson explained that this setback will not change the line of sight requirements on the intersection.

Discussion was held regarding site design, the conditional use approval process and notification standards.

Commissioner Christianson feels that something other than a wall would be preferable at the egress and ingress of Quail Hollow and feels the city could put in a right turn lane on Del Monte.

Commissioner Marshall made a **motion** to recommend **approval** of the proposed changes to Title 15 changing the footnotes found on Table 2 – Commercial and Industrial Development Standards by adding:

3 – The setback for self storage units in the I-2 Zone may be reduced by the Planning Commission as noted in 15.3.16.130 E 1.

Second revision involves adding language to the description of the Industrial 2 Zone, 15.3.16.130 I-2 Medium Industrial, A. Permitted Uses, E. Development Standards, 1. The setback for self storage units may be reduced to as little as 10 feet, at the discretion of the Planning Commission, based on the creation of an adequate buffer between the self storage units and the adjacent property. The adequate buffer shall include landscaping, architectural upgrades and any other measures deemed necessary by the Commission.

Commissioner Lewis **seconded** and the motion **passed** by a roll call vote. Chairman Robins voted nay. He feels there is no good reason to shrink a setback for any use.

### **Maria Cristina Dominguez Zone Change**

Applicant: Maria Dominguez

General Plan: Residential 5.5 to 8 Units Per Acre

Zoning: R-1-6

Location: 630 East 800 North

Mr. Anderson explained the applicant has a City business license for a home occupation daycare and in order to have a home occupation in Spanish Fork City you must reside at the residence. The applicant no longer wishes to reside at the subject property and is proposing to change the zoning from R-1-6 to C-2. The Development Review Committee's recommendation was to deny the zone change and explained that at present properties immediately north are general planned for commercial uses and the commission may want to consider a change on that side.

Maria Dominguez

Ms Dominguez said her purpose was for the request was to increase her business and help out the city by tending more children.

Gary Jarvis

Mr. Jarvis feels that if it was to be zoned commercial what would happen to the zoning on the adjacent properties. He supports any change; anything to get rid of the snakes.

Gloria Christensen

Ms. Christensen submitted a letter to be read. Chairman Robins read the letter. Ms. Christensen is opposed to this change.

Troy Christensen

Mr. Christensen is not for the zone change and feels that the lot is too small and that 800 north is too busy.

Chairman Robins feels that the property would not support commercial parking and is not a big enough parcel to support commercial at this time.

Commissioner Marshall made a **motion** to recommend **denial** of the proposed Maria Cristina Dominquez Zone Change request, changing the zoning at approximately 630 East 800 North from R-1-6 to Commercial 2, based on the following findings:

### **Findings**

1. That the proposed Zone Change is not consistent with the General Plan.
2. That the proposed Zone Change would establish incompatible uses on adjacent properties.
3. That the subject property is not sufficiently sized to accommodate a functional commercial development.

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

### **Envision General Plan Amendment**

Applicant: Kay Heaps

General Plan: Residential 1.5 to 2.5 Units Per Acre

Zoning: R-1-15 requested

Location: 600 South 2550 East

Mr. Anderson explained the dividing line for what is currently planned for residential zone.

Commissioner Marshall asked if the City had a number of how many it can serve with regard to utilities. He does not feel that he has been presented with enough material to make a decision with regard to this proposal.

Mr. Anderson explained reports have been prepared and will be presented soon.

Kay Heaps

Mr. Heaps explained that Mr. Hallam's property will remain a R-R zone and the property adjacent will be R-1-15.

Commissioner Lewis feels that the entire area adjacent to the proposal should be R-1-15 and until the railroad crossing at 2550 east reopens the city should not approve anymore development in this area.

Discussion was held regarding the time frame on the reopening of the railroad crossing at 2550 east, and the configuration of the crossing.

Commissioner Robins said he will not support anymore development in this area until the railroad crossing reopens. Commissioner Lewis agreed.

Commissioner Lewis **moved** to recommend **approval** of the proposed General Plan Amendment at approximately 600 South 2550 East, changing the General Plan from Residential 1 unit per 5 acres to residential 1.5 to 2.5 units per acre based on the following findings:

### **Findings**

1. That the proposed Amendment would allow for development that is consistent with what the City is planning in the immediate vicinity.
2. That the City has adequate utility capacity to serve development with the residential 1.5 to 2.5 units per acre General Plan designation.

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

### **Christensen General Plan Amendment**

Applicant: Kimberly Dewey

General Plan: Residential 1.5 to 2.5 Units Per Acre existing

Residential 2.5 to 3.5 Units Per Acre proposed

Zoning: R-1-12 requested

Location: approximately 200 North 2600 East

Mr. Anderson explained where the cut off for the higher density residential housing so as not to have a homogenous area. He expressed the importance of maintaining consistency with the current general plan.

Kimberly Dewey

Ms. Dewey agreed with the comments and feels the city should not have a homogenous area but asked the commissioners to take into consideration some unique factors with this particular proposal: explained the power lines, 2550 east collector road and a high power city power line. She feels that the property continues to shrink in size and does not feel that people would want to live in a half million dollar home by high power lines and two major collector roads. She then explained what she felt would be financial feasible.

Ms. Stors asked Ms. Dewey what she felt the smallest lot size would be.

Ms. Dewey replied 8,000 square feet.

Discussion was held regarding the easement for the Rocky Mountain power line, collector road size, a master planned development for the proposal and what the lot sizes would be, and the trail system in the area.

Commissioner Lewis feels that there are some issues worth supporting but would not support 8,000 square foot lots.

Discussion was held regarding the railroad crossing, time-frame for preliminary plat approval, size of the dwelling and cost of the homes, size of the 2550 east collector road, and possible number of lots.

Mr. Anderson explained that up until today he understood that Ms. Dewey would be doing 2.4 units per acre.

Sharon Stors

Ms. Stors feels that their property will be devalued if the lot sizes are smaller.

Commissioner Christianson feels that if they grant this proposal higher density than what will happen will the next person want even more. He agrees with staff's recommendation on this.

Commissioner Marshall recognizes there are extenuating circumstances in the area but still feels that a lower density is best.

Commissioner Christianson **moved** to recommend **denial** of the proposed General Plan Amendment at approximately 200 North and 2600 East, changing the General Plan from Residential 1.5 units per 2.5 acre to Residential 2.5 to 3.5 units per acre based on the following findings:

### Findings

1. That the current General Plan designation encourages the most functional pattern of land uses on the northeast bench.
2. That the applicant can essentially accomplish their ultimate goal without changing the General Plan.

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

Commissioner Lewis voted nay. He feels with the extenuating circumstances due to the

railroad tracks, the proposed power line on 2550 east and increased road width on both collector roads he is willing to reduce the lot size to 12,000 square foot lots.

Commissioner Lewis **moved** to end public hearings. Commissioner Christianson **seconded** and the motion **passed** all in favor at 8:45 p.m.

## **STAFF REPORTS**

### **Kelly Annexation**

Applicant: Preston Naylor  
General Plan: Light Industrial  
Zoning: Industrial 1 requested  
Location: 750 West 1000 North

Mr. Anderson explained the proposal and that the applicant would need to enter into an annexation agreement that would spell out the easements they would need to provide before the property can develop; thus, ensuring that whether the Old Depot project finalizes this proposal could stand alone.

Discussion was held regarding power.

Commissioner Christianson **moved** to recommend **approval** of the proposed General Plan Amendment at approximately 600 South 2550 East, changing the General Plan from Residential 1 unit per 5 acres to Residential 1.5 to 2.5 units per acre based on the following findings:

### **Findings**

1. That the proposed Amendment would allow for development that is consistent with what the City is planning in the immediate vicinity.
2. That the City has adequate utility capacity to serve development with the Residential 1.5 to 2.5 units per acre General Plan Designation.

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

## **OTHER DISCUSSION**

Mr. Anderson said that Mr. Nielson asked him to talk with the commissioners and see if they would consider changing the meeting night next year to Tuesday instead of Wednesday. The decision was to remain the same night.

Commissioner Lewis would like a report of the city councils votes in the agenda packet and asked for a status on the police/court building.

Mr. Thompson concurred.

Discussion was held regarding the field trip that the Planning Commissioners went on.

### **ADJOURN**

Commissioner Christianson **moved to adjourn**. Commissioner Lewis **seconded** and the motion **passed** all in favor at 8:56pm.

**Adopted: December 5, 2007**

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Shelley Hendrickson, Planning Secretary