

**Adopted Minutes  
Spanish Fork City Planning Commission Meeting  
July 2, 2008**

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

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

**Citizens Present:** Matthew Esplin, Garry Ferre, Shirley Ferre, Shelley Lefevre, Farron Lefevre, Chip Farnsworth, David Isaac, Gilbert M. Jensen, Jessie White, Janine Sandbakken, Tucker Sandbakken, Lindsey Wolsey, Brenden Clements, Jennifer Fulton.

**CALL TO ORDER**

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

**PRELIMINARY ACTIVITIES**

**Pledge**

Chairman Robins led the pledge of allegiance.

**Adoption of Minutes: June 4, 2008**

Commissioner Huff **moved** to **approve** the minutes of May 7, 2008. Commissioner Christianson **seconded** and the motion **passed** all in favor.

**PRESENTATION**

**Transportation Master Plan – Horrocks Engineering**

Mr. Anderson introduced Horrocks Engineering and said they would be giving an update on a Transportation Master Plan for Spanish Fork City.

Mr. Kelly Ash presented regarding typical cross sections (major arterials, minor arterials, collector, commercial local roads, residential local roads - discussion was held regarding residential sub-local street lengths, monolithic sidewalk curb and gutter and PUD's), existing conditions, travel demand forecasts with and without improvements, future public transit and railroad realignment.

Mr. Ron Mortimer gave an update on the current I-15 reconstruction project regarding Spanish Fork City and Highway 6.

Commissioner Christianson **moved** to **open** into public hearing. Commissioner Marshall **seconded** and the motion **passed** all in favor at 7:42 p.m.

## **PUBLIC HEARINGS**

### **Farnsworth Zone Change**

Applicant: Chip Farnsworth

General Plan: Residential 2.5 to 3.5 Units Per Acre

Zoning: Rural Residential existing, R-1-9 requested

Location: 1355 East Canyon Road

Mr. Anderson explained the proposal. He said that the number of residential dwellings Mr. Farnsworth could have would be three, but that he would need to work out the ingress and egress with the Department of Transportation.

Chairman Robins welcomed public comment.

Mr. Garry Ferry asked if the Zone Change was for residential, because he would be opposed to commercial.

Mr. Anderson explained the Zone Change was for residential and not commercial uses.

Commissioner Marshall **moved** to recommend to the City Council that the Farnsworth Zone Change be **approved** based on the following findings:

### **Findings**

1. That the proposed change is consistent with the General Plan.
2. That R-1-9 zoning is consistent with the surrounding zoning, particularly of the properties to the north.

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

### **ALA Zone Change**

Applicant: American Leadership Academy

General Plan: Residential 1.5 to 2.5 Units Per Acre

Zoning: Rural Residential existing, R-1-15 proposed

Location: 1050 South Mill Road

Mr. Anderson gave background information, explained the proposal and said that there were a couple of items left unfinished from the original construction of the school; the lack of completion of street improvements on Del Monte Road and the park strip on Mill Road. He said that staff would be recommending that the City Council require the items to be finished before the Zone Change ordinance is edited.

(illegible) explained that the football team does not have anywhere to go at half time during games and feel it is a hazard. He said that they are planning to build a locker room and classroom. He said they were recently made aware of the unfinished street improvements and park strip and were working with the developer to get them finished. He would not like for the improvements to hold up his proposal.

Chairman Robins welcomed public comment.

Mr. David Isaac said he was completely unaware of the changes and feels that a neighborhood meeting should have been held. He does not feel it was fair to the neighbors that a building was built that did not conform to the City's standards and does not feel that the zone should be changed just to fix the developer's mistake.

Commissioner Huff asked about the DRC minutes and the building of classrooms above the bleachers. The applicant explained what they planned to build and said it would not be taller than the press box that is currently there. Mr. Huff expressed that the facility was built without getting approval and now the developer is requesting to fix something that someone did wrong.

Discussion was held regarding setbacks and maximum building height.

Commissioner Huff feels that this request further complicates the situation and feels that it is unfair to the neighbors.

Discussion was held regarding the setbacks and how the developer was able to build a structure that did not meet the City's setback standards. Mr. Anderson gave background information on the building (the building was built without a permit) and said he feels that the City and the tenants are trying to make the situation better.

Commissioner Marshall said he feels the damage is done and that approving the proposal will not negatively impact adjacent property owners. He feels this proposal makes the property better.

Commissioner Huff said he feels that there is a concern if a structure is being built on top of a non-conforming structure.

Chairman Robins said he feels okay with granting the proposal.

Commissioner Marshall **moved** to recommend to the City Council that the ALA Zone Change be **approved** based on the following findings and subject to the following conditions:

### **Findings**

1. That the proposed change is consistent with the General Plan.
2. That R-1-12 zoning is consistent with the surrounding zoning of the property to the north.

### **Conditions**

1. That the public street improvements on Del Monte be completed.
2. Park strip on Mill Road be landscaped and completed.

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

Chairman Robins strongly recommends that the ALA board have a neighborhood meeting.

### **White General Plan Amendment**

Applicant: Dan and Claire White  
General Plan: Residential 5.5 to 8 Units Per Acre existing, General Commercial requested  
Zoning: R-1-6, C-2 requested  
Location: 900 North 200 East

Mr. Anderson explained the proposal.

Discussion was held regarding the General Plan and whether or not the homes could be adapted to some type of commercial use.

Chairman Robins welcomed public comment.

Mr. Barry Carlson expressed he wanted the option to change his property from residential to commercial so that if a big box store were to come in behind him his property value would not be affected and he could move.

Ms. Glenda Collins said she was unaware of the changes and felt more neighbors should have been notified. Mr. Anderson explained to her that a 300 foot radius from the property was the standard for which neighbors receive public notices. She then asked for clarification on the General Plan designations. Mr. Anderson explained them. Ms. Collins said she feels that there should be more input on this and does not feel that the North Park was well received and green space issues were violated. She expressed her concern that there is a conflict of interest because Mayor Joe Thomas owns the property. She said she was completely opposed to the proposal.

Gilbert Jensen

Mr. Jensen is concerned with an impediment of view and aesthetics. He feels that the neighbors should be involved in what is going to be done on the proposal.

Joe Thomas

Mr. Thomas does not see any conflict of interest. He expressed that he feels the North Park development will benefit the City and would like his name to go down in history regarding North Park because it will be one of the best things to happen to the City. He expressed his delight that the neighbors on the corner would like to be included in the Zone Change because businesses have shown an interest and have asked about the corner properties.

Ms. Claire White said she feels they are already across from the busy post office on a busy road and would like the option to move.

Mr. Jensen feels there should be a buffer zone between commercial and residential. He feels the proposal should be tabled so that other property owners can be contacted to see if they would be amiable to changing to commercial.

Mr. Anderson explained that the applicant's approached the City to have their properties changed. The City did not approach them and that the Planning department would be more than happy to go through a formal process to get some feedback on what adjacent property owners would support. He does not feel that the proposal should be held up by expanding the scope to include additional properties.

Commissioner Stroud feels the Professional Office zone would be an appropriate buffer along the north side of 900 North.

Commission discussion was held regarding treating this proposal as a bigger picture.

Commissioner Marshall **moved** to recommend to the City Council that the White General Plan Amendment be **approved** based on the following finding:

### **Finding**

1. That the proposed change is consistent with the proposed Zone Change to the north.

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

### **Thomas Zone Change**

Applicant: Joe Thomas

General Plan: General Commercial and Residential 9 to 12 Units Per Acre

Zoning: R-1-6 and R-3 existing, Commercial 2 requested

Location: 950 North 200 East

Mr. Anderson explained the proposal.

Mr. Don Thomas explained that they were faced with a dilemma regarding the property and felt it would be a benefit to the City to change the zoning. He feels the businesses that have considered the property are clean and would be unobtrusive to the neighbors. They are trying to be fair and feel it would clean up something that has been an eyesore.

Chairman Robins asked what size the stores would be.

Mr. Anderson said that there had not been any type of commitments, but six 7,000 square foot buildings are most likely.

Chairman Robins welcomed public comment.

Mr. Jensen is concerned with the density and objects to a building that is tall. He said he would like to see the entire block change as a unit.

Ms. Collins is opposed to the development and said the City should look at other property across I-15 and stop encroaching on residential.

Commission discussion was held regarding supporting the proposal and it being in the City's best interest.

Commissioner Christianson **moved** to recommend to the City Council that the Thomas Zone Change be **approved** based on the following finding:

### **Finding**

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

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

*Five minute break at 9:00 p.m. Reconvened at 9:07 p.m.*

### **Esplin Industrial Park**

Applicant: Reed Esplin

General Plan: Light Industrial

Zoning: Industrial 1

Location: 900 East 1950 North

Mr. Anderson explained the proposal. He said that the wetlands would need to be mitigated. Mr. Thompson explained the mitigation options. Mr. Anderson said that 1100 East would be significant and it is planned as a 104-foot right-of-way and will be a larger facility than what the proposal would use.

Commissioner Christianson asked for the City's standard on cul-de-sac length.

The applicant explained their plans.

Discussion was held regarding retention basins, roads, access and 1100 East.

Chairman Robins welcomed public comment. There was none.

Commissioner Stroud recommended a temporary access to the basin from the cul-de-sac.

Commissioner Huff **moved** to recommend to the City Council that the proposed Preliminary Plat for the Esplin Industrial Park be **approved** subject to the following conditions:

### **Conditions**

1. That the applicant meets all of the conditions of the previous approval.
2. That the wetland issue be resolved before phase two of the development is approved.
3. That a development agreement be executed to provide for the dedication and construction requirements of 1100 East.

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

Commissioner Huff **moved** to **close** public hearings. Commissioner Marshall **seconded** and the motion **passed** all in favor at 9:24 p.m.

### **STAFF REPORTS**

#### **Old Mill Estates**

Applicant: CW Management

General Plan: Residential 1.5 to 2.5 Units Per Acre

Zoning: R-1-15

Location: 1500 South Mill Road

Mr. Anderson gave background information and explained that the reason for the proposal was access. He explained that a traffic study done by Horrocks Engineering regarding Mill Road, said that it revealed that traffic would be split in a

70/30 fashion onto Mill Road, and pointed out that some improvements were needed to raise Mill Road to handle the traffic.

Commissioner Christianson asked for an update on sewer issues. Mr. Anderson said that the City Council had approved a joint use of a lift station with Salem City. Commissioner Christianson feels that drainage will be a problem. Mr. Thompson said that drainage was not addressed at the Preliminary Plat stage.

Mr. Wayne Niederhauser explained that they had applied to the Utah Department of Transportation 18 months ago regarding access onto Arrowhead Trail. He said that they were given the okay, then there was a change in staff, and the new employee was not in favor of the access. He explained the appeal process and his options. He then explained the sewer agreement with Salem and where the sewer line would run.

Discussion was held regarding the subdivision and ingress and egress.

Duane Kirkham

Mr. Kirkham feels that most of the people on Mill Road do not even know what is going on. He feels that the proposal is back to square one. He does not feel that Mill Road will be able to handle any increase in traffic.

Discussion was held regarding the improvement of roads and special improvement districts.

Mr. Kirkham would like a resolution on Mill Road before traffic is increased.

Commissioner Marshall feels that the new proposal is a much safer way for traffic. He does not feel that this proposal will create significant traffic onto Mill Road and does not see the need to stop the proposal.

Commissioner Huff feels that the access through Academy Park is vital.

Chairman Robins said he was concerned that there were not more residents present that live along Mill Road

Discussion was held regarding the layout of the plat and Mr. Kirkham's desire to have a public hearing.

Mr. Anderson explained that the City would have no legal basis to require the applicant to hold a public hearing.

Chairman Robins explained that he felt the only way to get Mill Road upgraded would be to allow development.

Ms. Kirkham feels that the access onto Del Monte Road is absolutely necessary, and Mill Road will be okay if the Del Monte Road access is constructed.

Discussion was held regarding the Del Monte Road access and Mr. Anderson said he felt there was a way to address the access to Del Monte Road.

Mr. Niederhauser explained where the features would be moved to, the masonry wall, the sewer lift station, and being amiable to waiting a month if the Commission chose to continue the proposal.

Discussion was held regarding what changes could be made if the Utah Department of Transportation denied the access to Arrowhead Trail, the developer's timeframe, access to Del Monte Road, and options for a motion.

Mr. Thompson explained what Horrocks Engineering reported regarding the access to Arrowhead trail.

Chairman Robins is not concerned with Mill Road. He said he is concerned with the plat only has a single access.

Commissioner Huff **moved** to **table** the Amended Preliminary Plat for Old Mill Estates. Commissioner Robins **seconded** and the motion **passed** all in favor by a roll call vote.

### **700 West Annexation**

Applicant: Spanish Fork City

General Plan: Light Industrial

Zoning: Industrial 1

Location: approximately 1500 North 700 West

Discussion was held regarding the property being a benefit to the City, readying properties for development, and who would pay for the improvements.

Commissioner Marshall **moved** to recommend to the City Council that the proposed 700 West Annexation be **approved** based on the following findings:

### **Findings**

1. That the annexation area is located within the City's Growth Management Area.
2. That the annexation area is planned for industrial development.
3. That the City can provide the necessary services to the annexation area.

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

### **Other Discussion**

#### **Discussion on Planning Commission work program**

Mr. Anderson explained to the Commission that by their next meeting information would be made available regarding the multi-family housing moratorium. Mr. Anderson is concerned with Site Plan requirements and the lack thereof. He asked the Commissioners for their input. He also said that staff is getting to a point where they feel there is a negative impact from some of the industrial zones in town.

Discussion was held regarding Mill Road and a special service district.

### **Adjournment**

Chairman Christianson moved to **adjourn**. Commissioner Robins **seconded** and the motion **passed** all in favor at 10:38 p.m.

**Adopted: August 6, 2008**

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Shelley Hendrickson, Planning Secretary