

**Adopted Minutes
Spanish Fork City Planning Commission
March 4, 2009**

Commission Members Present: Del Robbins, David Stroud, Sherman Huff, and David Lewis. Mike Christianson and Shane Marshall were absent.

Staff Present: Dave Anderson, Planning Director; Chris Thompson, Assistant Public Works Director; Kirk Nord, Assistant City Attorney; and Marlo Smith, Engineering Secretary.

Citizens Present: Gloria Christensen, Jerry Christensen, Lee Riesre, Joseph Brierley, Anne Brierley, Cameron Gunter, Scott Jarvis, La Dean Jarvis, Andrew Deaver and Christina Deaver.

CALL TO ORDER

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

PRELIMINARY ACTIVITIES

Pledge of Allegiance

Commissioner Lewis led the pledge of allegiance.

Approval of Minutes: February 4, 2009

Commissioner Huff made a **motion** to approve the minutes of February 4, 2009. Commissioner Stroud **seconded** and the motion **passed** unanimously.

PUBLIC HEARINGS

Gateway Commerce Preliminary Plat

Applicant: SF North Land LLC

General Plan: Light Industrial

Zoning: Industrial 1

Location: approximately 3400 North Main

Commission Lewis made a **motion** to move into the public hearing portion of the meeting. Chairman Robbins **seconded** and the motion **passed** unanimously.

Mr. Anderson reviewed the background of the proposal. He said the applicants are applying to amend the preliminary plat to allow for a creation of two separate lots. The outstanding issues are found on page two of the staff report.

Chairman Robbins invited public comment.

There were no comments.

Commissioner Huff made a **motion** to recommend approval of the Gateway Commerce Park Preliminary Plat subject to the following conditions:

1. That the applicant meets all of the City's construction and development standards.
2. That the applicant submits an amended Site Plan that identifies the necessary improvements.
3. That the applicant makes all improvements within 30 days except the landscaping; which will need to be done by June 1, 2009.
4. That all corrections identified on the City's redlines be complete before this Plat is presented to the City Council for approval.

Commissioner Lewis **seconded** and the motion **passed** unanimously. A roll call vote confirmed the unanimous vote.

Ronald Dallin Zone Change

Applicant: Ronald Dallin

General Plan: General Commercial

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

Location: 700 East 900 North

Mr. Anderson discussed that after last month's Planning Commission meeting this item was continued with the direction to staff to expand the scope of the zone change provided legal notice to the property owners. The letters were sent to the neighbors included in the zone change area. Staff is recommending to zone change to include the proposed rezone area with the condition that the property owner consents to the zone change and that there is some measure of continuity in the rezone area.

Chairman Robbins invited public comment.

Christina Dever

Ms. Dever stated that she is wondering what the zone change will mean for their home. Will they no longer be able to reside in their home and would they have to sell to a business.

Mr. Anderson stated that changing the zoning to commercial will not impede any property owners with dwellings to continue to use those homes as they are being used now for as long as they want to. This would restrict certain changes to the homes or property. Mr. Anderson discussed that the footprint of the home could not be changed but remodeling the interior structure would still be allowed. He also stated that it could not be changed into a duplex or an apartment could not be added. The homes would be considered legal non-conforming in the C-2 zone.

Ms Dever asked what the owner of the adjacent property planned to do, such as develop soon or just change the zone for future.

Mr. Anderson said the area to the North that is already zoned C-2 has an approved site plan. Mr. Anderson said he is not aware of a concept plan or any immediate plans that Ron Dallin has for his property.

Ms. Dever stated she is okay with the rezone as long as she is allowed to choose when they want to move away.

Jerry Christensen

Mr. Christensen said he lives on 800 North in the middle of the block. His concern was if his property is not rezoned commercial he didn't feel the resale value of his property would be there if a commercial business was in his back yard.

Joseph Brierly

Mr. Brierly said he has considered the rezone and has no complaints.

Commission Stroud asked if the property owner next to Gold's Gym was in favor of the rezone.

Mr. Anderson concurred.

The Jarvis' were asked if they were in support of the rezone.

Mr. Jarvis asked if the rezone would have any effect on the value of the property if they were to refinance.

Mr. Nord said from a legal standpoint it would not affect the title. But he wasn't sure of affecting the value negatively.

Mr. Jarvis said when the basement was done there is one room that wasn't dug out. He asked if this room could be dug out in the future.

The commission agreed that this would be part of the existing footprint and would be allowed.

Chairman Robbins asked for any comments from the commissioners.

Commissioner Huff asked if all the surrounding area was commercial.

Mr. Anderson concurred.

Commissioner Huff made a **motion** to recommend approval of the Ronal Dallin Zone Change to change the parcel zoning to C-2 and all included properties. Commissioner Lewis **seconded** and the motion **passed** unanimously. A roll call vote confirmed the unanimous motion.

Commissioner Huff made a **motion** to move out of public hearing. Commissioner Stroud **seconded** and the motion **passed** unanimously.

OTHER DISCUSSION

Cameron Gunter

Mr. Anderson discussed that certain proposals for specific areas would work well but aren't allowed due to how the ordinance is regulated. Mr. Gunter is here to describe an area very direct and candid so that the planning commission can direct him to change his proposal or pursue it in current form.

Cameron Gunter

Mr. Gunter discussed that he is with PEG Development. He discussed current and past projects they have done such as the new Zions Bank in Provo.

Mr. Gunter presented a slideshow that reviewed the following:

- Past projects constructed by PEG Development
- Concept plan for properties acquired or under negotiation in Spanish Fork near Main Street and Volunteer Drive; that include mixed uses pertaining to multi-family residential and retail/office space.

Mr. Thompson stated that UDOT is working to obtain an easement across the City's property for a storm drain line. He recommends that Mr. Gunter look into this situation soon.

Mr. Gunter discussed that his proposal includes 150 apartments which would consist of 3-50 unit buildings and retail/office space closer to Main Street. Next to the apartments would include twin homes to blend into the current Spanish Trails development.

Mr. Gunter presented a proposed Commercial-Residential Overlay Zone.

Chairman Robbins asked if Mr. Gunter has had any discussion with UDOT as to traffic flow and access onto Main Street.

Mr. Gunter said at this time this is still a conceptual project and he has not spoke with UDOT.

Discussion took place regarding the irrigation canal and ditches in the area.

Discussion took place regarding the traffic congestion onto Main Street from Volunteer Drive.

Commissioner Lewis said that the proposal looks very nice and he would be in favor of what is being proposed if the traffic issue can be solved.

Mr. Thompson discussed that UDOT will be widening Main Street and adding a light at Volunteer Drive. This project should be starting soon.

Discussion took place as to what options for ordinance changes would be required.

Discussion took place on random items regarding the project such as tenants and time frame of project.

The planning commissioners discussed that this is a new concept for Spanish Fork.

Mr. Gunter asked if he had a recommendation to move forward with the project.

The Planning Commissioners concurred.

Discussion on Planning Commission work program

Mr. Anderson said likely in April there will be a joint Planning Commission and City Council meeting to discuss the work program.

ADJOURNMENT

Commissioner Huff made a **motion** to adjourn the March 4, 2009 Spanish Fork City Planning Commission Meeting. Chairman Robbins **seconded** and the motion **passed** unanimously. The meeting adjourned at 8:04 p.m.

Adopted: April 1, 2009

Marlo Smith, Engineering Secretary