

**Adopted Minutes
Spanish Fork City Planning Commission Meeting
February 3, 2010**

Commission Members Present: Chairman Michael Christianson, Del Robins, Shane Marshall, Rick Evans, Tyler Cope.

Staff Present: Dave Anderson, Community Development Director; Dave Munson, Planning Intern; Kirk Nord, Assistant City Attorney.

Citizens Present: Carol Davidson, illegible name, Chris Hailstone, Adam Lambert, Steve Broadbent, Allen Carter, Michelle Barlow, Scott Van Pelt, Nathan Christiansen, Zach illegible name, illegible name, Tanner Brinton, Bennett Brinton, illegible name, Brandon Norris, Lewis Stevens, William Brinton, Randy C. Giboney, Mark Dallin.

CALL TO ORDER

Chairman Christianson called the meeting to order at 5:59 p.m.

PRELIMINARY ACTIVITIES

Pledge

Commissioner Cope led the Pledge of Allegiance.

Adoption of Minutes: January 6, 2010

Commissioner Evans **moved to approve** the minutes of January 6, 2010. Commissioner Marshall **seconded** and the motion **passed** all in favor.

Commissioner Evans **moved to open** into public hearing. Commissioner Robins **seconded** and the motion **passed** all in favor at 6:00 p.m.

PUBLIC HEARING

Hailstone Zone Change

Applicant: Hailstone Homes, LLC

General Plan: General Commercial

Zoning: Residential Office and Rural Residential existing, Commercial 2 proposed

Location: approximately 800 South Main Street

Mr. Anderson introduced the project. He explained that the proposed Zone Change applies to an area that is the south half of a proposed project. The two properties are zoned Residential Office and Rural Residential, but are general planned to be General Commercial. As such, the Commercial 2 zone would fit with the General Plan. He explained that the adjacent properties are already zoned Commercial 2. He explained that the applicant wanted to build a full-service car wash on the site. He said that the DRC had recommended that the Zone Change be approved.

Chairman Christianson opened the item up for public comment. There was none.

Commissioner Cope explained that he was involved with the sale of one of the adjacent properties and would abstain from voting.

Commissioner Robins made a **motion** to recommend to the City Council **approval** of the Hailstone Zone Change. Commissioner Marshall **seconded** and the motion **passed** all in favor.

Spanish Fork Assisted Living Conditional Use Approval (continued from January 6, 2010)

Applicant: Rockworth Companies

General Plan: General Commercial

Zoning: R-1-8

Location: 1450 East 100 South

Mr. Anderson explained the background of the project from the last meeting. He explained that the City Council had approved the associated Zone Change. He explained that the Conditional Use permit allowed the Commission to apply any reasonable conditions to mitigate any detrimental impacts of the project.

Commissioner Robins asked if there would be a masonry wall along 150 South. Mr. Anderson mentioned that there is one currently there, but that it would be removed. He explained that the porte-cochere had been stepped back and that the parking had been redesigned to front onto the landscaping adjacent to 150 South. He mentioned that they had discussed with the applicant that delivery vehicles be required to access the site via the adjacent commercial center. He said that a perpetual easement would be needed to do this. He also said that the light from the parking along 150 South could be addressed by a short wall or hedge and suggested it as a condition of approval. He said that the DRC recommended that the proposed use be approved. He also said that light spillover was a concern.

Commissioner Robins asked if the trees in the elevation along 150 South would still be there. He asked if they would still be required to plant those. Mr. Anderson explained that the ordinance required that trees be planted along 150 South.

Commissioner Evans asked why certain conditions from the DRC were not included in the staff report and specifically asked about the turnaround on 100 South. Mr. Anderson mentioned that vehicles could be allowed to go through the parking lot to get out. Mr. Thompson explained that it was better than the previous dead end in that it allowed people to drive through or to back out. Commissioner Evans asked if the wall on the west side of the property was going to stay. Mr. Anderson said that it would and that a fence would need to be constructed along Highway 6 and the property to the East.

Chairman Christianson asked about storm drain. Mr. Thompson explained the City requirements.

Chairman Christianson opened the item up for public comment.

Alan Carter

Mr. Carter said that he had been asked by a neighbor, John Bailey, to read a statement. Mr. Bailey's letter said that they were renting the property west of the project. He said that the neighbors hoped the area would be developed residentially. He said that he was okay with the large buildings if they functioned as a buffer from the highway. He said that he was concerned about his view of the parking lot and the wall being taken down, which would open the house up for noise. He proposed creating a cul-de-sac with an 8-ft sound wall or moving the entrance to the parking lot to the easternmost end of 150 South. Mr. Carter gave some illustrations to Commissioner Christianson. He said he would prefer a cul-de-sac. He said he was concerned about children's safety playing on the street.

Commissioner Evans asked what was different about turning around in the parking lot instead of a cul-de-sac. Mr. Carter said that it could affect home values and that a cul-de-sac would be more attractive. Commissioner Evans asked why a cul-de-sac would be more appealing. He said that the first method would probably slow vehicles down. He asked what was planned for the entrance along 100 South.

Steve Broadbent

Mr. Broadbent said that there would be landscaping along the entrance. He said that they had addressed concerns regarding lighting, the entrance along 100 South, the Alzheimer's unit lockdown, and height. He said that along the property line to the West there was a 42' setback. He said the building was no higher than a typical two-story home. Commissioner Evans said that he had read an article that said that property values were not affected by facilities of this type. He asked for clarification of what would be at the entrance along 100 South. Mr. Broadbent said that there would be a column designating the project and low shrubs.

Commissioner Robins asked how they could obscure headlights along 150 South. Mr. Broadbent said that, historically, they had addressed it with a berm.

Commissioner Robins made a **motion to approve** the Spanish Fork Assisted Living Conditional Use Permit subject to the following conditions:

1. That the wall along 150 South be removed and a masonry wall be constructed along Highway 6 between the project and each adjacent residential area.
2. That all signs be consistent with the City sign ordinance.
3. That an access easement be provided through the adjacent commercial development; that all deliveries to the facility utilize that access and not public streets.
4. That additional landscaping measures be employed to screen the parking area that is adjacent to 150 South.
5. That, per the ordinance, a copy of the State license be provided, along with a sworn affidavit that no person will reside or remain in the facility whose tendency would likely constitute a direct threat to the health or safety of other individuals or result in substantial physical damage to the property of others.

Commissioner Evans **seconded**.

Commissioner Marshall asked if condition 1 required a wall along the property line between the project and the commercial property. Mr. Anderson said that he believed it did.

The motion **passed** all in favor.

Proposed Amendments to Title 15, Site Plan Development Requirements (continued from January 6, 2010)

Applicant: Spanish Fork City

General Plan: City-wide

Zoning: City-wide

Location: City-wide

Mr. Anderson explained the proposed changes. He said that he felt that there was a need to clean up certain properties in the Light Industrial zone of the City. He explained that there was also a need for a Heavy Industrial zone. He explained that they wanted to add definitions for outdoor storage areas, outdoor display areas, wind power facility.

Chairman Christianson asked if this ordinance would be retroactive. He asked if this could be used to enforce the rules on old projects. Mr. Anderson said that it would only apply to new and current

projects. Commissioner Evans asked if it would be required when someone modifies a structure. Mr. Anderson answered that it would. Chairman Christianson asked how current issues would be addressed. Mr. Anderson explained that it would be through the nuisance ordinance. He explained that the issues being addressed are not covered by the current nuisance ordinance and that that would be something staff would need to look at.

Commissioner Marshall asked if these would be considered part of a use or separate uses themselves. Mr. Anderson explained that it would be the latter. Commissioner Marshall if automobile wrecking and salvage yards would be permitted in the I-3 zone. Mr. Anderson said that they would be. Commissioner Marshall asked if concrete manufacturing would remain a conditional use in the I-2 since it would be allowed in the I-3. Mr. Anderson said that he wasn't comfortable with that because of the Staker Parson plant. Commissioner Marshall asked if it could be zoned I-3. Mr. Anderson said that he wouldn't want to zone that area I-3 because of the potential for less-intense uses in that area. Commissioner Marshall asked if they could change just the Staker Parson property.

Commissioner Robins said that he didn't see a salvage yard in the future of Spanish Fork. Commissioner Marshall agreed. Commissioner Robins suggested that it be struck from the code. Commissioner Evans suggested that some of the language from the I-2 be included in the I-3 to prevent them. Commissioner Robins asked for an example of a wholesale trade business other than those expressly forbidden by the code. Mr. Anderson said that he would come up with an example in the City. Mr. Nord said that this type of business was not defined in the code. Commissioner Robins asked if Mr. Anderson wanted to talk to Staker-Parsons before moving on. Mr. Anderson said that he would prefer to move forward, but that the City's legal department could arrange a discussion with them. Commissioner Marshall suggested that that be a condition.

Randy Giboney

Mr. Giboney explained that he is a small business owner and that he had had experiences with other businesses near his that have negatively impacted his business. He asked what the specifics of storage were. Mr. Anderson showed him the proposed definition. Mr. Giboney said that this should affect existing businesses. He said that when storage spills onto neighboring properties it become a nuisance. He said that the definition may be too broad. Commissioner Marshall pointed out some of the other conditions that would regulate it further. Chairman Christianson said that he felt that Mr. Giboney's concerns were addressed in this ordinance.

Commissioner Marshall made a **motion** to recommend that the proposed zoning text amendment be **approved** with the changes as discussed tonight and the following condition:

Changes Discussed:

1. Remove Outdoor Display area from C-2 zone.
2. Add "except" language to I-3.A.2 as in the I-2 zone.

Conditions:

1. That discussion take place with Staker Parson regarding rezoning or non-conforming.

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

OTHER DISCUSSION

Mr. Anderson introduced Mark Dallin and explained his work in the City. He said that Mr. Dallin was proposing a project that would require the Infill Overlay zone. Mr. Anderson showed a satellite image of the proposed site.

Mark Dallin

Mr. Dallin explained the dimensions of the property. He said that there had been three units there before and was considering building rental units on the property. He said that the units would have big backyards to the North and West and plenty of parking.

Commissioner Robins said that he was concerned with parking. He said he would be okay with more units if parking could be mitigated.

Commissioner Marshall said he was concerned about what you would see from the road. He said that when the Infill Overlay was proposed, he thought that he would see more front yards and fewer sideyards from the street.

Commissioner Cope said that there are some units that have one unit facing the street and the second not. He showed a number of examples within the City, using Google Earth, that show this type of development. He asked if he was correct in thinking that he could not build a duplex without getting the Infill Overlay, Mr. Anderson answering in the affirmative. He asked if this process was too lengthy. Commissioner Robins said that the process was necessary to make sure that quality development happened. Commissioner Cope suggested making it an administrative and not a legislative process so that it could go faster.

Mr. Anderson brought up the wind turbine discussion from the last month. He said that some on staff felt strongly about a 40-foot height limit for wind turbines, mostly due to residents being upset with something higher. He asked how the Commission would feel about letting someone erect a 51-foot tower and see what sort of feedback the City would get. Commissioners Evans and Marshall said they supported the idea. They both volunteered their properties.

Mr. Anderson asked if there were any comments on the general plan update. Commissioner Evans said that he wanted to address issues that touched real people immediately. Commissioner Robins asked to add 800 North from Main Street to 600 East to the Geographic Focus Areas. He also asked that the areas around the mouth of the canyon and the Benjamin interchange be focus areas. Commissioner Evans called for a work meeting. Commissioner Marshall said that he would like to do that, but focus on 800 and 900 North first. Mr. Anderson said that, if the March agenda was light, they would block out a few hours for that meeting to discuss the general plan.

ADJOURNMENT

Commissioner Evans **moved** to **adjourn**. Commissioner Robins **seconded** and the motion **passed** all in favor at 8:17 p.m.

Adopted: March 3, 2010

Dave Munson, Planning Intern