

**Adopted Minutes
Spanish Fork City Planning Commission Meeting
August 4, 2010**

Commission Members Present: Mike Christianson, Chairman; Brad Gonzales, Rick Evans, Tyler Cope, Shane Marshall.

Staff Present: Dave Anderson, Planning Director; Dave Munson, Planning Intern; Jered Johnson, City Surveyor; Trapper Burdick, Assistant City Engineer.

Citizens Present: Steve Painter, Rich Harris, Lana Creer-Harris, Wayne Hurst, David Grotegut, Barbara Beardall, Rick Salisbury, Brad Mackay, Chris Salisbury, Greg Magleby.

CALL TO ORDER

Chairman Christianson called the meeting to order at 6:02 p.m.

PRELIMINARY ACTIVITIES

Pledge

Commissioner Evans led the Pledge of Allegiance.

Adoption of Minutes: July 7, 2010

Commissioner Evans **moved** to **approve** the minutes of July 7, 2010, with the noted corrections. Commissioner Marshall **seconded** and the motion **passed** all in favor.

Chairman Christianson introduced Commissioner Gonzales.

PUBLIC HEARINGS

Hurst Zone Change

Applicant: Barbara Beardall

General Plan: Residential 2.5 to 3.5 units per acre

Zoning: R-1-12

Location: 3310 East Canyon Road

Mr. Anderson explained the location, General Plan and zoning of the properties.

Commissioner Evans asked if the Loveless's were aware of the change.

Barbara Beardall

Ms. Beardall said that she had contacted Ms. Loveless and informed her of the change, but that Ms. Loveless had not gotten back to her.

Commissioner Marshall **moved** to recommend **approval** to the City Council of the Hurst Zone Change. Commissioner Evans **seconded** and the motion **passed** all in favor.

Amendment to Title 15 - Small Windturbines

Applicant: Spanish Fork City

General Plan: City-wide

Zoning: City-wide

Location: City-wide

Mr. Anderson explained the background of the proposal, including the recent Net Metering Ordinance. He explained what had been approved in surrounding communities relative to these types of ordinances and how the staff had gathered information from these ordinances to assemble our own.

Commissioner Gonzales asked if there was a minimum lot size. Mr. Anderson said that there were not, and had Mr. Burdick bring up a PowerPoint presentation showing images of lots where turbines could or could not be placed. Mr. Munson walked the Commission through these images.

Mr. Anderson discussed the past discussions that the Planning Commission had held relative to this topic.

Commissioner Marshall asked if Mr. Anderson would call this proposal conservative. Mr. Anderson said that he would characterize it as such, although it is more liberal than some past proposals. Commissioner Marshall said that it was a good first step.

Commissioner Evans asked why the Development Review Committee (DRC) was unable to make a recommendation and what made the meeting so contentious. He said that he felt that this proposal was not too controversial. Mr. Anderson said that it was his impression that some members of staff don't believe that we should allow wind turbines at all. He explained that aesthetics were a major concern, and Commissioner Evans said that he didn't feel the turbines were any worse than power poles and other existing things in the community. Mr. Anderson also mentioned perceived or real safety threats.

Chairman Christianson opened for the meeting up for public comment.

Steve Painter

Mr. Painter said that he didn't understand why setbacks would be required from a person's own property. He explained Alpine's ordinance and how it differs from the proposal. Commissioner Marshall said that he read the ordinance as being twenty vertical feet from fences instead of horizontal feet. Mr. Anderson said that the setbacks were not horizontal but actual distance. Commissioner Evans said that it was a property owner's responsibility to make sure their property was safe. Mr. Painter said that he had a concern with the 45-foot height limit and explained how many cities allowed up to 55 feet. Commissioner Marshall said that he was comfortable with specifying vertical feet for the setback. He said that it needed to be clarified.

Mr. Anderson explained the discussion that was held by the DRC relative to setbacks from property lines or neighboring structures. He explained that the DRC supported the setbacks from property lines because they didn't want the turbines to impact the development potential of neighboring properties.

Commissioner Cope asked if a provision should be included that allowed the setting up of a temporary structure for testing purposes. Mr. Painter explained that Spanish Fork has the best wind in the state and that, unless there were large trees nearby, testing would be virtually unnecessary.

Commissioner Gonzales asked if there was anything saying that it had to be installed by some sort of certified professional. Mr. Anderson said that the plans would have to be certified by a licensed structural engineer and that the City's inspectors would be checking to make sure the structure matches the plans.

Commissioner Marshall said that he would be comfortable removing the language relative to the height of 45 feet. Mr. Painter explained that standard towers are either 34 or 45 feet tall. Commissioner Evans said that he would rather change the number to 55 feet.

Commissioner Marshall **moved** to **approve** the proposed amendment to Title 15, with the following conditions:

Conditions

1. That the height limit be changed to 55 feet.

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

OTHER DISCUSSION

Discussion on proposed amendment to the Spanish Highlands North Preliminary Plat

Mr. Anderson explained how this and the following item have been changed since the original approval. He said that Staff had had enough questions that they felt it appropriate to take the issue to the Planning Commission. He explained how the Spanish Highlands North Plat had added a storm drain basin and an additional 8 units. He explained how some of the things that had gotten the project bonus density before are now required for Master Planned Developments.

Brad Mackay

Mr. Mackay explained the background of the project. He explained that they had spent \$1.8 million in off-site improvements. He also explained how the High School had built utilities on their property and how they were unable to change their road layout because of where their existing utilities were. He explained some of the amenities installed with Spanish Highlands. He explained how the original proposal had received 120 lots with their bonus density and that back then they wanted to do 112 larger lots, but the current market led them to build 120 smaller lots. He explained what they had done to receive that bonus.

Commissioner Evans said that he lived next to a detention basin and that it was an eyesore. He asked what the developer's plan was to make it an amenity. Mr. Mackay said that it would only be two feet deep. Commissioner Evans asked if there was anything that would make it more "park-like." Mr. Mackay said there would be sprinklers and sod and said that he was here to find out what the Commission's expectations were relative to pavilions and playgrounds.

Commissioner Marshall said that the developer should get credit if the basin will take in water from other developments.

Chairman Christianson said that it seemed that the developer was not proposing any additional amenities to the previous proposal but that they were requesting additional density. Commissioner Evans said that they deserved to get some lots for putting in the basin that took out a few, but that he was uncomfortable with the smaller lots. He said that what were amenities in the original proposal were required now and that he wanted to keep the proposal at 112 units.

Commissioner Marshall said that he would be comfortable with 115 but not 120 units unless there was something impressive in the basin.

Chairman Christianson said that he would be interested to hear what the neighbors in the development next door thought of the smaller lots. Mr. Mackay showed areas where roads could be moved around to make lots bigger.

David Grotegut

Mr. Grotegut explained that the City had asked them to change their road layouts but that changes in ward boundaries made it less reasonable. He said that he would like having a street removed to make lots larger.

Discussion on the proposed amendment to the Maple Mountain Preliminary Plat

Mr. Anderson explained that this development already had a vested preliminary plat, but that they had proposed some changes.

Greg Magleby

Mr. Magleby explained what has already developed at Maple Mountain and some of the things that had changed. He explained that the townhome area had lost some density, while other areas had gained single-family lots. He explained how the park had been expanded and how part of it would be used for storm drainage. He explained some of the features of the park. Lot sizes were discussed.

Commissioner Marshall asked if there was a proposed commitment on when the park would be built. Mr. Anderson said that it would have to be built with the next phase. Commissioner Evans said that he didn't see a warrant to the additional 25 units on the northeast end of the development. He said he was under the impression that the point of the development was to trend from higher to lower density as the development moved north. Commissioner Marshall said that he wasn't comfortable with that much density being refocused in one area.

Commissioner Christianson said that he believed that the park had to be built in the first phase.

Discussion on commercial design guidelines

Commissioner Evans asked if the City had the stomach to back up the suggested design guidelines. He said that there were different opinions relative to the aesthetics of buildings and that it would be pointless to implement these guidelines if they would be set aside for a large enough development.

Chairman Christianson said that he liked the idea of having a tool which you could choose to use or not. He said he would be comfortable in engaging the Council on the issue. Mr. Anderson said that he felt that the Council had given them some direction to follow this course. He said that, currently, the City may be willing to throw out these types of guidelines for a big box developer, but that that may not be good for the City in the long run. He said that the Planning Commission was responsible for directing the City in the way it should go. Commissioner Evans said that he supported the idea, and Commissioner Gonzales said that the City needed to set a baseline. Mr. Anderson said that companies today are often willing to accommodate design guidelines.

Chairman Christianson asked if they wanted advisory guidelines that may speed up a project's approval or hard-and-fast rules that are required for everyone.

Commissioner Evans said that he was interested with the idea of having hard standards and softer guidelines.

Chairman Christianson said that the City has a habit of changing ordinances for developers. Commissioner Marshall said that that wasn't a reason not to create an ordinance. Commissioner Evans said he wasn't sure that the City had the stomach. Commissioner Marshall said that he did, and he felt that the Commission had the responsibility to present something to the City. Commissioner Evans said that the Chamber of Commerce should be involved. Chairman Christianson said that we needed to come up with something concrete and not make it a long, drawn-out process. Discussion was held regarding involving the Chamber of Commerce.

Mr. Anderson mentioned that the League of Cities and Towns meeting was coming up and encouraged the Commission to attend.

ADJOURNMENT

The meeting was adjourned at 8:44 p.m.

Adopted: September 1, 2010

Dave Munson, Planning Intern