



## Planning Commission Agenda November 7, 2012

- Planning Commissioners** 6:00 P.M. 1. Preliminary Activities
- a. Pledge of Allegiance
  - b. Approval of Minutes: September 5, 2012.
- Brad Gonzales
- Seth Sorenson
- George Gull 2. Construction Standards
- Bruce Fallon
- Richard Heap
- Reed Swenson

**Planning Commissioners, if you are unable to attend a meeting please let us know ASAP. Thanks.**

The public is invited to participate in all Planning Commission Meetings at 40 South Main Street, Room 140, Spanish Fork. If you need special accommodations to participate in the meeting, please contact the City Manager's Office at (801) 804-4530.

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**Draft Minutes**  
**Spanish Fork City Planning Commission Work Session**  
**September 5, 2012**

**Commission Members Present:** Brad Gonzales, George Gull, Seth Sorensen, Bruce Fallon, Richard Heap, Reed Swenson.

**Staff Present:** Dave Anderson, Community Development Director; Jered Johnson, Engineering Division Manager; Steve Adams, Chief of Police; Angie Warner, Deputy Recorder.

**Citizens Present:** Efren Bedolla, Blanca Sandoval, Alejandro Sandoval, Wade Davis, Richard T. Banks, David Call, Jeana Call, Cody Black, Desha Dalton, Natasha Dalton, Myrna Dalton, Dave Priest, Kyle Smith, David Aust, Mary Aust, Randall Jeffs.

**PRELIMINARY ACTIVITIES**

**Pledge**

Commissioner Fallon led in the pledge of allegiance.

**MINUTES**

**August 15, 2012**

Commissioner Heap **moved** to **approve** the minutes of August 15, 2012.  
Commissioner Sorensen **seconded** and the motion **passed** all in favor.

**PRELIMINARY PLATS**

**Robert Lewis Subdivision Waiver**

Applicant: Robert Lewis

General Plan: Medium Density Residential

Zoning: R-1-6

Location: 704 North 200 East

Dave Anderson said this plat is a little different because all of the utilities are already installed. One condition will be that a power pole will need to be relocated. Mr. Anderson said he received a new configuration for the layout after the agenda was sent out. Development Review Committee recommends approval, and staff recommends approval of the new configuration.

Jered Johnson said the City will be replacing the waterline on 200 East this fall. Staff suggests having the lot on 200 East constructed to tie onto the new waterline first.

Commissioner Gull **moved** to recommend that the City Council **approve** the Robert Lewis Subdivision Waiver with the following conditions:

1. That sewer cleanouts are required within one foot; top back of sidewalk.
2. That a plat is submitted to the City to be recorded by the City.
3. That the drive approaches be approved by the City's Engineer Department.

- 50 4. That an excavation permit be required for any public improvements.  
51 5. That the power pole be relocated into the northeast corner of the west lot; at  
52 the applicant's expense.

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

54

### 55 **Skyline**

56 Applicant: Mark Sperry

57 General Plan: Light Industrial

58 Zoning: Industrial 1

59 Location: approximately 3400 North Main

60

61 Dave Anderson said for this project, the needed public infrastructure is not in place yet.  
62 This plat has 11 lots and the parcels that are not on Main Street are land-locked. Mr.  
63 Sperry would like to develop only the south Main Street lot at this time. There are no  
64 plans for the other lots yet. There are a number of different property owners and they  
65 were sent a letter of what was presented tonight. Development Review Committee and  
66 Staff recommend approval with the one condition.

67

68 Chairman Gonzales asked if the developers are in charge of constructing the streets  
69 rather than the City.

70

71 Mr. Anderson said there is not a developer in this situation. Someone took deeds to the  
72 County Recorder's Office in 2003/2004 and had an 80 acre parcel split up. The City was  
73 unaware of the land split and recording in the 2003/2004 timeframe.

74

75 Mr. Anderson explained that the City's process is when a citizen/developer applies for  
76 Preliminary Plat, then a Final Plat. If all are approved then the plat is taken to the County  
77 Recorder's Office to be recorded.

78

79 Mr. Anderson clarified that when one of the property owners is ready to develop in this  
80 plat, they will follow this outline and they would be liable to pay for their portion of  
81 constructing the necessary improvements.

82

83 Commissioner Sorensen **moved** to recommend that the City Council **approve** the Skyline  
84 Preliminary Plat with the following condition:

- 85 1. That the applicant modifies the plat as needed to include any planned right-of-  
86 way along the western boundary.

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

88

### 89 **CONDITIONAL USE**

90

#### 91 **Haven Home for Girls**

92 Applicant: Myrna Dalton

93 General Plan: High Density Residential

94 Zoning: R-3

95 Location: 200 East 400 North

96

97 Dave Anderson reminded the room that the rest of the items tonight can receive public  
98 comment.

99

100 Mr. Anderson said this proposal is for a residential treatment facility for teenage girls.  
101 The applicant has hired consultants to inspect the facility. The applicant submitted  
102 proposed plans that can be done within their budget. Earlier this year City Council  
103 amended the ordinance regarding Conditional Uses. The Development Review Committee  
104 recommends approval with conditions. Staff has added some additional detail.

105

106 Mr. Anderson gave an update of the facility. The old Rees School building has not been  
107 used for about 5 years and sits on about 2 acres. By City ordinance there are conditions  
108 there as well as conditions recommended by DRC & staff.

109

110 Myrna Dalton with the Haven Home for Girls said they currently have a home in Orem  
111 City. The facility provides living quarters, on site school and therapy. The girls come from  
112 DCFS from abused homes. The girls can receive substance abuse counseling and sexual  
113 abuse counseling. They take the girls out to do community service. It is required that we  
114 have 24-hour supervision. Ms. Dalton said they have not had any complaints from the  
115 residents that live by their facility in Orem.

116

117 Chairman Gonzales clarified that none of the girls can be adjudicated.

118

119 Ms. Dalton confirmed yes, they are not adjudicated, they come from DCFS

120

121 Commissioner Swenson asked about visitation rights for the girls.

122

123 Ms. Dalton said every girl is different. DCFS tells us what each girl receives, if any.

124

125 Commissioner Heap asked about staff supervision during the night.

126

127 Ms. Dalton said they have 2 employees on duty during the night, then 1 employee for  
128 every 6 girls during the daytime.

129

130 Commissioner Fallon asked how long the girls stay and if the girls have curfews.

131

132 Ms. Dalton said they stay for about 6-12 months. State regulations require so much sleep  
133 time for the girls, so they do have curfews.

134

135 Commissioner Swenson asked if the girls are provided religious classes.

136

137 Ms. Dalton said yes if they choose and they have the services come to the facility.

138

139 Chairman Gonzales read the conditions:

140

1. That the applicant modifies the site plan to include additional detail to describe  
141 property improvements.

142

2. That the facility houses no more than 16 clients between the ages of 12 and 18.

143

3. That none of the clients are adjudicated girls through the juvenile court system.

144

4. That the building is updated, retrofitted, and modified to meet the International  
145 Building Code and Fire Code.

146

5. That the applicant must maintain an active license with the State of Utah.

147

6. That the applicant may be able to allow up to 9 non-residents for school.

148

149 Chairman Gonzales said the City received an anonymous letter that they were concerned  
150 about the safety of the building as well as the safety for the people in the building.

151

152 Mary Aust lives by the facility. Ms. Aust said when the facility was the American Heritage  
153 School they had limited money for maintenance. There were leaks in the ceiling, falling  
154 ceiling tiles, she does know that it has lead and asbestos. The heating and cooling  
155 systems did not work adequately. Just a few weeks ago there were Sheriff's checking out  
156 some drug houses in the area. If the girls are coming for substance abuse, this is a  
157 concern. If these are sexual abused girls, she is concerned for the safety of the children in  
158 the area. This is not a locked down facility the girls can leave at any time. There has been  
159 graffiti in the area. Ms. Aust would question the integrity of the building for the safety of  
160 the girls. Ms. Aust suggested finding another location.

161

162 David Call lives by the facility and is concerned about his property. He has a power pole  
163 in his backyard that is connected to a pole at the facility. Mr. Call is wondering if they are  
164 going to remove the pole in his backyard. Also, there is a tree on the property that is right  
165 by his property line, are they going to remove it.

166

167 Jered Johnson said that they would have to go look at the pole but there is no plans to  
168 remove the pole right now. In the plans the applicant will have to run a line underground.

169

170 Ms. Dalton said with the new landscaping they will be removing the tree to put the fence  
171 in.

172

173 David Aust expressed his concern for funding for this project.

174

175 Chairman Gonzales explained to Mr. Aust that the Planning Commission has no input on  
176 the applicant's financial situation.

177

178 Richard Banks said he is disappointed about how horrible the facility looks. Mr. Banks is  
179 asking for the renters to take care of the facility now until construction starts. Spray the  
180 weeds, mow and water the lawn, etc. Mr. Banks is not against the treatment facility  
181 coming.

182

183 Wade Davis just moved to the area and is concerned about the way the facility has been  
184 kept up. Mr. Davis said the cost of renovating and the upkeep for building is going to cost  
185 a lot. Mr. Davis is concerned about the building's safety and would like the facility to be  
186 built in a different location.

187

188 Chairman Gonzales asked if there is a phasing plan to give a time frame for the public.

189

190 Ms. Dalton said as soon as they can get approval it will take about 3 months for the  
191 renovations if things run as scheduled.

192

193 Commissioner Swenson expressed concerns about structural integrity because it's a very  
194 old building.

195

196 Ms. Dalton said they had engineers come that gave us guidelines to meet to make sure  
197 that the building is structurally safe. There was lead in the windows only and those are all  
198 coming out.

199  
200 Chairman Gonzales said everyone is concerned about the safety of the building. The City  
201 and State will have to approve this facility before the applicant can open. This applicant  
202 has been presented all the requirements that they are going to have to follow.

203  
204 Commissioner Sorensen said he has worked at these facilities before and they are great  
205 facilities.

206  
207 Commissioner Fallon asked if there are requirements for the parking lot landscape.

208  
209 Mr. Anderson said the requirement is 108 square feet of landscaping per 10 parking stalls.  
210 By their plans the applicant meets that requirement.

211  
212 Ms. Aust said she is aware that there is lead paint in the building. Again, she questioned if  
213 this the best use of the facility. Ms. Aust asked when was the zoning changed for the  
214 treatment facility to be allowed in that area. Also, Ms. Aust would like to see the plans  
215 they are using to improve the building.

216  
217 Mr. Anderson said the ordinance regarding the Conditional Uses was approved at a City  
218 Council meeting in the April.

219  
220 Commissioner Sorensen clarified that this meeting is for the Planning Commission to  
221 decide what conditions the applicant will need to meet.

222  
223 Discussion regarding overflow outside lighting.

224  
225 Commissioner Sorensen said with an issue like this we get a lot of comment and would  
226 like to table this until the next meeting so we do not make a decision based on emotion.

227  
228 Commissioner Sorensen **moved** to **Table** the Haven Home for Girls Conditional Use.

229  
230 The motion died for lack of second.

231  
232 Commissioner Heap asked Mr. Anderson how he feels about the plan presented tonight.

233  
234 Mr. Anderson reviewed the documents presented tonight and the applicant has just taken  
235 what requirements were discussed and put them in the plan.

236  
237 Commissioner Heap asked if the City has plans approved by an engineer.

238  
239 Mr. Anderson said yes but they are about a year old so they would need to be updated.

240  
241 Commissioner Heap **moved** to **Approve** the Haven Home for Girls Conditional Use with  
242 the following conditions:

243 1. That the applicant modifies the site plan to include additional detail to describe  
244 property improvements.

- 245 2. That the facility houses no more than 16 clients between the ages of 12 and 18.  
246 3. That none of the clients are adjudicated girls through the juvenile court system.  
247 4. That the building is updated, retrofitted, and modified to meet the International  
248 Building Code and Fire Code.  
249 5. That the applicant must maintain an active license with the State of Utah.  
250 6. That the applicant may be able to allow up to 9 non-residents for school.  
251 Commissioner Swenson **seconded** and the motion **passed** all in favor by a roll call vote.  
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### 253 TEXT AMENDMENTS

#### 254 **C-D Zone (continued from August 15, 2012)**

255 Applicant: Brandon Kirk  
256 General Plan: not applicable  
257 Zoning: not applicable  
258 Location: City-wide  
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260

261 Dave Anderson said this proposal is to add churches to be allowed in commercial zones.  
262 Other cities have allowed churches in commercial zones. Development Review Committee  
263 and staff recommend approval to add to the list of Conditional Uses in the Commercial  
264 Downtown (C-D) Zone to include churches.  
265

266 Chairman Gonzales reviewed what was discussed at the last meeting. The applicant is  
267 requesting to have a church at about 350 North Main. There were concerns regarding  
268 parking and how this affects the historical downtown Main Street in the future. Planning  
269 Commission asked for a continuance to talk to the public and research this request.  
270

271 Commissioner Gull spoke to the public and didn't think it would be a problem.  
272

273 Commissioner Sorensen agreed that it should not be a problem.  
274

275 Commissioner Heap went to the location at various times and does not think is should be  
276 a problem.  
277

278 Commissioner Sorensen **moved** to **approve** the C-D Zone Text Amendment to allow  
279 churches.  
280

281 Commissioner Gull **seconded** and the motion **passed** all in favor.  
282

#### 283 **Title 15 Updates**

283 Applicant: Chris Thompson  
284 General Plan: not applicable  
285 Zoning: not applicable  
286 Location: City-wide  
287

288 Jered Johnson said staff has updated Title 15 regarding the Construction and  
289 Development Standards. Mr. Johnson also included in the update that a 50 foot  
290 easement be required along the Spanish Fork River as development occurs.  
291

292 Mr. Johnson read the changes to Part 4 of the Development Chapter 20 Flood Damage  
293 Prevention 15.4.20.020 General Provisions.

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Chairman Gonzales clarified that this applies to future development.

Dave Anderson said this will provide access for City workers to get the equipment to the areas for flooding emergencies.

Chairman Gonzales **moved** to recommend that the City Council **approve** the Title 15 updates.

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

**ZONE CHANGE**

**Efren Bedolla**

Applicant: Efren Bedolla

General Plan: General Commercial

Zoning: Shopping Center existing, Commercial 2 proposed

Location: approximately 900 North Expressway Lane

Dave Anderson said the applicant is requesting a zone change for his property from Shopping Center to Commercial 2. The applicant would like to put a church at this location.

Commissioner Heap recommended looking to change the zone for Wendy's also.

Mr. Anderson said that change would not impact Wendy's and could be done.

Chairman Gonzales recommends staff look at changing Wendy's to Commercial 2 and bring that item back to Planning Commission.

Commissioner Sorensen **moved** to **approve** the Efren Bedolla Zone Change.

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

**ADJOURNMENT**

Chairman Gonzales **moved** to **adjourn**.

Commissioner Fallon **seconded** and the motion **passed** all in favor at 8:01 p.m.

**Adopted:**

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Angie Warner, Deputy Recorder



## JOINT PLANNING COMMISSION & CITY COUNCIL AGENDA

PUBLIC NOTICE is hereby given that the City Council of Spanish Fork, Utah, will hold a regular public meeting in the Council Chambers in the City Office Building, **40 South Main Street**, Spanish Fork, Utah, commencing at **6:30 p.m. on November 7, 2012.**

### AGENDA ITEMS:

#### 1. NEW BUSINESS:

- a. Presentation by Wilf Sommerkorn on Group Decision Making and the Roles of the Planning Commission and City Council.
- b. Open Discussion.

### ADJOURN:

\* Supporting documentation is available on the City's website [www.spanishfork.org](http://www.spanishfork.org)

Notice is hereby given that:

- In the event of an absence of a quorum, agenda items will be continued to the next regularly scheduled meeting.
- By motion of the Spanish Fork City Council, pursuant to Title 52, Chapter 4 of the Utah Code, the City Council may vote to hold a closed meeting for any of the purposes identified in that Chapter.
- This agenda is also available on the City's webpage at [www.spanishfork.org](http://www.spanishfork.org)

SPANISH FORK CITY does not discriminate on the basis of race, color, national origin, sex, religion, age or disability in the employment or the provision of services. The public is invited to participate in all Spanish Fork City Council Meetings located at 40 South Main St. If you need special accommodation to participate in the meeting, please contact the City Manager's Office at 804-4530.