

**Adopted Minutes
Spanish Fork City Planning Commission Meeting
April 4, 2012**

Commission Members Present: Chairman Michael Christianson, Rick Evans, George Gull, Brad Gonzales.

Staff Present: Dave Anderson, Community Development Director; Shelley Hendrickson, Planning Secretary; Trapper Burdick, Assistant City Engineer; Jason Sant, Assistant City Attorney.

Citizens Present: Cary Hanks, Mike Mendenhall, Jesse Brimhall, Carissa Clay, Michael Clay, Kirk Fong, Alex Mon, Sarah Stocksdale, Brandon Stocksdale, Cameron Eaton, Cameron Berrett, Daniel Quick, Jacob Adams, Robert Christmas, Tessa Witt, Miya Kodama, Christian Kirkham, Shannyn Palmer, Sarah Bingham, Lauren Drew, Ruth Swenson, Shane Marshall.

Chairman Christianson welcomed everyone to the meeting at 6:42 p.m.

PRELIMINARY ACTIVITIES

Pledge

Commissioner Gull led in the pledge of allegiance.

MINUTES

March 7, 2012

Commissioner Evans **moved** to **approve** the minutes of March 7, 2012, with the noted correction. Commissioner Gull **seconded** and the motion **passed** all in favor.

Downtown Inventory Presentation

Mr. Anderson introduced Dr. Clay and his planning class from BYU. He explained that they were asked to conduct a study of Spanish Fork City's downtown.

Dr. Clay explained this was a student run project and that everything that was going to be discussed was done by the students. He said that 15 students played various roles in the report.

Four students from the class presented the report and discussion was held regarding the report.

TEXT AMENDMENTS

Haven Home for Girls

Applicant: Myrna Dalton

General Plan: City-wide

Zoning: City-wide

Location: City-wide

Mr. Anderson explained that the proposed change is necessary, in order for the applicant to use the old Reese school, because there is a provision in the Spanish Fork City Code that limits the size of Residential Treatment Facilities based on surrounding homes. The Reese school is substantially larger than the surrounding homes making it ineligible to be considered to be used as a residential treatment facility. The proposed change to the language in the code would be to allow for putting old, vacant buildings to a beneficial use and with appropriate conditions imposed to mitigate any adverse circumstances, and provided the building can be made safe.

Terry Hoaker

Mr. Hoaker explained who Haven Home for Girls is and what they are about.

Discussion was held regarding landscape and what the applicant's intent was for beautification. Myrna Dalton explained that they anticipated new flower beds; a fish pond with a gazebo, more grass and the brick would be cleaned. She further explained that as part of the curriculum that the girls would be maintaining and caring for the landscape.

Chairman Christianson said that landscape would be key to the neighborhood.

Commissioner Gull expressed his sadness to see the building in the condition that it is in.

Ms. Angela asked what measures the school would take to not have 'drama' outside of the facility. Ms. Dalton explained that their staff is trained to diffuse those types of situations.

Ms. Angela asked if the facility would have an effect on property values. Ms. Dalton said that their facility in Orem had not negatively impacted the neighborhood there.

Robert Christmas asked about fencing and if it was a requirement. Mr. Anderson said that it was required. Mr. Christmas asked if the facility was a lockdown

facility. Ms. Dalton said that it was not but that staff were there 24 hours and that they would have a surveillance system.

Karalissa Bean said that she fully supports the facility.

Stacy Snow asked why the zoning was being changed.

Mr. Anderson explained that the City allows Residential Treatment Facilities in every residential zone in the City and that the zone was not being changed and explained the impetus for the change.

Commissioner Evans explained what the ordinance addressed.

Ms. Snow asked if the facility could be used as a school because she was interested in purchasing the property to use it as a school. Mr. Anderson said that schools were a permitted use and that it could be used as a school. Nebo School District has no interest in using it as a school.

Chairman Christianson asked about seismic upgrades.

Randy Jeffs

Mr. Jeffs said that the City had been provided a report by a structural engineer and explained that the building would be brought up to code.

Commissioner Gonzales asked about lighting. He is concerned that lighting will be an issue for neighboring properties. Mr. Anderson said that lighting can be measured. That lighting could be masked.

Commissioner Evans expressed concerns with the design and separation section 15.3.24.010. E of the code. He said that he felt the rules seemed arbitrary when the nature of the subject use is subjectivity. Discussion was held regarding veneer finishes to the exterior of the building, landscape percentages, parking, overhead power lines versus underground, double paned glass and whether or not the Commission wanted more latitude built into the code or hard and fast rules.

Commissioner Evans **moved** to recommend to the City Council that the ordinance amending conditions for treatment centers in existing vacant buildings be **approved** and that elements b through j be softened to provide greater latitude to the Planning Commission in conjunction with the spirit of Conditional Use. Commissioner Gull **seconded** and the motion **passed** all in favor.

Animal Rights

Applicant: Spanish Fork City

General Plan: City-wide

Zoning: City-wide
Location: City-wide

Mr. Anderson explained that the City was proposing that the buffer requirement be eliminated. He further explained that some staff members feel that point number 4 is necessary and some feel that it is not necessary. City staff is proposing that the proposal be approved with or without point number four. The idea is that when an animal is free to roam on an entire half of an acre that there is not a concern with how far the animal is from any dwelling but the impact of having an animal that is kept in a concentrated area such as a pen or corral, the area where that animal is kept needs to be at least as far from the neighboring dwelling as it is from the dwelling on the property that the animal is housed on.

Commissioner Gonzales asked who was initiating this proposal. Mr. Anderson said it was a staff initiated proposal.

Discussion was held regarding the impetus for the change.

Commissioner Evans expressed that he felt there were other sections of the ordinance that address nuisance issues and that he did not think that point number four was necessary.

Mr. Anderson said that should there be a problem with an animal being a detriment there are other sections of the ordinance that address nuisances and that, in his opinion, there is justification for removing the buffer requirement.

Commissioner Evans **moved** to recommend **approving** the animal rights text amendment without item number 4. Commissioner Gonzales **seconded** and the motion **passed** all in favor.

PRELIMINARY PLATS

Stone Subdivision

Applicant: Spanish Fork City
General Plan: City-wide
Zoning: City-wide
Location: City-wide

Mr. Burdick explained that, two years ago, UDOT conducted a traffic study at the intersection of 2550 East and Canyon Road. The intersection warranted a traffic signal. UDOT recommended that they would pay for the signal if the City would realign the road with 2600 East for safety reasons. The City has spent the last year preparing for the re-alignment.

Commissioner Gull **moved** to **approve** the Stone Subdivision Preliminary Plat. Commissioner Evans **seconded** and the motion **passed** all in favor by a roll call vote.

OTHER BUSINESS

Discussion on multi-family projects.

Mr. Anderson said that he enjoyed working in Spanish Fork City because he feels that the City has a fairly diverse and well balanced inventory of land uses. He said that there was one land use that was absent in Spanish Fork. He said the absence was quality market rate apartment complexes in our part of the county. It is his opinion that it is appropriate to have market rate apartments available that professionals might feel comfortable moving into and that with a few exceptions our stock of rental units is not attractive. He stated that Jesse Brimhall and Les Allen were present to discuss with the Commission how they felt about whether or not Spanish Fork City was ready for higher density market rate apartments. Discussion was held regarding apartments.

ADJOURNMENT

The meeting **adjourned** at 9:40 p.m.

Adopted: May 2, 2012

Re-adopted: June 6, 2012

Shelley Hendrickson, Planning Secretary