

**Adopted Minutes
Spanish Fork City Planning Commission Meeting
February 6, 2013**

Commission Members Present: Chairman Brad Gonzales, Seth Sorensen, George Gull, Reed Swenson,

Staff Present: Dave Anderson, Community Development Director; Shelley Hendrickson, Planning Secretary; Jered Johnson, Engineering Division Manager; Assistant City Engineer; Jason Sant, Assistant City Attorney.

Citizens Present: Gary Carter, Lynn Rindlisbacher.

Chairman Gonzales opened the meeting at 6:00 p.m.

PRELIMINARY ACTIVITIES

Pledge

Commissioner Heap led in the pledge of allegiance.

MINUTES

January 2, 2013

Commissioner Swenson **moved** to **approve** the minutes of January 2, 2013.
Commissioner Sorensen **seconded** and the motion **passed** all in favor.

GENERAL PLAN & ZONE MAP AMENDMENT

Airport Expansion

Applicant: Spanish Fork City

General Plan: City-wide

Zoning: City-wide

Location: City-wide

Mr. Anderson explained the properties that were involved in the Zone Change (Williams and Fern Hansen Trust) and the commitment to zone the property Industrial 1. The current zone is Exclusive Agriculture and the proposal is to change the zone to Industrial 1. The General Plan uses 1150 West as the dividing line between industrial and agricultural zoning.

Chairman Gonzales asked if the property would conform to FAA rules if it is zoned Industrial. Mr. Anderson said that it would and explained the height restriction associated with lengthening the runway. The runway will be shifted to the North and West so as to give a greater buffer from buildings on the southeast. Discussion was held regarding the height restriction and buildings.

Chairman Gonzales asked who and in what forum was the agreement made, with regard to zoning, to the property owner. Mr. Anderson explained that the airport manager helped organize the annexation and that the property owner felt that it was represented to them that the zoning would be Industrial 1. There was not a written agreement.

Commissioner Sorenson said that the property owner is requesting the Zone Change, not the City.

Mr. Anderson said that the property owner feels that the property is worth more if it is zoned industrially than agriculturally.

Commissioner Swenson asked for clarification on the properties involved.

Chairman Gonzales opened for public comment. There was none.

Commissioner Heap **moved** to recommend **approval** of changing the zoning to Industrial-1. Commissioner Sorenson **seconded** and the motion **passed** all in favor by a roll call vote.

Commissioner Heap **moved** to recommend **approval** of changing the General Plan as proposed. Commissioner Swenson **seconded** and the motion **passed** all in favor by a roll call vote.

***Bruce Fallon arrived at 6:18 p.m.*

Gary Carter

Applicant: Gary Carter

General Plan: Medium Density Residential

Zoning: R-1-6 proposed, R-1-8 existing

Location: approximately 475 West 100 South

Mr. Anderson explained that the applicant was proposing to change the zone in order to construct duplexes. The General Plan for the property is Mixed Use. The mixed use designation gives the City a lot of latitude for the way that properties are put to use. City staff believes building duplexes is appropriate for this area. The City only has one zone that permits duplexes which is the R-3 zone with an In-Fill Overlay approval. The In-Fill Overlay Zone is a tool that the City has for design criteria and site specific mitigation.

Chairman Gonzales asked why the applicant requested R-1-6 if they needed R-3 zoning. Mr. Anderson explained that he had given the applicant some wrong information relative to zoning and that for what the applicant wanted to do he would need R-3.

Commissioner Heap asked if 475 West had been fully dedicated to the City. Mr. Johnson said it had not.

Discussion was held regarding the zoning on adjacent properties and the structures on them.

Chairman Gonzales opened for public comment.

Janae Wilson

Ms. Wilson explained that there were 10 homes along 475 West and that they are all over 2,500 square feet. Behind the homes is senior housing. She expressed concern about feeling sandwiched between senior housing and the transient nature of duplexes. Will they be for sale or for rent?

Mr. Wilson expressed that he would want single-family homes.

Gary Carter

Mr. Carter explained that he did plan on putting in a senior development. The square footage would be 1500-1600 square feet on one level and that it would be a quality development.

Chairman Gonzales asked if the duplexes would be for rent or purchase.

Mr. Carter said that they would be for sale to seniors.

Justin Milstead

Mr. Milstead expressed concerned with whether or not there would be an HOA. Mr. Carter said that there would be.

Frank Kanig

Mr. Kanig said that he had relatives in the senior project and that it is very nice. He feels the senior development is not a transient development.

Discussion was held regarding single-family dwellings instead of multi-family.

Commissioner Sorenson expressed that he felt that it was tough to find the balance for the City and the rights of the property owner.

Mr. Kanig explained where he lived and that it used to be a farm and that he would love for it to still be a farm but that people have to change plans as time goes along.

Mr. Anderson said that the applicant would be willing to take a few weeks to explore some other options.

Chairman Gonzales **moved** to **table** the proposal in order for the applicant to explore some other options. The motion **died** for lack of a **second**.

Mr. Carter explained that he felt that he was blessing the surrounding properties with the type of development he was proposing. He said that he understood what could be built on the property (but would probably not be feasible) and expressed how he thought it would affect the neighborhood. He expressed that this plan would still be to build single level, rambler, quality, stucco homes for seniors.

Discussion was held regarding what the neighbors would prefer to see built and what was allowed in the R-3 zone.

Commissioner Swenson **moved** to **approve** the Gary Carter Zone Change. Commissioner Gull **seconded** and the motion **passed** by a roll call vote. Chairman Gonzales voted **nay**.

Mr. Anderson explained the process once a Zone Change is approved.

Commissioner Fallon suggested that the two twin homes on the East end face 475 West.

Mr. Carter explained that it might only be feasible to construct four homes and that with duplexes there could be more families.

Wash Creek

Applicant: Scenic Development

General Plan: Medium Density Residential

Zoning: R-1-6 proposed, Rural Residential existing

Location: approximately 1600 North State Road 51

Mr. Anderson explained the proposal was to change the zoning from Rural Residential to R-1-6 in order for the applicant to build a standard subdivision in the R-1-6 zone. The total number of lots would be 180. He further explained that there were a few details that needed to be finalized before action is taken on the proposal. There will need to be a change to accommodate UDOT relative to the Maple Mountain Parkway intersection.

Mr. Pierce explained that the details had to do with the City's utility ordinance and lot layout.

Mr. Anderson said that the applicant had submitted a phasing plan.

Chairman Gonzales asked if the City had discussed a barrier wall along the highway. Mr. Anderson said that the City's ordinance had a design standard for landscape and a masonry wall.

Mr. Swenson expressed concern about the amount of homes and only one access.

Mr. Pierce explained that there would be a second access onto Maple Mountain Parkway.

Chairman Gonzales asked about the phasing plan and access. Mr. Anderson explained that Maple Mountain Parkway would need to be constructed. The City only allows fifty homes to be built before a second access is allowed.

Lynn Rindlisbacher

Mr. Rindlisbacher said that he had been working with UDOT and the City. He explained that the sewer would need to run to the West, down Maple Mountain Parkway. His plan is to start phase one and gradually work their way to the West. He said that they did not get the bid for the home along the highway and so he would need to remove it from his plans. He explained that he could not build on the power corridor and had talked with Ms. Forbush about giving her the property to pasture horses. He said that Rocky Mountain Power said that they could fence the easement.

Commissioner Sorenson asked if the power corridor could be a retention basin. Mr. Rindlisbacher said that Mr. Johnson said no.

Commissioner Fallon asked if there was any advantage in moving forward with the Zone Change without the plat.

Chairman Gonzales opened for public comment.

Dick Sumsion

Mr. Sumsion explained that he owned property and where it is located relative to the proposal. He expressed that he would be interested in multi-family, not single-family homes for his parcel and was concerned about the zoning.

Mr. Rindlisbacher explained what his timeline was for construction.

Commissioner Sorenson **moved** to **table** the Wash Creek Zone Change and Preliminary Plat. Commissioner Heap **seconded** and the motion **passed** all in favor by a roll call vote.

PRELIMINARY PLAT

Wash Creek

Applicant: Scenic Development

General Plan: Medium Density Residential

Zoning: Rural Residential existing, R-1-6 proposed

Location: approximately 1500 North State Road 51

Discussion was held with respect to the Zone Change.

OTHER BUSINESS

Discussion on Planning Commission Rules of Order

Mr. Anderson addressed the Commission. Discussion was held regarding building permits per year, lot inventory, the City's Parks and Recreation Master Plan as it relates to growth and the Wash Creek Preliminary Plat.

Discussion was held regarding the Rules of Order and whether or not to allow the Chairman to vote and gender neutral.

Chairman Gonzales made a **motion to make** the changes, per discussed, to the Rules of Order in their March meeting. Commissioner Fallon **seconded** and the motion **passed** all in favor.

ADJOURNMENT

Chairman Gonzales **moved to adjourn**. Commissioner Sorenson **seconded** and the meeting **adjourned** at 7:52 p.m.

Adopted: March 6, 2013

Shelley Hendrickson, Planning Secretary