

**Adopted Minutes  
Spanish Fork City Planning Commission Meeting  
June 5, 2013**

**Commission Members Present:** Chairman Brad Gonzales, Reed Swenson, Bruce Fallon.

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

**Citizens Present:** Cory Muhlestein, Christine Muhlestein, Connie Muhlestein, Scott Peterson, Dean Ingram, Ron Haymore, Annette Redd, Bryan Redd, Daniel Schmidt, Richard Mendenhall, Joseph Rich.

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

Chairman Gonzales led in the Pledge of Allegiance.

## **MINUTES**

### **May 8, 2013**

Commissioner Fallon **moved** to **approve** the minutes of May 8, 2013.  
Commissioner Swenson **seconded** and the motion **passed** all in favor.

## **ZONE MAP AMENDMENTS AND PRELIMINARY PLATS**

### **Muhlestein Zone Map Amendment and Preliminary Plat**

Applicant: Dean Ingram

General Plan: Low Density Residential

Zoning: Rural Residential existing, R-1-12 requested

Location: 1300 South Mill Road

Mr. Anderson explained that there were two parts to this proposal. First, the Zone Map Amendment. The City's General Plan designates properties Low Density Residential on both sides of Mill Road. Low density is one to three units to the acre. The R-1-12 would typically allow the developer 2.5 units to the acre. This proposal is within the density range for the proposed zoning. City staff recommends that the Zone Change be approved. If the City Council decides to approve the proposed Zone Change then the proposed Preliminary Plat would meet the zoning criteria for the R-1-12 zone and the applicant is entitled to the approval of the plat. Mr. Anderson further explained that the

Commission had a variety of options with regard to the proposal. They could take action on the Zone Map Amendment and Preliminary Plat together or they could continue one of the two and act on the other. He then told the Commissioners that there were concerns as to whether or not Mill Road could handle more traffic. City staff has hired a traffic engineer to study Mill Road. The American Leadership Academy is doing some work to mitigate some safety issues on Mill Road. Where Mill Road is the most narrow, it is being widened. The City is in the process of overlaying Mill Road which will somewhat widen the road but not to the anticipated build out width. With the overlay the road, City staff fee it will be safe and will be able to accommodate traffic generated by the proposed lots.

Chairman Gonzales said that with the connection of 1100 South to Mill Road that it will increase the capacity. Mr. Anderson said that with the overlay of the road that the traffic engineers have said that the road is suitable for traffic.

Commissioner Swenson asked about the connection to 1210 South through Old Mill Estates. Mr. Anderson said that he did not recall what the trigger would be for that connection to be constructed.

Mr. Anderson explained that the General Plan had changed from the time when the Old Mill Estates Subdivision was approved. The current General Plan has the density range of 1 to 3 units per acre. The R-1-12 zoning is appropriate within the low density range. So is the R-1-15 zone. This is a situation where the Commission is looking at a Zone Change and that they have the most deference. He said that City staff had reviewed the zone request and feel that the zoning is appropriate; therefore, they see no reason not to approve a Preliminary Plat that meets the City's standards. The City received, today, an updated subdivision design for the project. There is one change relative to the retention basin. It is his understanding that retention basins are planned to be temporary until there is a regional facility in place.

Chairman Gonzales asked the applicant, Dean Ingram, about the retention basins. Mr. Ingram explained that they would keep the retention basin and maintain it until the time when they could develop it as a lot.

Scott Peterson, from Atlas Engineering, explained where the retention basins would be and why.

Discussion was held regarding pressurized irrigation. The applicant will have to connect to the pressurized irrigation.

Chairman Gonzales asked if there was any feedback from the neighborhood meeting.

Mr. Ingram said that they had a good response and that all the feedback was positive. The only issue was the road alignment and how close two of the homes were to Mill Road.

Chairman Gonzales invited public comment.

Wayne Niederhauser. Mr. Niederhauser said that he was one of the developers for Old Mill Estates. He explained that in their next phase, going North, they would need to connect the road and utilities. He said that the purpose for his presence at the meeting was not to speak for or against the subdivision. He expressed that what was troubling to him was that they went through a pretty painful rezoning, five or seven years ago, to get the R-1-15 zoning. He said that should the proposed Zone Change be approved that it would put them in a predicament competitive wise and should the proposal be approved with an R-1-12 Zone Change be approved then they will consider a Zone Change proposal to change Old Mill estates from R-1-15 to R-1-12 as a fairness issue.

Discussion was held regarding lot size.

Cory Muhlestein expressed that, with the development of the proposed subdivision, that Old Mill would be widened. It would not fix the entire road but would fix a portion. He also said that there was some kind of an agreement where the road curves by the Haymore's, that the road will be widened and the blind spot will be gone.

Discussion was held regarding the alignment of Mill Road. Mr. Johnson explained that the City was working with a traffic engineer to come up with the best alignment for Mill Road.

Mr. Muhlestein expressed that he felt that what was happening along and around Mill Road was good for the City.

Bryan Redd

Mr. Redd expressed that he felt the proposal was not unreasonable and that he hoped the area would stay low density. He said that Quail Hollow and other subdivisions in the City only had one egress and ingress and that this proposal had two and a nice aesthetic look.

Discussion was held regarding what the Commission would be acting on relative to the proposal. Mr. Johnson expressed that he felt the Commission should define in their motion that the applicant will hook up to the pressurized irrigation, that they will work out the storm drain issues with the City's Engineering Department and the alignment of Mill Road before the plat goes before the City Council.

Chairman Gonzales expressed that he felt the commission should make two separate motions and explained that he felt it was good to have diversity in a community with regard to zoning.

Commissioner Swenson **moved** to recommend **approval** of the Zone Map Amendment from Rural Residential to R-1-12. Chairman Gonzales **seconded** and the motion **passed** all in favor.

Commissioner Fallon **moved** to recommend **approval** of the Muhlestein Preliminary Plat based on the plat that was submitted on June 3, 2013 and subject to the following conditions:

### **Conditions**

1. That the road alignment is addressed with the City's Engineering Department staff.
2. That the retention basin and the question of ownership be addressed before the project is presented to the City Council.
3. That the applicant connects to the pressurized irrigation system.

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

### **Trailside**

Applicant: Stevan Davis

General Plan: Medium Density Residential

Zoning: R-1-8 existing, R-1-6 with Infill Overlay requested

Location: 335 West 100 South

Mr. Anderson explained that, with respect to this proposal, it is important that the Zone Change and Preliminary Plat be considered together because it is proposed that we use the Infill Overlay zone which gives the Planning Commission and City Council some flexibility to approve lots that are smaller than 6,000 square feet. It is a program that was conceived for situations like this where there is a property that has been previously developed and in some way or another is under utilized. Previous to the Infill Overlay zone, typically in a situation like this, you would simply see a second home constructed behind on a flag lot. Flag lots are no longer allowed and what is proposed is the replacement concept to that. This is one way to get single family detached homes constructed on the original blocks of the City instead of properties that are renter occupied. The proposed project has approximately 19,000 square feet of developable area. This is, with three units, under seven units to the acre. The City's General Plan would allow for up to eight.

Commissioner Gonzales expressed that he felt the lot sizes were too small.

Commissioner Fallon asked what the square footage size was on the adjoining lots. Mr. Johnson said that the lots were roughly 6,000 square feet.

Mr. Anderson explained that part of the idea, with the Infill Overlay, is to incent owners to tear down an existing dilapidated structure and replace it with new single family homes.

Chairman Gonzales asked if the applicant was willing to go with two lots instead of three lots. Mr. Davis explained that with the costs involved with the construction of three lots they were only marginal from a financial side.

Chairman Gonzales expressed that he felt this was a tight subdivision. Mr. Davis explained that he had spent many hours on this property. He explained that he felt with the shared drive that there were some neat two-story home designs to have a fifteen-foot backyard area with the frontage looking across the private drive and the trail so it would have a more open spacious feel than what he felt the Commission was imagining.

Chairman Gonzales explained that, in the last meeting, he brought up the issue of safety between the private driveway and pedestrians on the trail. He asked what has been proposed because he does not feel that a vinyl fence would be a good barrier. Mr. Davis said that he has proposed boulders be placed between the driveway and the trail and that he felt that the boulders would be great.

Commissioner Swenson asked about fencing. Mr. Davis explained that the vinyl fence ran along the south portion of the property and that there was an existing fence between the property and the adjacent property owner (Mr. Lamb).

Chairman Gonzales invited public comment. There was none.

Chairman Gonzales read a letter that was submitted by James and Peggy Wilbur. Chairman Gonzales explained that all of the Wilbur's issues had been addressed except for curb and gutter.

Mr. Davis explained that Mr. Lamb, the adjacent property owner, does not have curb and gutter in front of his home and he welcomed the curb and gutter. Mr. Davis further explained where they had proposed curb and gutter which was in front of Mr. Lamb's property and through the frontage of the proposal.

Commissioner Fallon asked about the trees and if they were on the subject property or the adjacent property owner. Mr. Davis said that they were on Mr. Lamb's property.

Chairman Gonzales expressed safety from the Bonneville trail was a big concern to him.

Chairman Gonzales **moved** to recommend **approval** of the Trailside Zone Change and Preliminary Plat. Commissioner Fallon asked about the Zone Change and what other option the applicant would have. Mr. Anderson explained that should the applicant not construct what has been proposed and approved that the only other option he would have is a 6,000 single family lot. Commissioner Fallon **seconded** and the motion **passed** all in favor.

## **CONDITIONAL USE**

### **AT&T**

Applicant: AT&T

General Plan: Public Facilities  
Zoning: Public Facilities  
Location: 350 South 300 West

Mr. Anderson explained that what is proposed is a modification to the equipment on the pole. He said that other carriers co-locate on AT & T's pole. City staff recommends that the proposal be approved. Mr. Anderson expressed that he felt this location is a great one for this type of facility.

Chairman Gonzales invited public comment. There was none

Commissioner Swenson **moved to approve** the Conditional Use permit for AT&T. Commissioner Fallon **seconded** and the motion **passed** all in favor.

### **ORDINANCE AMENDMENTS**

#### **Proposed Changes to Title 15**

Applicant: Spanish Fork City  
General Plan: not applicable  
Zoning: not applicable  
Location: City-wide

Mr. Sant explained that the proposed changes were to clean up the City code and be consistent with State law. He explained the changes.

Chairman Gonzales explained that he had continued this item in the Commission's last meeting because he was not comfortable making a recommendation with the City's Legal Department explaining the proposal.

Commissioner Fallon **moved to approve** the proposed changes to Title 15. Chairman Gonzales **seconded** and the motion **passed** all in favor.

### **PROJECT SIGNANGE PLAN**

#### **Canyon Creek**

Applicant: Woodbury Corporation  
General Plan: General Commercial, Light Industrial  
Zoning: Commercial 2, Business Park, Shopping Center  
Location: 1100 North Chappel Drive

Chairman Gonzales said that he would like to do some research on signage in other Cities. He expressed that he felt that signage was important to retail sales but before the Commission takes action on this proposal that he felt that the Commission needed to do some research.

Mr. Anderson explained that City staff does not have to review the new signage criteria. He then explained the new ordinance which is Chapter Five, Section 36.

Richard Mendenhall

Mr. Mendenhall explained that he has not presented the concept to the Planning Commission. They have been laying the foundation with City Staff. He walked the Commission through the Canyon Creek Retail Center design concept and signage plan using an overhead presentation.

Chairman Gonzales moved to hold a work session on June 26, 2013 at 6:00 p.m.

Chairman Gonzales expressed that he wanted to be fair with regard to signage and not open a can of worms with what you do for one you have to do for everyone.

Commissioner Fallon moved to move the July meeting to the 10<sup>th</sup>. Commissioner Swenson seconded and the motion passed all in favor.

Commissioner Fallon explained the design assistance at the North Park would give a vision for potential facade improvements and block redevelopment concepts.

### **OTHER BUSINESS**

The meeting **adjourned** at 8:25 p.m.

**Adopted: July 10, 2013**

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Shelley Hendrickson, Planning Secretary