

**Adopted Minutes  
Spanish Fork City Planning Commission Meeting  
July 10, 2013**

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

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

**Citizens Present:** Mark Terry, Annette Terry, Jessiane Raehl, Darwin L. Thomas, Beverly Thomas, Darlene Faye, Doug Thompson, Cari Thompson, Chris Fuhriman, Patricia Garner, Gregory Garner.

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

Gregory Garner, a boy scout, led in the Pledge of Allegiance.

**MINUTES**

**June 5, 2013**

Chairman Gonzales **moved** to **approve** the minutes of June 5, 2013, noting that the work session was canceled. Commissioner Fallon **seconded** and the motion **passed** all in favor.

**CONDITIONAL USE**

**Thompson**

Applicant: Doug Thompson  
General Plan: Medium Density Residential  
Zoning: R-1-6  
Location: 2025 East 775 South

Mr. Anderson explained to the Commission that they were the land use authority on Conditional Use Permits and would need to act to approve or deny the proposal. He further explained that if an applicant meets the Conditional Use in our land development code the City will approve those requests. The land use authority has the ability to impose other conditions that they feel mitigate any foreseeable negative impact on the surrounding area. The City ordinance conditions are what an applicant has to meet in order to apply for a conditional use permit. City staff did not find any justification for denying the Conditional Use request and no site-specific conditions of approval that are appropriate or necessary. City staff recommended that the proposal be approved. Mr.

Anderson entered two written correspondences that were submitted from a Natalie Rogers and Ben Rogers.

Discussion was held regarding what the parking requirements are for a single-family residence in the City; whether or not there needs to be a separate entrance for an Accessory Apartment and that the proposed Accessory Apartment is located in a cul-de-sac where there is only one point of ingress and egress.

Doug Thompson

Mr. Thompson gave the Commission a document showing a separate entrance for the Accessory Apartment and explained that the apartment would be around 600 square feet with one bedroom, one bathroom and a kitchen. He expressed that he would be living at the residence and he was not interested in making it a discomfort to the neighborhood.

Discussion was held regarding the plot plan and where the uncovered parking would be located.

Chairman Gonzales invited public comment.

Mark Terry

Mr. Terry expressed his concern was that when they bought in East Meadows it was their understanding that it was single-family dwellings only. He explained that in the winter the cul-de-sac is a secondary road and is not plowed. He expressed that in his profession, in law enforcement, that single-family neighborhoods that allow apartments have enforcement issues.

Chairman Gonzales read, out loud, the written correspondence that was submitted. He explained that if you live in the City and are not happy with the uses that are allowed in your residential zone that you raise your concerns with the City to change the law. The Commission cannot deny this request because it meets the City ordinance.

Annette Terry

Mrs. Terry asked that if the proposal were approved could it be approved for others in the neighborhood. Chairman Gonzales explained that it could if they met the City's requirements.

Jessiane Raehl

Mrs. Raehl described where her residence was and expressed that she would not be putting an apartment in her home. She requested that the City plow the cul-de-sac.

Commissioner Fallon explained that the Planning Commission did not open the door for Accessory Apartments, that it is a use that is already in place in the City's ordinance.

Mr. Thompson expressed that he would be fine with a condition, of the approval, being that there could only be two cars for the Accessory Apartment. He further expressed

that he and his wife would be living there and that the reason they chose to purchase this particular lot was due to the zone and the ability to have an Accessory Apartment.

Darwin Thomas

Mr. Thomas explained that he was surprised to hear that the Commission had to approve the proposal and asked what the options for the neighbors in the area were. He explained that he thought the traffic into the cul-de-sac was going to be a problem.

Chairman Gonzales expressed that he did not feel two more cars would affect the traffic.

Commissioner Heap asked if it was a relevant condition to say that the garage could not be used as storage and a trailer could not be stored where a parking spot should be. He expressed that he felt that the traffic was not an issue but the parking could be.

Commissioner Fallon asked about fire separation with regard to parking.

Commissioner Gull asked why the access to 750 street, for the Thomas', was being closed off. Mr. Thomas explained the reason.

Darlene Faye

Mr. Faye expressed that her concern is that the lot is narrow and also the traffic. She asked how the neighbors would be protected should the applicant decide to move.

Mr. Anderson explained that the conditional use runs with the land and not the property owner. Accessory Apartments are different than a duplex. Duplexes can have absentee landowners. Accessory Apartments require owner occupancy on the premise.

Commissioner Heap explained that the neighbors could complain to the City's zoning authority if the conditions of approval are not being satisfied.

Discussion was held regarding conditions relative to how many people reside in the apartment, parking and the amount of adults and minors allowed.

Chairman Gonzales **moved** to **approve** the Thompson Conditional Use Permit subject to the following conditions:

### **Conditions**

1. That the parking is used on the property as outlined by the City ordinance.
2. That the proposed apartment is limited to two adults and one minor.

Commissioner Gull **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

Mr. Anderson explained the proposal was to have signage approved for more than what the City ordinance allows and that they would need to weigh the impact of the proposed signs on surrounding properties, the advantages the proposed signage may create in generating commerce, the aesthetics of the proposed signs and whether or not visibility is needed from travel lanes on State and Federal highways. He told them to be very specific and articulate their decision for the action that they take.

Chairman Gonzales expressed that his concerns were not the aesthetics but the quantity, location and height.

WPI presented the project signage plan and discussion was held regarding the monument location at the far corner of quadrant eleven.

Chairman Gonzales expressed that he did not feel that the monument in the far corner of quadrant eleven was necessary and that it was an eyesore.

He explained the primary market, secondary market and tertiary market relative to shopping opportunities and commerce, project trip generation and the different sizes and heights of the signs.

Discussion was held regarding the location of the signage to be viewed from the State and Federal highways. Commission consensus was that they did not feel that the proposed signage was advantageous.

Commissioner Heap expressed that he felt some of the proposed signage is really stretching the limit and that he felt that technology is helping people to navigate and that finding the happy medium was hard.

Commissioner Swenson expressed that he felt people who are traveling from the South or Highway 6 would be looking for signage more than people traveling northbound.

Discussion was held regarding WPI's reasoning for the placement of the 100 foot tall signs.

Mr. Heap expressed that he felt the height of the signs on I-15 could be justified due the height of the freeway but he did not feel that they could on Highway 6.

Commissioner Swenson expressed that he felt by allowing the sign height to be higher that everyone else would want it as well.

Mr. Anderson asked the Commission to review the detrimental impact the signage could be to the North Park and what the City constructed there.

Commissioner Fallon said that the flagpole at the arena is 100 feet tall.

Discussion was held regarding the 65-foot tall signs.

Chairman Gonzales expressed that he felt the 65-foot sign on Highway 6 was big and the residential neighborhood would have to look at it. He expressed that there were many billboards along the highway that could be used for advertisement.

Mr. Anderson explained, relative to the pole signs, that in addition to those signs there will be monument signs in front of the structures. The intent would be that any building with frontage can apply for a monument sign and have it approved.

Discussion was held regarding the height of the flag pole in the Northgate Shopping Center, the height of the billboards along Highway 6 and I-15 and sign placement along Highway 6.

Commissioner Fallon requested that the Commission take a field trip together and look at signage. He said that whatever signage is proposed that the Commission needs to know exactly where the signs are going so that they can make an appropriate decision.

Mr. Anderson said that if the Commission would like to travel around to look at signs that the City could accommodate that.

Chairman Gonzales scheduled a work session and public hearing for July 31, 2013. He told the applicant that he would like a legend indicating all of the signage before the meeting. He also requested more photos from different angles.

Commissioner Fallon **moved to continue** to the proposal until July 31, 2013. Commissioner Gull **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. Anderson explained the proposed changes were in red bold language and the language that was strike through was proposed to be removed.

He explained the change to the roof pitch in Master Planned Developments.

Chairman Gonzales asked if the change was criteria or opinion. Mr. Anderson said that yes, it was subjective.

Mr. Anderson explained the next change was to change the accessory structure height from 15 to 20 feet and discussion was held relative to the change.

Chairman Gonzales invited public comment. There was none.

Commissioner Heap **moved** to **approve** the proposed changes to Title 15. Commissioner Gull **seconded** and the motion **passed** all in favor.

### **OTHER BUSINESS**

There was none.

The meeting **adjourned** at 8:30 p.m.

**Adopted: August 28, 2013**

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Shelley Hendrickson, Planning Secretary