

**Adopted Minutes
Spanish Fork City Planning Commission Meeting
August 7, 2013**

Commission Members Present: Chairman Brad Gonzales (electronically), Reed Swenson, Bruce Fallon, Richard Heap.

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

Citizens Present: Krisel Travis, Charles Dahl, Mark Hathaway, Eileen Lamoreaux, Matt Ledine, Brent Wignall, Brandon Leavitt.

Commissioner Heap opened the meeting at 6:00 p.m.

Commissioner Heap led in the Pledge of Allegiance.

MINUTES

July 10, 2013

Commissioner Heap tabled the minutes until the next meeting.

ZONE CHANGES

Stone Infill Overlay

Applicant: Dave Simpson

General Plan: High Density Residential

Zoning: R-3

Location: 800 East 600 North

Mr. Anderson explained where the property is located and said this is the only vacant property in the vicinity. The property is zoned R-3 which is the City's most dense residential zone. Several properties in the block have been developed at the upper end of the City's density range. The properties that border the subject property have all been developed with four-plex structures. The City's provisions that once allowed for four-plexes have changed a few times over the past few years and today the greatest number of units that the City's code would allow is three. The Infill Overlay Zone is a mechanism that the City uses and is the only tool to allow for multifamily in the R-3 zone for properties less than five acres in size. He explained how the Infill Overlay Zone was achieved. This zoning tool gives the City tremendous discretion. He explained that the proposal met the City's parking standards and that in his opinion single-family homes

would be a poor fit with the four-plexes in the cul-de-sac. Staff felt comfortable with recommending that the proposal be approved subject to the aesthetics of the structure.

Commissioner Swenson explained that he felt the applicant was asking the Commission to look above and beyond the R-3 density and if they do that that they need to give the City a reason to look at a housing complex that will add to the area. He said that he is familiar with the area and that he would be more intent to look at how it is built and the architecture, as well as what kind of fencing will go around it.

Discussion was held regarding fencing.

Commissioner Heap asked if the parking, in the front setback, met the City's standards. Mr. Anderson said that it did but that it was perfectly in the Commission's purview to recommend otherwise.

Commissioner Heap expressed that the front setback in the City's other residential zones is 25 feet but that with the Infill Overlay it is 20 feet. Mr. Anderson explained that with the Infill Overlay Zone that the minimum is 20 feet but that if the Commission felt it should be greater then they could require it.

Commissioner Fallon expressed that it looked like the parking abutted the building which he does not feel is a good idea.

Mr. Anderson explained that normally with an Infill Overlay Zone request the City will receive more detailed plans but that the applicant did not want to invest in the plat if the zone change was not approved.

Commissioner Heap asked why the DRC recommended stucco and brick when the applicant proposed stucco and rock.

Mr. Anderson used an overhead image on Google Earth to show the commission what the structures in the neighborhood look like aesthetically. The fourplexes in the cul-de-sac are brick.

Commissioner Heap invited public comment.

David Pierce

Mr. Pierce expressed his concern is that they have been living in a single-family home in the neighborhood for a long time and that continually more and more multi-family was built around them. He expressed that this part of the City over time has been butchered and that the City should not allow anymore.

Darlene Pierce

Ms. Pierce expressed that the density was high and that the almighty dollar meant more and that she felt that a tri-plex was not the answer.

Mr. Anderson explained all of the land uses that could be constructed on the property. He expressed that it is unfortunate that the properties were developed in the manner that they were. The intent of the Infill Overlay Zone is to make the neighborhood better. Mr. Anderson expressed that the City could do more from a code enforcement aspect and that is what the City should be focusing on if we have problems in this area of town.

Discussion was held regarding the difference between a Conditional use and the Infill Overlay Zone.

Commissioner Swenson expressed that he felt the applicant was pushing the limit with three and that a duplex would be more appealing to the community.

Commissioner Fallon expressed that the design was very flat and that one cantilever was not enough architecturally. He said that the structure oriented to 600 North and turned a cold shoulder to 800 East and that maybe the building could be oriented to both sides of the street.

Chairman Gonzales asked for clarification on the parking and stated that he did not want the cul-de-sac to get clogged. Mr. Anderson explained that the proposal met the City's parking ordinance and that vehicles were already being parked in the cul-de-sac. He expressed that with the current configuration it allows for more landscape.

Commissioner Heap expressed that the density was too much. Commissioner Swenson agreed.

Commissioner Heap expressed that he was not as concerned with the square footage of the structures, but that it was the parking and the hassle it would create along the streets that concerned him.

Commissioner Fallon asked about the parking in the front setback backing out onto a City street. Mr. Anderson explained that the DRC did discuss that.

Commissioner Heap expressed that he felt the parking was not sufficient for visitors.

Chairman Gonzales expressed that he was comfortable with the proposal as proposed.

Chairman Gonzales **moved** to recommend **approval** subject to the Development Review Committee's recommendation:

Conditions

1. That no more than three units be permitted.
2. That the units are to be clad in stucco and brick wainscot.
3. That the minimum of a 5:12 pitch on roof.

4. That the applicant fences the exterior of the perimeter rather than the individual lots.
5. That the space in the back of the units be open for the common use of the residents in the building.
6. That the applicant completely landscapes the entire premises.

The motion **died** for lack of a second.

Commissioner Fallon expressed that the architecture was not good enough.

Commissioner Fallon **moved to table** the Stone Infill Overlay Zone request with the recommendation that the applicant return back with a review of the suggestions made from the meeting with regard to the design of the tri-plex. Commissioner Swenson **seconded** and the motion **passed** all in favor.

Park View

Applicant: DR Horton

General Plan: Mixed Use

Zoning: Rural Residential existing, R-3 proposed

Location: approximately 200 East Volunteer Drive

Mr. Anderson explained that the subject property is located on the north side of Volunteer Drive, west of Main Street and across the street from the City's Sports Park. The project is 14.5 acres in size. All but 1.6 acres is proposed to be residential. The General Plan designates the property as mixed use but that mixed use description does not give specific guidance as to what may or may not be appropriate. One of the intentions is that the project co-mingles different land uses either on the property or in the same structure. The proposal is to build townhomes with a little bit of commercial. Density is nine units per acre. He expressed that there are a few places in the City for a higher number of units per acre and that this is one of those places but that his concern is with the adjoining uses and making sure that there are sufficient buffers. He expressed that it is immediately across the street from a public park and really believes that there is an opportunity to develop the property in a positive way. The proposal does not have, with the exception of end units, buildings that front onto Volunteer Drive. It is customary in Spanish Fork that multifamily projects front onto public space. Images were displayed on the projector of condominium units in town. Mr. Anderson acknowledged that the subject property was a difficult piece of property to make a design work.

Krisel Travis with DR Horton addressed the Commission. She expressed that they understand Mr. Anderson's concerns with the orientation of the structures facing Volunteer Drive. She said that they had made changes to the plans to accommodate the concern. They are not turning all of the fronts of the units to face Volunteer Drive. They have agreed to orient the end units to face the road with sidewalk out to the front. She explained that in DR Horton's study of the area and the demographics the people they will

attract here are young couples with small children ages zero to five. She expressed that they are also very active and like to entertain (e.g., BBQ's, etc.) in a private space. When you orient to the street and have a rear loaded townhome you lose that private space and they feel the types of buyers that will be attracted to the area would want that space. They have had a few challenges with the subject property, including utilities that are outside of an easement, a 30-foot sewer line easement and a high pressure gas line that run through the property. She expressed that to use the land most efficiently that they feel this layout is the best.

Matt Ledine explained the amenities which include a park-like setting, open landscaped areas, recreation areas and facilities, retreat space with covered gazebo and BBQ area, easy access throughout the community and walkable distance along the existing City trail. He explained the architectural elevations and plans.

Commissioner Heaps asked for clarification on the mixed use zone. Mr. Anderson said that the General Plan designation suggests a combination of retail, personal service and generally residential uses. He explained that you can look at the General Plan from more than one perspective. He said that he did not have a concern that the uses are not more mingled. He said that it was for the Commission to decide what the vision for the community is supposed to be.

Commissioner Fallon asked for clarification on the extent of the closure. He expressed he was struggling with the term 'community amenities' when it is fenced in.

Ms. Thomas explained it is more of a homeowner's amenity. The reason for the fence is because they are right across the street from the City Park. She explained where the fencing would begin and end. She further explained that they had buffered the back edge of the property with a forty-foot buffer and panelized fencing and that you could connect to the City's trail from the subject property. She asked the Commission to possibly make an approval on condition that a Preliminary Plat be approved as they do not desire to purchase the property if their plat is not approved and do not want the property owner to be left with something that DR Horton rezoned.

Commissioner Heap asked Ms. Travis if there was any commercial included in the property.

Ms. Travis explained that DR Horton only builds homes and are not entertaining commercial at this time. She said that the owner of the property has a realtor and is actively looking for commercial uses. Mr. Ledine expressed that there was 1.6 acres along Main Street that was allocated in the project for commercial.

Commissioner Heap invited public comment.

Charles Dahl

Mr. Dahl is the owner of the property. He asked the commission to strongly use DR Horton's expertise or the property will be vacant for a very long time.

Commissioner Swenson expressed that he felt the property was prominent and that the City wanted something that was pleasing to the City and the visitors. He is concerned with the density. He said that the City already has a lot of density on the West side of Spanish Fork.

Commissioner Heap expressed that his concern is that there is not more commercial development along Volunteer Drive. He asked if something similar to what the Commission looked at in Highland would be feasible. He would like to see that possibility looked at to see a combination of uses to get more commercial use.

Mr. Ledine explained that he was very familiar with the product in Highland that Flagship had built. The demographics are completely different. DR Horton is going after young families. The last thing they want is to be business oriented. They are trying to build an extension of the City's park.

Commissioner Heap expressed that he felt the City agreed with the need to accommodate young families and that there were quite a few places already in the City so it is not that the City is trying to turn its back to them.

Commissioner Fallon asked about setbacks. Mr. Anderson said that there is not necessarily a setback minimum with a master planned development.

Commissioner Fallon expressed that he appreciated the efforts of the applicant to orient the end unit to the street but that his concern is that there is some actual relationship with the frontage between the street and the front porch.

Mr. Ledine explained that they are in the market for young families and the safety of their children and the last thing they want to do is open it up for a play area for kids.

Commissioner Fallon said that he does not have a problem with density. He has a hard time envisioning that a true mixed use would ever be built on the subject property.

Commissioner Heap expressed he would like to see more commercial.

Chairman Gonzales expressed that he needed some more time to research and would like to table it to the next meeting.

Chairman Gonzales **moved** to **table** the Park View Zone Change in order to give the Commission more time to research the facts. Commissioner Fallon **seconded** and the motion **passed** all in favor.

OTHER BUSINESS

Discussion was held regarding the City's process of Conditional Use Permits.

The meeting **adjourned** at 7:50 p.m.

Adopted: August 28, 2013

Shelley Hendrickson, Planning Secretary