

Adopted Minutes
Spanish Fork City Planning Commission
40 South Main Street
Spanish Fork, Utah 84660
June 1, 2022

Commission Members Present: Chairman Jesse Cardon, Commissioner Todd Mitchell, Commissioner Michelle Carrol, Commissioner Joseph Earnest, Commissioner John Mendenhall, Commissioner Shauna Warnick.

Staff Members Present: **Dave Anderson**, Community Development Director; **Brandon Snyder**, City Planner; **Michael Clark**, Assistant City Engineer; **Jackson Dille**, Planning Intern.

Citizens Present: Clark F. Conway, Joseph Planner; Powell, Arlun Ault, Kaye Ault, Carolyn Cope, Joe Cope, Ryan Christofferson, Jared Morgan, Jackie Larson, J. Merrill Hallam, Eric Jacobsen, Rachel Jacobsen, John Stewart, Scott Peterson Arlon.

WORK SESSION

Chairman Jesse Cardon called the meeting to order at 6:03 P.M.

PRELIMINARY ACTIVITIES

Pledge of Allegiance

Commissioner John Mendenhall led the pledge.

PRELIMINARY PLAT

Quick Quack Highway 6 Spanish Fork Parkway

Commissioner Joseph Earnest recused himself.

Brandon Snyder stated that the applicant offered much more information than is typically required on a Preliminary Plat and reminded the commission that they are the decision-making body on this issue. Brandon Snyder reminded the Commission that this is on the site near Highway 6. Brandon Snyder summarized the proposed lot configurations for the site. Quick Quack will build on parcel one. Future final plats and site plan approvals are pending. A proposed roundabout will affect the north part of the property.

Commissioner Shauna Warnick asked to be shown the access points.

Brandon Snyder showed and explained the two access points for the property.

Commissioner Shauna Warnick asked what the crosshatched area on the plan denoted.

Brandon Snyder said that it denoted an area with shared easements.

Commissioner Todd Mitchell asked if we know what will be on lots three and one.

Brandon Snyder said no.

Chairman Jesse Cardon asked if the City owns the property behind this site.

Brandon Snyder used a map to show that it is owned by the City. He said discussion has occurred on the fire department's access to the area and other access's potentially being added to the north.

Chairman Jesse Cardon asked if the City would be in charge of maintaining this property.

Brandon Snyder said yes.

Commissioner John Mendenhall asked if this site has more ability to queue cars than other car washes in the City.

Joseph Earnest used the plan to show that there is plenty of stacking.

Commissioner Todd Mitchell asked if wait times have been addressed by the traffic engineer. They have received many concerns about this.

Commissioner John Mendenhall asked if the roundabout was double or single laned.

Michael Clark said it will be single laned. There will not be cars stacking at the intersection to turn.

Chairman Jesse Cardon asked about what changes would happen to this road when the railroad leaves.

Michael Clark said any changes would need to be planned and coordinated with UDOT.

Commissioner Shauna Warnick asked if the planned roundabout is smaller than the one on the other side of Highway 6.

Michael Clark said yes. This is based on current traffic plans and growth estimates.

Michael Clark pulled up the traffic report. The report addresses the concerns that have been brought up.

Commissioner Shauna Warnick expressed curiosity at why this roundabout would not be as large as the one on the other side of the highway if this road is going to become a thoroughfare.

Joseph Earnest said he thinks the word of a City Engineer should be good enough.

Commissioner Shauna Warnick clarified that she is just expressing her intuition and opinion.

Commissioner John Mendenhall said the City's requirements have been met and he is not sure if there is good reasoning to require them to go above and beyond. He can see some elements that the traffic report may not have taken into consideration, but there is not enough reason to go beyond it.

Commissioner Todd Mitchell **moved** to approve the Quick Quack Highway 6 Spanish Fork Parkway Preliminary Plat based on the following findings and conditions:

Finding:

1. That the application conforms to the City's General Plan Designation and Zoning Map.

Conditions:

1. That the applicant meets the City's Zoning requirements and Construction Standards.
2. That the applicant addresses any red-lines.
3. That the applicant finalizes the roundabout design and layout with the City and that any updates be reflected on the plat.
4. That the applicant addresses the Traffic Study recommendations with Engineering in regards to access locations and spacing.
5. That the applicant addresses the phasing and timing of the subdivision and site plan improvements.
6. That the applicant coordinates the necessary utility and access easements with Public Works.

Commissioner Michelle Carrol **seconded** and the motion **passed** all in favor.

El Tenedor Logistics Center

Brandon Snyder explained the location and history of the property. This Preliminary Plat also has more information than required. It is proposed that a new east-west road be built here. Today they are looking at proposed subdivision lots. The only condition added due to the DRC meeting is condition three involving extension of utilities and storm drain off-site.

Commissioner Todd Mitchell asked clarifying questions about the property lines in question.

Commissioner John Mendenhall asked if there are tenants pending for the lots.

Joseph Powell said currently there are no tenants pending, they are marketing the proposed buildings right now. They intend on developing soon, the ground is primarily pasture ground.

Commissioner Joseph Earnest asked if they own it

Joseph Powell said yes, they just closed on it.

Commissioner Shauna Warnick **moved** to approve the El Tenedor Logistics Center Preliminary Plat based on the following findings and conditions:

Finding:

1. That the application conforms to the City's General Plan Designation and Zoning Map.

Conditions:

1. That the applicant meets the City's Zoning requirements and Construction Standards.
2. That the applicant addresses any red-lines.
3. That the applicant coordinates with Public Works and Engineering regarding addressing connector or pioneering agreements in this area.

Commissioner John Mendenhall **seconded** and the motion **passed** all in favor.

TITLE 15 AMENDMENT (PUBLIC HEARING) **Irregular Shaped Lots**

Brandon Snyder explained the nature of irregular shaped lots, a common example is lots on the end of cul-de-sacs. It can be hard to fit housing units on certain types of irregular shaped lots. Most lots are not irregular and do not have issues with the currently required setbacks.

Commissioner Joseph Earnest asked how often John Little runs into this issue and grants a variance.

Brandon Snyder clarified that John Little cannot issue a variance.

Dave Anderson said two have been granted in the past 16 years.

Commissioner Todd Mitchell asked why change Title 15 rather than deal with each individual case.

Brandon Snyder said the hurdles for granting a variance are high. There is no downside to having this be a Title 15 change.

Discussion ensued regarding setback lines.

Commissioner Todd Mitchell asked if this applies primarily to new builds or additions to existing buildings.

Dave Anderson said it applies to both. He mentioned that making a city-wide change through Title 15 leads to ease of administration.

Commissioner John Mendenhall mentioned that this only applies to irregular lots.

Commissioner Joseph Earnest asked about regular lot setback averages.

Dave Anderson said they are typically 25 feet, but many developments use master planned developments which can be more flexible and are usually no less than 20 feet.

Chairman Jesse Cardon clarified that speaking time at public hearings is three minutes and urges repetition be avoided.

Chairman Jesse Cardon opened the public hearing at 6:41 P.M.

There was no public comment.

Chairman Jesse Cardon closed the public hearing at 6:41 P.M.

Commissioner Joseph Earnest **moved** to recommend to approve the Irregular Shaped Lot Title 15 Amendment.

Commissioner Todd Mitchell **seconded** and the motion **passed** all in favor.

GENERAL PLAN AMENDMENT (PUBLIC HEARING)

Hallam

Dave Anderson explained the function of a City's General Plan using examples from Spanish Fork's current General Plan. He explained why certain types of developments work better in certain sites. He stated that well planned communities make an effort to identify those sites and plan for those types of growth. He

mentioned that sales tax revenue funds the majority of services in Spanish Fork. A few years ago, the City hired a consultant to help identify sites that could support commercial development. There was a clear recommendation that commercial development would be a good fit for the area under discussion today, but how much land was less clear. This is not a Zone Change, but opens the door for future Zone Changes and proposals. This is intended to be a broad brush. The City does not know how much acreage would be best to have zoned commercial, and that can vet itself with time. This proposal is less aggressive than one that came to the City a few years ago. It is impossible to say the next time this issue may come forward to the City. Many retailers are looking for more land in Spanish Fork. This site could provide around 15-20 acres of new commercial land depending on the applicant and the desire of the Planning Commission.

Chairman Jesse Cardon asked what the Commercial General Plan designation entails.

Dave Anderson said it can entail all commercial uses currently seen in the area. It does not include residential development, unlike the Mixed-Use designation.

Commissioner Shauna Warnick asked the acreage of the Walmart parcel nearby.

Michael Clark said Walmart is 6 acres and the whole site they are on is 13 acres.

Commissioner Todd Mitchell said there is frequently a buffer with commercial areas, and asks if there is any way to buffer between commercial and single-family residential here.

Dave Anderson said sure. The Commission can recommend that if they want. He mentioned that it is beneficial to have synergy in neighboring developments, but buffers are a luxury and not a necessity. There is no harm done in having residential units near standard commercial developments. He mentioned that the Commission has expressed desire for more space for low density residential.

Commissioner Joseph Earnest asked what legal means the City would have to require landscaping buffers between 15,000 square foot residential lots and a commercial zone.

Commissioner Todd Mitchell asked the difference in that situation between different commercial uses.

Commissioner Shauna Warnick asked if residents would rather have low density next to commercial or high density residential.

Dave Anderson said that the answer to that is subjective, but neither have to have a negative impact.

Michael Clark showed an image in Orem of low density residential bordering a commercial space.

Commissioner John Mendenhall said he would like to leave as much space for low density residential as he can. He believes you could put low density right up to the commercial and not have an issue.

Dave Anderson addressed Commissioner Todd Mitchell and Commissioner Joseph Earnest's questions by saying that landscaping requirements of commercial developments are equal regardless of use. Those requirements can be flexible when tied to a Zone Change. Changing the general plan sends a signal, but still leaves the City with authority to make certain requirements for approval.

J. Merrill Hallam, the applicant for the proposal, mentioned the amount of new residential and commercial growth happening in the area. He also thinks commercial space is needed in this area.

Commissioner John Mendenhall sought to clarify the boundaries of J. Merrill Hallam's property.

J. Merrill Hallam outlined what the property is. There are 20 acres on the corner.

Commissioner Joseph Earnest said 20 acres is much bigger than the red bubble on the exhibit.

J. Merrill Hallam explained why they formed the application the way they did.

Commissioner Joseph Earnest asked if UDOT would allow for a new access coming north off Highway 6 to the east of Holiday Oil.

Michael Clark said no.

Chairman Jesse Cardon opened the public hearing at 7:26 P.M.

Rachel Jacobsen lives in the Edge community on 2500 East. Her concern is traffic. She wonders if there are other ways to divert traffic. She does not think a three-lane road will cut it. Sometimes she waits 5 minutes to turn left. She likes the idea of a visual buffer with walls and or trees. She asked if there is a park in the works for the area. She thinks some commercial space in the area could be really nice, she is mostly just concerned about traffic. She said a right turn lane onto Highway 6 would be super helpful.

Chairman Jesse Cardon closed the public hearing at 7:29 P.M.

Michael Clark said a three-lane road could accommodate right turn lanes. If they change this property to a commercial designation, they would look at any changes that may cause to traffic estimations.

Commissioner John Mendenhall said 700 South is not large but could serve to accommodate more traffic. It is being worked on currently and could accommodate more traffic in the future.

Commissioner Todd Mitchell asked about the potential for an increase in traffic due to a new elementary school.

Michael Clark said it could be close enough to surrounding homes that students could walk rather than drive.

Chairman Jesse Cardon mentioned that Dave Anderson said the City's General Plan may be examined in the near future and asked what the purpose of this change is if the General Plan is going to change.

Dave Anderson said it is not likely that that gets started on until next year and there is no need to put this off that long. The proposed City budget would include funds for getting outside help on creating a robust General Plan.

Commissioner Michelle Carrol asked if a new traffic study would happen if this change is made.

Michael Clark said they would have to know what exactly is coming in to run the numbers. He does not think it would have enough of an effect to change the planned road system.

Commissioner Michelle Carrol asked if 20 acres of commercial is not significant enough to change traffic plans.

Michael Clark said the thresholds are around 4,000-6,000 daily trips, this change would likely not bump the area into the next threshold.

Commissioner Mendenhall said part of the Planning Commission's duty is not just to react, but to plan. He thinks 20 acres is on the upper limit of what you would want to have, but he is comfortable with it. He thinks it

will accommodate growth without being burdensome. He said that with the number of new houses, we can see there is a need for more commercial space. There will still be zone changes to decide what exactly can get built.

Commissioner Shauna Warnick also said she is comfortable with that size.

Commissioner Joseph Earnest said he could be comfortable, only if it's done to abut low density residential. That way both citizens can live together.

Commissioner Michelle Carrol said she appreciated seeing the Orem example of abutting uses.

Commissioner Joseph Earnest mentioned that the roundabout should help with traffic there.

Commissioner John Mendenhall said he supports lower density residential space going right up to the commercial space. He said that in the future they should allow lower density residential units to abut commercial space.

Chairman Jesse Cardon said further discussion on General Plan designations for the area is needed.

Dave Anderson agreed.

Commissioner Shauna Warnick told Rachel Jacobsen that she would also like to have a park in that area.

Commissioner John Mendenhall **moved** to recommend to approve the Hallam General Plan Amendment based on the following findings:

Findings:

1. That the proposal will help alleviate traffic downtown.
2. That the proposal is of appropriate size for the area.
3. That the proposal is ideal based on its proximity to US 6 and Spanish Fork Parkway.

Commissioner Todd Mitchell **seconded** and the motion **passed** all in favor.

ZONE CHANGE (PUBLIC HEARING) AND PRELIMINARY PLAT
Arrowhead Subdivision

Dave Anderson showed the location of the property on a map of the City. Staff support the change to add commercial land to the area. The currently planned commercial site could be problematic for fitting something on. The rest of the site remains residential. The applicant will remediate the site for previous environmental impact.

Commissioner Joseph Earnest asked if they have already approved a Preliminary Plat on this site.

Dave Anderson said proposals for the site have gone through several significant iterations.

Chairman Jesse Cardon asked if there is a drop off on this property.

Dave Anderson said there is one just offsite.

Jared Morgan is with the developer of the site. He said there are 192 lots on the current Preliminary Plat. Eight are being incorporated on the plat but are owned by Scott Peterson. Jared Morgan gave a history of changes made since April. The last iteration had a park on the side. They felt R-1-9 wouldn't fit the vision for the area. They have since changed the lots to fit R-1-12 zoning. Proposed commercial use has been expanded to a 3-acre piece and will be more conducive to a productive use. He then walked through the different phasing plans. There will be 6 different phases. The side lot will be reserved for environmental remediation.

Commissioner Joseph Earnest asked if the plat they saw includes the lots being retained.

Jared Morgan said yes.

Michael Clark asked if the houses here will have basements.

Dave Anderson said there should be.

Chairman Jesse Cardon opened the public hearing at 7:57 P.M.

Arlun Ault said he's seen this coming for a few years and he would like to see a permanent fence put in. There are a few hundred quail in the area and he would like to see a permanent fence put in to limit human interference.

Chairman Jesse Cardon closed the public hearing at 8:00 P.M.

Brandon Snyder mentioned that one of the conditions of approval is a fencing plan.

Commissioner Joseph Earnest asked if the standard is a masonry wall.

Commissioner Shauna Warnick asked where the wall will go.

Dave Anderson said a wall would be required on the boundary with the commercial site. It is unclear who would need to build it, unless it were part of the conditions for approval. A fence to the west would be very visible and should be uniform.

Brandon Snyder said the DRC discussed a split along main street in open and closed fences.

Commissioner Todd Mitchell asked if that was denoted on the plan on screen.

Scott Peterson said it was.

Brandon Snyder brought up the example of the Swift Creek development where a uniform fence was required along an area. The City will want it to be made clear what types of fencing will be put in where.

A discussion between Brandon Snyder and Dave Anderson concluded that fencing is usually mandated by phase.

Michael Clark said anywhere along a road would be built by the developer.

Jared Morgan said they haven't received a ton of clarity with the fencing. He is not sure how to govern that because there will not be an HOA in this area. He asked who would pay for this, it was not anticipated that this would be required throughout the whole community.

Commissioner Joseph Earnest asked if they'd prefer not to have CC&R's.

Commissioner John Mendenhall asked who would enforce the CC&R's.

Dave Anderson said they'd help.

Jared Morgan again asked who would be able to enforce CC&R's because they will not have an HOA.

Commissioner Joseph Earnest said if there is no HOA, fencing could be regulated through the phasing plan. If there are areas where they want fencing to look similar, the City should require it as part of a phasing plan; he would also like to see a wall between commercial and residential uses.

Commissioner John Mendenhall said he believes they are just talking about perimeter fences.

Dave Anderson said staff is primarily concerned with perimeter fencing tonight.

Jackie Larson asked if the same fence would look better or mismatched fences.

Dave Anderson said it is not hard to solve, he did not explain well earlier. It is routine to require it with phases, it is not uncommon to have fences between uses, both commercial and agricultural. He thinks it makes sense to require fencing on abutting uses. He adds that it's not uncommon for a masterplan to identify the type of fence homeowners may use. Those could still be provided without CC&R's. This is not a big deal, but they want to get the perimeter fencing right.

Commissioner Joseph Earnest said requiring the developer to put in fencing does two things: residents will be less likely to fall, and the fencing will look better. So, requiring that is important for him.

Commissioner Shauna Warnick agreed.

Dave Anderson said he is comfortable with requiring a fencing plan.

Commissioner Shauna Warnick **moved** to recommend to approve the arrow header Modification based on the following findings and conditions:

Finding:

1. That the application conforms to the City's General Plan Designation and Zoning Map.

Conditions:

1. That the applicant meets the City's Zoning requirements and Construction Standards.
2. That the applicant addresses any red-lines.
3. That the applicant provides an Environmental Oversight Plan for the City's review and approval.
4. That the applicant clarifies what improvements will be made at the intersection of Del Monte and Cal Pac Ave.
5. That the applicant provides a Street Tree Plan.
6. That the applicant provides a Fencing Plan.

Commissioner Joseph Earnest **seconded** and the motion **passed** all in favor.

OTHER BUSINESS

Commissioner Joseph Earnest recused himself.

Dave Anderson said there is a concept plan to show. He showed the location of the site and explained the plans for roads and developments in the area. He would like to get the Commission's thoughts on land use for the area. There is a proposal for townhomes.

Commissioner Todd Mitchell asked how it compares to what's across the highway

Dave Anderson said it is similar in density and type. He would like to get their thoughts on layout. He is concerned about frontloaded townhomes. He likes the elevations and thinks the design makes it livelier. He asks about concerns about the layout and thoughts on a Zone Change for the area. More vetting with the Planning Commission before other meetings is helpful.

Commissioner Todd Mitchell asked if the applicant is aware of parking concerns in the City.

Dave Anderson said yes.

Commissioner Shauna Warnick asked if the idea behind frontloaded townhomes is to provide more parking space.

Joseph Earnest said to optimize street configuration. They will make sure it's a nice design.

Discussion ensued regarding density. This plan would be 14 units an acre.

Commissioner Todd Mitchell said he is not a fan of the long cul-de-sac in the plan.

Michael Clark said he thinks the street ending in a cul-de-sac is a long stretch for no parking. He asked about the surrounding development potential.

Joseph Earnest said there is a little to no development potential on the sites surrounding this property.

Joseph Earnest said he likes the idea of townhomes being next to apartments.

Commissioner Shauna Warnick said she agrees.

Michael Clark asked why commercial development doesn't pencil out here.

Joseph Earnest said there are multiple reasons that it's not a great site for commercial development.

Commissioner John Mendenhall said he has a concern about greenspace in the development. There are only 2-3 small parcels of greenspace.

Brandon Snyder said he agrees and some housing units could be removed to make it more open.

Chairman Jesse Cardon would like to see more parking.

Commissioner Todd Mitchell suggested a clubhouse and greenspace at the end of the cul-de-sac.

Commissioner Shauna Warnick said this isn't a huge development, she thinks the amenity will still be accessible regardless of location.

Commissioner Todd Mitchell is open to townhomes there. He does not like the layout.

Commissioner Joseph Earnest asked if Commissioner Todd Mitchell likes the east side.

Commissioner Todd Mitchell said he likes the east side more than the west. He would like more open space and greenspace, but he would not be opposed to a Zone Change here.

Dave Anderson said he thinks staff at the DRC will share the sentiment about the long cul-de-sac and will make sure that design is tweaked.

Commissioner Joseph Earnest sought to clarify if they like the elevations.

The commission does like the elevations.

Dave Anderson likes the fronts; this could be a place for a half open half-closed fence.

Commissioner Shauna Warnick expressed concern with shadows on the elevations.

Commissioner Joseph Earnest said that is due to picture display and not design.

Brandon Snyder said his biggest concern is that he feels the City recently gave committed to the neighboring industrial uses that their industrial use will be accommodated in the long term. He asked how the Commission can ensure that these uses won't be infringed on.

Commissioner Todd Mitchell asked if these units will be available for rent.

Commissioner Joseph Earnest said yes. He thinks it's good that the industrial uses are already there because new residents will already be aware of them. He said that if the code is followed it should be fine.

Brandon Snyder said the shared half street on the south border is not a good boundary between the two different uses.

Dave Anderson agreed that the shared access road would be problematic between these two uses.

Commissioner Joseph Earnest asked if the whole road needs to be developed.

Dave Anderson said maybe.

Commissioner Joseph Earnest said that's ok.

Brandon Snyder worries the timing isn't right. If they can fully improve the street and have sight obscuring walls, that would be better.

Discussion ensued regarding where a wall would go on the improved road.

Commissioner Shauna Warnick asked if that road could be abutting the home's backyards, not front doors.

Discussion ensued regarding that the road is staying there and how to best accommodate for that with walls and lot layout.

Commissioner Shauna Warnick said she thinks flipping the configuration would help.

Joseph Earnest said they tried that and it led to the property just being roads.

Brandon Snyder said the north fence should be open to keep the two developments more cohesive.

Joseph Earnest thanked the Commission for their time.

Dave Anderson said he appreciated it as well and ensured that there will be three Commissioners present for July's meeting.

Commissioner Shauna Warnick moved to adjourn the meeting at 8:45 P.M.

Commissioner Todd Mitchell seconded and the motion passed all in favor.

Adopted: July 6, 2022

Jackson Dille
Planning Intern