

**Adopted Minutes
Spanish Fork City Planning Commission
40 South Main Street
Spanish Fork, Utah 84660
November 2, 2022**

Commission Members Present: Chairman Jesse Cardon, Commissioners John Mendenhall, Commissioner Shauna Warnick, Commissioner Joseph Earnest, Commissioner Todd Mitchell. **Absent:** Commissioner Michell Carroll.

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

Citizens Present: Clint Garner, Pete Midtanck.

WORK SESSION

Chairman Cardon called the meeting to order at 6:05 p.m.

PRELIMINARY ACTIVITIES

Pledge of Allegiance

Commissioner Warnick led the pledge.

MINUTES

October 5, 2022

Commissioner Mendenhall moved to approve the minutes from October 2, 2022.

Commissioner Mitchell seconded and the motion passed all in favor.

CONDITIONAL USE PERMIT (Public Hearing)

1150 EAST VERIZON UPGRADE 2022

Dave Anderson said the applicant has asked the item be continued because they are not sure the project will proceed, and if it does it will go before the public again.

Commissioner Mitchell **moved** to continue the 1150 East Verizon Upgrade 2022 to the City Council based on the following findings and conditions.

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

TITLE 15 (Public Hearing)

Title 15 Amendments

Dave Anderson explained the proposed changes. There are multiple changes proposed but none are too exciting. There are some proposals to bring the language about annexations in line with the day-to-day practices. There are some proposed changes to parking. Some changes just involve moving and consolidating

discussion of parking. There have been changes in the counting of tandem garage driveway parking. Instead of two different stalls they will count as one. This issue is where most of the parking issues in existing projects occur.

Discussion ensued regarding current parking requirements and how they would be changed by this proposal. The Commission recognizes that parking is a serious issue in the community. They want to ensure that enough parking is required without putting an undue burden on developers.

Commissioner Warnick said that she felt that it was a lot to stop counting tandem parking and increase the required amount of parking to three spaces at the same time. She thinks 2.75 or 2.8 is a fairer requirement.

Dave Anderson said based on the feedback they have heard; they did not aim low with the new requirement.

The requirement for stacked flats is separate from the townhome requirement, and will be 2.25 or if it is a project with more than 200 homes it will be 2. The DRC has recommended that this change not be made.

Commissioner Mendenhall said that he sees both sides. He would like to table the parking so they can be sure what they want. They need to provide clarity to developers.

Commissioner Mitchell said in his experience most garage units get used as storage, not parking.

Commissioner Warnick said she'd like to see well parked projects and what their numbers are.

Discussion ensued regarding the different requirements. The Commissioners would like more time to examine other projects and see what works and what doesn't.

Dave Anderson mentioned there is also a proposed cleanup to clarify private streets are not allowed. There is also clarifying language regarding environmental cleanup.

Commissioner Earnest asked a clarifying question about how much the City can bill a developer for environmental review.

Dave Anderson gave an outline of how City expenses work in regards to this issue. He gave several examples of how this remediation would be helpful in other projects.

Chairman Cardon opened the public hearing at 7:06 p.m.

There was no public comment.

Chairman Cardon closed the public hearing at 7:06 p.m.

Commissioner Earnest **moved** to recommend to approve each of the proposed Title 15 Amendments to the City Council, except the parking amendment which shall be tabled for further review, based on the following finding.

Finding:

1. That the proposed amendments will be beneficial for the operations of Spanish Fork City.

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

GENERAL PLAN AMENDMENT (Public Hearing)
TRANSPORTATION MASTER PLAN AMENDMENT (22.04 & 22.05 TMP)

Michael Clark gave a quick description of the proposed amendments.

Discussion ensued regarding the legend of the map and where stop signs are appropriate.

Commissioner Mitchell asked how speeds have increased on 4th East since stop signs have been removed.

Michael Clark said speeds have increased by an average of 1 mile an hour.

Discussion ensued regarding location of future interchanges. There are a few adjustments in trail location and layout as well.

Chairman Cardon opened the public hearing at 7:50 p.m.

There was no public comment.

Chairman Cardon closed the public hearing at 7:50 p.m.

Commissioner Warnick **moved** to recommend to approve the Transportation Master Plan Amendment (22.04 & 22.05) to the City Council based on the following finding.

Finding:

1. That the proposed amendments will be beneficial for the operations of Spanish Fork City.

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

CONSTRUCTION STANDARDS (Public Hearing)
CONSTRUCTION STANDARDS REVISIONS (22.03)

Michael Clark explained that these changes are to help make the language clearer and closer aligned to City preferences. The change regarding meter locations is recommended to be tabled.

Chairman Cardon opened the public hearing at 7:54 p.m.

There was no public comment.

Chairman Cardon closed the public hearing at 7:54 p.m.

Commissioner Mitchell **moved** to recommend to approve the Construction Standards Revisions (22.03), with the exception of the unacceptable meter locations, to the City Council based on the following finding.

Finding:

1. That the proposed standard revisions will be beneficial for the operations of Spanish Fork City.

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

NEW BUSINESS
MODERA

Dave Anderson explained that this project was approved but the developer now wishes to change which amount of the units be owner-occupied in the project. Right now, it's required that 114 of the 668 units be owner occupied. The DRC has recommended that the request be denied.

Pete Midtanck said he appreciated the time of the commission. They initially were comfortable with the condition, but because the market has changed, they are now having difficulties with it.

Commissioner Earnest asked if the financing issues are specific to the condition.

Pete Midtanck said yes.

Commissioner Earnest asked if the financing issue is regarding their land acquisition loan and future construction loan.

Pete Midtanck said yes. He said they would be fine if not for the referendum which put them behind schedule. He understands the commission owes them no obligation and they are at the commission's mercy. The condo and apartments are two separate development groups. They have gotten the impression that some of the City's main goals are affordable housing and stability through owner occupants. He understands why owner occupants are desired. In the market there is a long trend making it hard for young people to be homeowners. The people who once would be owners are now forced to rent.

Commissioner Earnest asked what the expected rent is.

Pete Midtanck said \$300,000 to purchase. Expected monthly with interest rate is \$2,500. Rent will be \$1,500 a month. So, the market may change, but renters would be paying much less. Because of that, there will be strong demand for renters. They will be good stable citizens. Changing the conditions would help make it more affordable. The intent will always be to sell to owner occupants, but they want the option to rent the units if they must. That change will allow the owners more flexibility as well.

Commissioner Mendenhall asked if financing of the project is also split.

Pete Midtanck said yes.

Commissioner Mitchell asked staff if the project is still phased.

Dave Anderson said yes, apartments and condos could be built concurrently.

Commissioner Warnick asked how the high prices pencil out.

Pete Midtanck said it's supply and demand and that's the current market.

Commissioner Earnest asked staff if there's a way to force the developer to try to sell before renting.

Dave Anderson said there's no way to regulate intent and force them to sell.

Commissioner Mendenhall asked if amenities are split.

Pete Midtanck said yes, the projects are designed to be able to stand separately.

Commissioner Mitchell said all points listed by the applicants are good. For the same reason they are stating, the City would want some condos available to purchase.

Pete Midtanck said they would appreciate a reduction or a change in phasing requirements.

Commissioner Earnest said they should be able to build in separate phases regardless.

Commissioner Mitchell **moved** to recommend to deny the Modera request to the City Council.

Commissioner Mitchell seconded and the motion passed 4-1 with Commissioner Warnick voting against the motion.

DISCUSSION

ZONING MAP AMENDMENTS

Dave Anderson mentioned that they want the commission to direct staff to initiate the process to make fixes to the zoning map.

Commissioner Earnest moved to direct City staff to initiate a review of the City's zoning map and recommend changes as needed.

Commissioner Warnick seconded and motion passed all in favor

OTHER LAND USE MATTERS

Dave Anderson discussed that multiple people present at this meeting have attended several conferences. He wanted those people to share a report on what they have learned.

Commissioner Warnick spoke about what she learned in the APA conference. She specifically mentioned a workforce housing development she toured.

Brandon Snyder shared his thoughts on the APA conference as well. He specifically spoke about the importance of deliberation on comments received during public hearings and not immediately making a decision. There was also much discussion about water conservation. He also spoke about a study that showed how housing regulation has limited housing development.

Commissioner Earnest asked if the State has authority to regulate local land use.

Dave Anderson said the state gives cities the authority to regulate land use.

Commissioner Mitchell moved to adjourn the meeting at 8:42 p.m.

Commissioner Warnick seconded and the motion passed 4-1 with Commissioner Earnest voting in opposition.

Adopted: December 7, 2022

Jackson Dille
Planning Intern