

**Adopted Minutes
Spanish Fork City Council Meeting
September 3, 2013**

Elected Officials Present: Mayor G. Wayne Andersen, Councilmembers Steve Leifson, Rod Dart, Keir A. Scoubes, Richard Davis, Brandon Gordon.

Staff Present: David Oyler, City Manager; Junior Baker, City Attorney; Seth Perrins, Assistant City Manager; Dave Anderson; Community Development Director; Chris Thompson, Public Works Director; Kent Clark City Recorder/Finance Director; Steve Adams, Public Safety Director; Angie Warner, Deputy Recorder.

Citizens Present: Richard Atkinson, Davis Paxton, Sharlene Irvine, Jay Irvine, Ethan Irvine, Bradley Dixon, Preston Irvine, Leslie Giboney, Randy C. Giboney, Mason Halliday, Bo Murphy, Grant Johnson, Kean Langley, Frank Lillywhite, Paul Anderson, Richard Mendenhall, Joe Rich.

CALL TO ORDER, PLEDGE, RECOGNITION:

Mayor Andersen called the meeting to order at 6:00 p.m.

Councilman Scoubes led in the pledge of allegiance.

PUBLIC COMMENTS:

None

COUNCIL COMMENTS:

None

CONSENT ITEMS:

- a. Minutes of Spanish Fork City Council Meeting – August 27, 2013
- b. Contract with Springville to Purchase Electric System in the Highway 51 Area
- c. FAA Grant Agreement
- d. State Airport Grant Agreement
- e. Armstrong Task Order for Bidding & Construction Management
- f. QA Testing Bid Award
- g. ~~Runway Extension Phase II Bid Award~~ –REMOVE THIS ITEM
- h. Calpac Road Curb & Gutter 2013 Change Order 2

Councilman Davis made a **Motion** to **approve** the consent items with the removal of item "g". Councilman Gordon **Seconded** and the motion **Passed** all in favor.

PUBLIC HEARING:

Ordinance #14-13 Vacating Chappel Drive

Junior Baker pointed out on a map of what area is proposed to be vacated and said this request is for the development that will be coming. Businesses in the area will still have access and this will be effective with temporary easements & licenses. Those documents will be at the next council meeting.

Councilman Dart made a **Motion** to move into Public Hearing.
Councilman Davis **Seconded** and the motion **Passed** all in favor at 6:19 p.m.

Mayor Andersen welcomed public comment.

Jamie Evans pointed out on an area on the map and asked when the areas would be developed.

Mr. Baker answered Mr. Evans question.

Mr. Evans is concerned about when the light rail gets built that it will land lock some property.

Chris Thompson explained what staff has discussed with UTA and the master planned development.

Randy Giboney, a property owner in the area, wanted to make sure that they still have access.

Mayor Andersen explained that Mr. Giboney's question is addressed in the ordinance.

Kean Langley is concerned about customers being able to find their business.

Councilman Davis asked how they advertise now.

Mr. Langley said mostly through the internet.

Mayor Andersen added that with the future development coming, it will give you more traffic and exposure.

Discussion regarding the road that connects from Chappel Drive north to Springville & Provo.

Councilman Gordon made a **Motion** to move out of Public Hearing.
Councilman Scoubes **Seconded** and the motion **Passed** all in favor at 6:34 p.m.

Councilman Scoubes pointed out to the citizens that the new road will be constructed before the development starts.

Councilman Leifson made a **Motion** to **approve** the Ordinance #14-13 Vacating Chappel Drive.
Councilman Scoubes **Seconded** and the motion **Passed** all in favor with a roll call vote.

Ordinance #15-13 Amending Title 15 to Clarify Master Planned Developments, Increase Building Heights in the Business Park Zone, Add the Recreation Director to the Development Review Committee and other minor changes

Dave Anderson said that this request is from various applicants asking for changes to the city code. Mr. Anderson reviewed the following proposed changes:

Spanish Fork Municipal Code §15.1.04.020, Definitions, is hereby amended by deleting the definition of "Functionally Dependent Use," amending the definition of "Accessory Use or Building," and by adding the definitions of "Funeral Home," "Hospital," and "Principal Building" as follows:

Accessory Use or Building: *A subordinate use or building customarily incidental to and located upon the same lot occupied by the main use, building or buildings.*

Funeral Home: *The provision of services including storing and preparing human remains for burial, cremation, and arranging, managing, and conducting funerals.*

Hospital: *A facility used for inpatient or outpatient medical and healthcare-related uses or services (one of which provides emergency medical services) or any incidental, ancillary or related uses or services including but not limited to medical office, research and/or development, information technology, warehouse and distribution, hospitality, food service and lodging.*

Principal Building: *A primary building located upon a lot, or a building that provides services in direct support of a property's primary use. Properties that are developed in a campus fashion may have more than one principal building located on an individual parcel.*

II.

Spanish Fork Municipal Code §15.3.08.010(B)(2), Administrative Bodies and Officers, is hereby amended to include the parks and recreation director as a member of the DRC, as follows:

15.3.08.010 Administrative Bodies and Officers

B. Development Review Committee:

2. Organization: The DRC shall consist of the city public works director, engineering division manager, electric division superintendent, city manager, city community development director, city attorney, public safety director, parks and recreation director, and building official. An alternate member may be designated by each member, who has the authority to attend and vote in the absence of the member. Other entities may be invited to participate as non-voting members, such as utility companies, irrigation companies, the US Postal Service, or others. The city public works director shall be the chair of the DRC and shall retain the right to cast a vote while acting as chair. A quorum of the Committee necessary before any business can be transacted shall consist of five (5) voting members. A majority vote of a quorum shall be necessary to approve any item or recommend approval of any item to the Commission or Council.

III.

Spanish Fork Municipal Code §§15.3.16.040, R-O Residential Office, 15.3.16.050, C-O Commercial Office, and 15.3.16.120, I-1 Light Industrial are hereby amended to allow funeral homes as permitted uses.

IV.

Table 2 of the Zoning Code, entitled Commercial and Industrial Development Standards is hereby amended to allow building heights in the B-P Business Park Zone of 120 feet.

V.

Spanish Fork Municipal Code §15.3.24.030(C)(5), Master Planned Developments, Design Appeal, is hereby repealed and §15.3.24.030(C)(2), Master Planned Developments, Duplicate Houses, is repealed and re-enacted as follows:

15.3.24.030 Master Planned Developments

C. Architecture

1. [no change]

2. Distinct Designs – Master Planned Developments shall provide a variety of home styles to ensure a diverse and interesting streetscape. Neighborhoods that have repetitive homes constructed along the same street are not allowed. In order to ensure that the neighborhood is non-repetitive, the same street facing elevation shall not be built on adjacent lots on the same street or on lots directly or diagonally across the street from one another. Different elevations shall be characterized by elements such as, but not limited to, distinct footprints, rooflines, cladding materials or architectural features which contribute to home designs that are easily distinguishable from other home designs along the same street. The City Council may waive this

requirement for developments which include multi-family housing that present specific architectural designs for the multi-family portion of the development at the time of project approval.

3. [no change]

4. [no change]

5. Repealed

6. Exterior Materials, to become subparagraph 5

7. Bonus Density, to become subparagraph 6

VI.

Spanish Fork Municipal Code §15.4.16.150(A)(1), Clear Vision Area, is hereby amended as follows:

15.4.16.150 Clear Vision Area

A. The clear vision area is formed by extending lines from each curb face to the point that the lines intersect, measuring back forty-five (45) feet along each curb face and connecting those points. Fencing, planting and other obstacles are restricted within this area as follows:

1. No solid fence shall exceed a height of three (3) feet, measured from the curb. Open fences such as chain link and wrought iron may be as tall as four (4) feet in the clear vision area, measured from the curb.

2 ~ 5 [no change]

Councilman Gordon made a **Motion** to move into Public Hearing.

Councilman Davis **Seconded** and the motion **Passed** all in favor at 6:49 p.m.

Mayor Andersen welcomed public comment.

Sharleen Schwartz asked regarding the architectural requirements, if the homes could have a different floor plan as well as the outside looking different.

Mr. Anderson explained that with the requirement proposed it should change the layout some, but could be similar.

Ms. Schwartz asked to give an example of how tall the hospital is going to be.

It was said an example is the Neways building in Springville just off of I-15.

Councilman Dart made a **Motion** to move out of Public Hearing.

Councilman Davis **Seconded** and the motion **Passed** all in favor at 6:54 p.m.

Councilman Scoubes asked regarding the 200 feet, if you have a higher density development would it be harder for the developer to meet.

Councilman Davis asked what will be done about the roof pitches.

Mr. Anderson said roof pitches are not addressed in this proposal but a couple of months ago the City Council gave the Building Inspectors the authority to approve lesser than the 6'/12' if the applicant asks for it.

Mr. Anderson reminded the City Council to clarify in the motion for the architectural requirements if they prefer option 1 or 2.

Councilman Davis made a **Motion to approve** the Ordinance #15-13 Amending Title 15 to Clarify Master Planned Developments, Increase Building Heights in the Business Park Zone, Add the Recreation Director to the Development Review Committee and other minor changes, with Option #2 under the architectural section.

Councilman Dart **Seconded** and the motion **Passed** all in favor with a roll call vote.

NEW BUSINESS:

Canyon Creek Subdivision Amended Preliminary Plat, a commercial subdivision located at approximately 1200 North Chappel Drive

Dave Anderson explained that the City Council approved a preliminary plat earlier this year and applicant is now requesting an amendment to add acreage and lots. The Development Review Committee and Planning Commission recommend approval.

Councilman Dart made a **Motion to approve** the Canyon Creek Subdivision Amended Preliminary Plat, a commercial subdivision located at approximately 1200 North Chappel Drive. Councilman Leifson **Seconded** and the motion **Passed** all in favor.

Northgate Amended Preliminary Plat, a subdivision proposed to contain eight lots located at 1000 North Main Street

Dave Anderson said this proposal is the area of Macey's grocery store. Amsource the property owner is proposing to redevelop a portion of the project. Mr. Anderson presented the map with the new lot lines. The Development Review Committee and Planning Commission recommend approval.

Councilman Gordon made a **Motion to approve** the Northgate Amended Preliminary Plat, a subdivision proposed to contain eight lots located at 1000 North Main Street.

Councilman Davis **Seconded** and the motion **Passed** all in favor.

Silver Sage Business Park Plat A Amended Preliminary Plat, a subdivision proposed to contain four lots located at 1800 North Chappel Drive

Dave Anderson said this proposal is for some new plating of some properties to combine a lot with existing lots. Development Review Committee and Planning Commission recommend approval.

Councilman Leifson made a **Motion to approve** the Silver Sage Business Park Plat A Amended Preliminary Plat, a subdivision proposed to contain four lots located at 1800 North Chappel Drive.

Councilman Scoubes **Seconded** and the motion **Passed** all in favor.

CDBG Grant Agreement for the 300 North 600 East to 1000 East Water & Sewer Project

Chris Thompson said the City was awarded a \$250,000 grant to replace water and sewer lines in the area of 300 North 600 East to 100 East and will cost approximately \$700,000.

Councilman Gordon asked when this will be done.

Chris Thompson said spring/summer 2014.

Councilman Davis made a **Motion** to **approve** the CDBG Grant Agreement for the 300 North 600 East to 1000 East Water & Sewer Project.

Councilman Gordon **Seconded** and the motion **Passed** all in favor.

ADJOURN:

Councilman Dart made a **Motion** to **adjourn** to Closed Session to discuss Property Acquisition/Potential Litigation.

Councilman Scoubes **Seconded** and the motion **Passed** all in favor at 7:14 p.m.

ADOPTED: September 17, 2013

Angie Warner, Deputy Recorder