

**Adopted Minutes  
Development Review Committee  
September 17, 2003**

The meeting was called to order at 10:05 a.m. by Emil Pierson.

Staff Members Present: Emil Pierson, Planning Director; David A. Oyler, City Manager; S. Junior Baker, City Attorney; Richard Nielson, Assistant Public Works Director; Kelly Peterson, Electric Journey Lineworker; Marvin Banks, Public Works Superintendent; Keith Broadhead, Public Works Inspector; Dale Robinson, Parks and Recreation Director; Dee Rosenbaum, Public Safety Director; Ryan Baum, Public Works Inspector; Shawn Beecher, GIS Specialist; and Connie Swain, Deputy Recorder.

Citizens Present: Greg Magleby, *LEI Consulting Engineers*, Sterling Stoddard, *Fieldstone Homes*, Jim Christensen representing Joe Connell, *Western Distribution*, Ted Livingston, *Resident of Spanish Fork Country Estates*, Terry Price, *Hawk Landing*, Lew Bankhead, *Black Horse Run*.

### **Minutes**

Mr. Baker made a **motion** to approve the September 3, 2003 minutes of the Development Review Committee meeting with changes as noted. Mr. Nielson **seconded** the motion, and it **passed** with a unanimous vote.

### **Utility Capacity Review**

Mr. Oyler asked Mr. Pierson to review the utility capacity available at this time.

Mr. Pierson reviewed the utility capacity for the city and the number of units approved and the applications received. Mr. Pierson said the total capacity available today, including applications received, is 550 units.

### **Hawk Landing Rezone**

Mr. Pierson said the Hawk Landing rezone request is to rezone 1.73 acres from R-1-30 to R-1-8 and the request meets the general plan. The proposed use of the property will be a 7 lot standard subdivision. Mr. Pierson recommended approval of the rezone request.

Mr. Nielson suggested trees along 2300 East with spacing to match the opposite side of the street.

Mr. Pierson said the Recreation Department will not need to maintain the trees.

Mr. Baker made a **motion** to approve the Hawk Landing Rezone request from R-1-30 to R-1-8 on the following condition:

1. Trees are to be planted along 2300 East similar to the trees on the opposite side of the street, to be planted at the time of future development. Mr. Baker also finds the rezone to be consistent with the General Plan.

Mr. Nielson **seconded**, and the motion **passed** with a unanimous vote.

### **Black Horse Run Plat A (Previously know as Sunset Ponds)**

Mr. Pierson said as part of the preliminary plat conditions required improvements, a wall, and the children's play land.

Mr. Oyler asked if the Planning Commission changed the conditions of the Development Review Committee.

Mr. Pierson read the conditions set forth by the Planning Commission.

Mr. Peterson asked if permits were received from UDOT allowing the utilities to cross Highway 51.

The developer said he received the letter and permit from UDOT and all is needed is a sign off from the City.

Mr. Oyler told the developer to get the letter to city staff.

Mr. Pierson said all of the conditions have been met with the exception of the letter from UDOT.

Mr. Pierson made a **motion** to approve the Black Horse Run Plat A Final Plat on the following condition(s):

1. Develop the property as shown on the preliminary plat site plan, Development Review Committee packet, and drawing,
2. Have at least 10 feet of space between buildings,
3. Phase one is to include all of the improvements along Highway 51 including curb, gutter, sidewalk, and the wall matching the stamped concrete wall for Whispering Willows,
4. Adjust lot 65 to include all of the open space delineated with cross hatching to indicate non-buildable areas and wetland areas,
5. Ponds and water channels are to be shown as storm drain easement areas,
6. Receive approval from Mr. Foster concerning electrical service installation and bring the power from the Willowbend Subdivision,
7. Provide a free and clear preliminary title report prior to the approval of the final plat,
8. Provide a letter from UDOT approving improvements along Highway 51,
9. Install trees and grass along Highway 51 and 800 North which is to be maintained

- by the Homeowners Association,
10. A total of 93 - 2 inch caliper trees are to be installed throughout the project and be approved by the shade tree commission as they review and approve the landscaping plan. The trees on 800 North are to be extended across lots 62-63,
  11. A stone/brick element is to be added to the front elevation of each building as well as a variety of materials (EIFS, and hardy plank) and articulation on the front facades to create variety,
  12. A swing set with at least two swings is to be added to the tot-lot (playground) area,
  13. The open space around the ponds is to be cleaned, mowed at least three times a year, and maintained by the Homeowners Association,
  14. The trail system around the ponds is to be constructed as per Spanish Fork City standards,
  15. The project is to be constructed as shown on the preliminary plat, landscaping plan, and the packets as submitted by the developer,
  16. The fence on lot 65 along Highway 51 is to be an open vinyl fence with no gates,
  17. The developer/builder are to have variations on the colors, windows, and roof lines of the buildings, and,
  18. Implement a connector's agreement with adjacent properties owners or developers when the properties are developed.
  19. Meet all of the Construction and Development Standards;
  20. Obtain all needed easements and,
  21. Provide the Engineering Department with the approval letter from UDOT
- Mr. Baker **seconded**, and the motion **passed** with a unanimous vote.

### **Request to consider Additional Trails - Ted Livingston**

Mr. Pierson said this is a request from Ted Livingston to amend the trails plan to include a multi purpose trail allowing for horses. Mr. Pierson reviewed the trial plan and proposed trail. He said the Parks and Recreation Committee reviewed the additional trail request last week.

Mr. Robinson said the Parks and Recreation Committee was concerned with including an equestrian trial near homes, cars, and residents. Also the equestrian trail would cost a considerable amount of money to accommodate a few number of residents.

Mr. Pierson said the Development Review Committee and the Planning Commission will review the request and make recommendations to City Council.

Mr. Livingston said the residents requesting the equestrian trial are interested in safety and would like to see trails for pedestrian also allowing them protection from the streets.

Mr. Pierson said the purpose of the sidewalks are to provide pedestrian traffic safe routes through the city. The city is already maintaining the sidewalks for bikers and walkers and the trail would increase maintenance costs.

Mr. Livingston suggested volunteers assisting with maintenance of the trails.

Mr. Pierson also said there are areas in question in which land is not available to continue the trail all the way through to the river bottoms.

Mr. Oyler said the number of horses in the area will most likely decrease in the future.

Mr. Nielson said he owns horses and would not like to ride horses near homes.

Mr. Baker said the matter should be presented to the Planning Commission to study and make recommendations.

Mr. Peterson said he owns horses and would not like a horse trail in front or behind his house.

Mr. Oyler said the areas of the trail which would require access to streets could cause liability and safety concerns. He asked Chief Rosenbaum if he had concerns with the request for an additional trail system.

Chief Rosenbaum said the police department will be prepared to enforce any ordinance adopted by the city.

Mr. Oyler suggested contacting other cities and determine how they deal with the issue of horses in residential areas.

Mr. Pierson made a **motion** to table the request by Mr. Livingston for an additional equestrian trail to allow further study and recommendation. Mr. Banks **seconded**, and the motion **passed** with a unanimous vote.

Chief Rosenbaum said why not build a trail for four wheelers since so many residents own four wheelers.

*11:40 am - Dee Rosenbaum and Ryan Baum left*

## **Fieldstone Partner Annexation and General Plan Amendments Request**

### ***General Plan Amendment Request***

Mr. Pierson reviewed the annexation area and the properties added to the request. Mr. Pierson reviewed the general plan with respect to the area.

Mr. Magleby reviewed the annexation area and the zoning.

Mr. Oyler asked why the general plan is as it is.

Mr. Pierson said the density exists due to the water table and the ability to sewer areas without a lift station. The request is to change only a portion of the area.

Mr. Oyler said when future requests are made to change the general plan for areas we need to know the reason for the change.

Mr. Pierson said the change in the general plan would create a difference of 25 additional homes.

Mr. Baker said the general plan need not be amended. Instead, relocate the division line and rezone the areas R-1-9 and R-1-12.

### ***Annexation***

Mr. Oyler asked if Bradford's and Thomas's have signed the annexation petition.

Mr. Magleby said a certified letter has been sent to Bradfords. He also said Memmotts have signed the petition.

Mr. Oyler said to make sure we have 75 percent of the property owner's signatures.

Mr. Pierson reviewed the collector roads.

Mr. Pierson said there is a concept plan for the property to be reviewed at this time as well.

Mr. Baker said the city will be reaching capacity limits again in the near future. The earliest date for approval of the annexation by the city council will be mid December 2003.

Mr. Oyler asked if there are issues or concerns with the river.

Mr. Magleby said the river banks have been surveyed and areas to be dedicated to the city have been determined.

Mr. Pierson said the area to be deeded to the city will be the same width or more than the amount dedicated in the Bruce Hall property. Mr. Pierson said the bridge will also be an issue to be reviewed during the approval process.

Mr. Magleby asked if the bridge is part of the requirements for the approval of the development.

Mr. Baker said maybe the bridge should be part of the requirements.

Mr. Pierson said the bridge will be based on the traffic study.

Mr. Baker suggested the bridge be built with a connector's agreement. It needs to be studied and decisions should be made part of the annexation.

Mr. Pierson said information concerning the sewer layout will also need to be studied.

Mr. Oyler made a **motion** to table the Fieldstone Partners Annexation and General Plan Amendment Request until the Development Review Committee meeting on September 24, 2003. Mr. Baker **seconded**, and the motion **passed** with a unanimous vote.

### **General Plan Map Amendments - Jim Christensen**

Mr. Pierson said the property owned by Jim Christensen is currently zoned industrial and Mr. Christensen is requesting an amendment. The property is located at 4000 East Powerhouse Road east of the Finger Hut building.

Mr. Christensen said the property consists of 17 acres and he would like to build a 61-unit subdivision consisting of twin homes and single family homes.

Mr. Pierson said access to the property may be difficult due to the contours of the property.

Mr. Baker said Mr. Heap said access from the Finger Hut Road would cause concerns due to the truck traffic.

Mr. Oyler said a traffic engineer should study the area and make recommendations concerning access and entrance from Powerhouse Road. He suggested three alternatives to be considered.

Mr. Baker expressed concerns with contours of the property.

Mr. Pierson said a technical report will be required prior to the approval of the plat. Mr. Pierson would like to see this area zoned 2.5 to 3.5 units per acre.

Mr. Baker made a **motion** to recommend approval of the General Plan showing the area zoned 2.5 to 3.5 units to the acre on the condition a traffic study is completed by a traffic engineer providing three access alternatives onto the property.

Mr. Oyler said he would like to see the traffic study before the request is approved.

Mr. Baker said the property can function with the amendment regardless of the approval of the development.

Mr. Oyler said access will be a future concern and the Development Review Committee should consider the suggested accesses.

Mr. Baker withdrew his first motion and made a new **motion** to continue the General Plan Map Amendment request by Jim Christensen until October 1, 2003. Mr. Banks **seconded**, and the motion **passed** with a unanimous vote.

## **Zoning Text Amendment**

### ***Landscaping***

Mr. Baker said it is the wrong time to amend the landscaping ordinance. The amendment would require front yard landscaping within one year of building on a lot. With the current water issues the amendment to the landscaping ordinance should be postponed.

Mr. Oyler asked if there are new subdivisions the amended landscaping ordinance would have a positive impact on and asked if the city could enforce it with respect to developed properties.

Mr. Pierson reviewed the upcoming subdivisions.

Mr. Pierson also reviewed the recommended changes concerning master plan developments.

Mr. Oyler made a **motion** to table the zoning text amendment discussion until the next Development Review Committee meeting. Mr. Banks **seconded**, and the motion **passed** with a unanimous vote.

### **Other Business**

None

### **Adjournment**

Mr. Oyler made a **motion** to adjourn. Mr. Banks **seconded**, and the motion **passed** with a unanimous vote. The meeting adjourned at 1:10 pm.