

**Adopted Minutes
Development Review Committee
January 28, 2004**

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

Staff Members Present: David A. Oyler, City Manager; Emil Pierson, Planning Director; S. Junior Baker, City Attorney; Chris Thompson, Design Engineer; Dee Rosenbaum, Public Safety Director; Marvin J. Banks, Utility Superintendent; Ryan Bagley, Public Works Inspector; Keith Broadhead, Public Works Inspector; and Connie Swain, Deputy Recorder.

Representatives Present: Gerald B. Pidcock, Dennis Carlisle, *LEI*, Richard Mendenhall, *Westfield Developments*, Darrin Perkey, *Dominion Engineering*, F. Farley Eskelson, *Dominion Engineering*, Steve Carter, *Nebo School District*, Reed Park, *Nebo School District*, and Steven Maughan, *Nebo School District*.

Minutes

Mr. Baker made a **motion** to approve the December 31, 2003 minutes of the Development Review Committee meeting with changes as noted. Mr. Broadhead **seconded**, and the motion **passed** with a unanimous vote.

Conditional Use Permit - 535 East 400 South

Mr. Pierson said the applicant, Jerry Pidcock, is requesting a conditional use permit allowing him to add a basement apartment in the home located at 535 East 400 South. The Development Review Committee will need to determine if the request meets the code and make recommendations to the Planning Commission. He said the 10,000 square foot lot meets the requirements.

Mr. Baum said there is only one electric meter.

Mr. Banks said there should be a fire hydrant closer to the lot frontage.

Mr. Pierson said fire hydrant requirements should have been imposed when the subdivision was approved.

Mr. Baker said a building permit has been issued and a fire hydrant cannot be required at this point.

Mr. Baker made a **motion** to recommend approval of the conditional use permit requested by Jerry Pidcock for a basement apartment with the following finding(s):

1. The property is within the R-1-6 zone,
2. The lot contains the required square footage,
3. Adequate parking is available.

Mr. Baker also recommended approval subject to the following condition(s):

1. Maintain the parking requirements of two parking spaces for each unit, one of

- which is to be covered for each unit,
2. Provide and maintain separate metering for each unit,
 3. Landscape the front area of the lot, facing the street, by the end of the summer,
 4. Grant an easement to the city for the public utilities.

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

Lew Christensen Subdivision Waiver

Mr. Park said the School District is in the process of acquiring property from Lew Christensen for a future Elementary School. Approximately 1.2 acres will be deeded to the city for the road expansion and access to the trail and recreation facilities. Mr. Christensen will retain approximately 11 acres of the property.

Mr. Baker reviewed the purpose of the subdivision waiver.

Mr. Park said the School District plans to build the new school with the bond money being voted on next month. The city will purchase a portion of the property for the roadway and the School District will reimburse the city for their portion of the roadway. He also said a portion of the canal was to be piped and asked if Fieldstone Homes was required to complete the piping.

Mr. Pierson said Fieldstone Homes is will complete all of the improvements south of the Christensen property line.

Mr. Baker said Fieldstone Homes receiving density bonus points for the piping.

Mr. Park asked for the direction of the water flow in the ditch along the north side of the property.

Mr. Broadhead said the water flows to the northwest

Mr. Pierson said the ditch is piped, only the syphons will need to be removed.

Mr. Baker made a **motion** to approve the Lew Christensen Subdivision Waiver subject to the school finishing the road on Volunteer Dr. and the road to the south of the property. Mr. Thompson **seconded**, and the motion **passed** with a unanimous vote.

River Cove Rezone and Preliminary Plat

Mr. Pierson said this item was tabled from last week.

Mr. Thompson said the city has not received the study on the armor and flow capacity of the river. The study will need to be submitted and reviewed before the plat will be approved.

Mr. Eskelson said he will give the study to Richard Heap today. He said he also brought a sample of the materials that could be used to armor the river bank, however, he is not sure what the city wants as far as materials.

Mr. Thompson said Mr. Heap wants a recommendation based on the engineering study and the

city engineering department will review the recommendation.

Mr. Mendenhall said at this time the banks are stable.

Mr. Baker said the concern is the condition of the river banks in the event of a significant increase in the water flow. The city wants to insure the river channel will not change or erode.

Mr. Eskelson said if there is vegetation growing in the river bed or on the river banks it will encroach on the flow of the river.

Mr. Baker said there is a problem with vegetation, however, the county is unwilling to provide maintenance during the drought period.

Mr. Thompson said the recommendation needs to be based on vegetation growth and increased river flow. If there is no way to safeguard the homes and lots from erosion then the plat will not be approved.

Mr. Eskelson said they need to make sure the bridge is wide enough to accommodate increase river flow and the corners of the river banks are armored properly.

Mr. Baker said the city mostly wants to prevent lot erosion.

Mr. Pierson said he needs to prepare a staff report tomorrow for the Planning Commission agenda packets and needs the river study information.

Mr. Thompson said there is also an issue with the River Road alignment.

Mr. Mendenhall presented a document to the Development Review Committee and reviewed it.

Mr. Beecher said the most recent county records indicate an overlap in the Murphy and Hughes properties.

Mr. Baker said the two property owners will need to resolve the property ownership issue and the River Road alignment.

Mr. Pierson said this matter will not be presented to the Planning Commission until the River Road alignment and property ownership issues are resolved.

Mr. Carlisle, from LEI, said they were presented information from the city concerning the road alignment and designed the Fieldstone Development road alignment accordingly.

Mr. Thompson said the city provided the information from the Lew Christensen property and LEI designed the road to the river. The road from the Fieldstone property on the north side of the river and the road from the River Cove property on the south side of the river are not aligned.

Mr. Mendenhall said this is where the alignment works best for the River Cove Development and the contours of the property.

Mr. Pierson said the realignment on the north side of the river may require West Field, developer of the River Cover Development, to build a portion of River Road on the north side of the river.

Mr. Baker said the property owners and developers need to resolve the issue.

10:35 am - David Oyler arrived.

Mr. Mendenhall said they will meet with Fieldstone Development and LEI and resolve the issues.

Mr. Pierson said a letter to the city will be required stating the issues have been resolved.

Mr. Thompson said he has requested from LEI a right-of-way for the recording of the trail design. The property deed is for the roadway, trail, and park access.

Mr. Pierson said another issue to be resolved is the area to be considered open space. The Recreation Committee would like the developer to work with the Shade Tree Commission in determining what trees are to remain. Removal of the unwanted trees and the clean up are to be paid for by the developer. Also, the developer is to complete the connection to the trail and an additional trail connection running underneath the bridge.

Mr. Eskelson asked if Fieldstone will pick up the trail at the property line near the bridge.

Mr. Pierson affirmed.

Mr. Thompson said there will also be a little bridge across a stream within the park area. Westfield Development will need to construct the bridge after the city has redirected the stream.

Mr. Broadhead asked how the utilities will get across the river.

Mr. Eskelson reviewed the utility design across the river. There will be a sewer lift station and then the sewer line will go under the river.

Mr. Broadhead said he thought there was a pressurized irrigation line and loop.

11:00 am - Dave Hughes arrived

Mr. Eskelson said he was not aware of the pressurized irrigation line and loop. However, they will put it in as well. Also, the electric services will be brought across on the bridge and the water and pressurized irrigation will run under the bridge.

Mr. Broadhead said the water lines should be buried to prevent freezing.

Mr. Bagley said the phase three electric line will need to be in a casing.

Mr. Baker said the design and construct of the bridge will need to be approved by Richard Heap.

Mr. Pierson requested a review of the items included in the phases of the development.

Mr. Eskelson said the open space, the bridge, and the Del Monte Rd. connection will be included in phase one. The attached housing will be in phase two. Phases one and two will be constructed concurrently. Phases three, four, and five will be completed consecutively in that order. Also, there will be a temporary access on the east side of the property.

Mr. Oyler asked who will clear an emergency access in case of snow.

Mr. Banks said until the rezone is approved the city will not clear the access.

Mr. Mendenhall said they are required to keep access to the Hughes home open and it will be used as an emergency access.

Mr. Baker said it may be best to wait on the trail until the proper alignment is determined. The city will set a deadline for the completion of the trail and the open space cleanup and allow the developer to complete it earlier if possible.

Mr. Pierson reviewed the bonus density spreadsheet as shown below. All of the Development Review Committee members agreed with the density matrix as shown below.

Project Name: River Cove Preliminary Plat

Total Acres	80.37		
Low End Density	2.5 U/A	200.925 Units	
High End Density	3.5 U/A	281.295 Units	
Zoning	R-1-12		
House size (main level) req'd	1,400 sq. ft.	20%	1,680 sq. ft.
Townhouse size req'd	1,000 sq. ft.	20%	1,200 sq. ft.

Overall Project Request

S.F. Homes	185			
Townhomes	63			
Total Units	248			
Density	3.09	Total OS		Ordinance
Open Space	5.26	1.53	6.79	8.30% 3.32 acres

	Percent Allowed	Actual Given	Units	Running Total	Items provided
Density Bonus					
Active recreation	10%	4.00%	8.04	209	Trails, Widening Sidewalk
Common buildings	10%	0.00%	0.00	209	
Fencing	5%	0.00%	0.00	209	
Front setback variation	3%	0.00%	0.00	209	

Garage - three car	3%	0.00%	0.00	209	
Garage - setback	3%	0.00%	0.00	209	
Open space	5%	5.00%	10.45	219	5.26 acres, Cleaning up the open space
Landscaping	7%	1.00%	2.19	222	
Lot size variation	3%	1.00%	2.22	224	
Materials on front facade	5%	5.00%	11.19	235	100% hard surface; 50% brick/stone on home
Mixture of housing types	5%	4.00%	9.40	244	SF and townhomes
Off-setting lots	3%	2.00%	4.89	249	
Roof pitch start 5/12	3%	2.00%	4.99	254	7/12 pitch roof would be required
Home sizes	7%	0.00%	0.00	254	
Miscellaneous	7%	0.00%	0.00	254	
			Total Units	209	

Mr. Baker made a **motion** to recommend approval of the request to rezone the Hughs/Hill Property located at 975 South Del Monte Rd. from R-R to R-1-12 upon finding the rezone meets the requirements of the General Plan. Mr. Broadhead **seconded**, and the motion **passed** with a unanimous vote.

Mr. Pierson made a **motion** to recommend approval of the River Cove Preliminary Plat located at 975 South Del Monte Rd. on the following condition(s):

1. Install improvements along Del Monte Rd., with the exception of the sidewalk,
2. No hill area excavation is to take place without approval from the city engineer,
3. Provide a flood plain update and a wetlands report to the city,
4. Upon development of 50 percent of the lots, a 14-foot asphalted pedestrian access between lots 50 and 51 connecting to the city trail is to be bonded for and installed at the developer's expense,
5. Submit covenants, codes and restrictions for the development to the city,
6. The developer is to sign off on all house plans in the subdivision,
7. Provide the city with a title report for all of the property and work out all boundary issues prior to going to the City Council,
8. The project is to meet all of the construction and development standards,
9. The developer of the Butlers' property is to participate in the cost of constructing a pedestrian/vehicle bridge over the Spanish Fork River; to the percent indicated by an updated traffic study,
10. Construct the River Cove Project as per the preliminary plan document contained in the packet,
11. The developer is to provide an engineering study of the stability of the existing river rip rap,
12. No duplicate homes are to be constructed within 120 feet of each other,
13. Receive approval of the electrical design for the development from Jeff Foster of the Electrical Department,

14. Construct 50% of the homes with at least 25% stone, brick, or masonry surface,
15. Side entry garages are strongly recommended on homes located on corner lots, especially on 66-foot right-of-ways,
16. The project is to contain not more than 249 units as contained in the development packet,
17. Irrigation ditches in the development are to be piped or eliminated and provide a letter of approval from the irrigation company,
18. Have a 20-foot access easement along the south side of the river for maintenance purposes,
19. Bonus density matrix is approved as shown on the attached sheet,
20. All open space areas are to be deeded to the city as part of the 1st plat
21. Any grading of the hillside is to be re-vegetated,
22. Feeder power line is to come off the hill at lot 1 and follow along River Ridge Lane,
23. Meet with the US Post Office concerning the location of the post office boxes,
24. Construct a 10-foot pedestrian and equestrian trail along the river as per the Spanish Fork City standards,
25. The developer is required to work with the city Shade Tree Commission to determine which trees need to be removed and pay the cost of “removing of the trees and cleaning up” of the park area on the north side of the river,
26. The developer is to pay the cost of connecting the trail through the “park area” on the north side of the river as well as constructing the trail under the proposed bridge,
27. Provide a right-of-way description to the City Engineering Department prior to the City Council meeting.

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

Zoning Text Amendment

Mr. Baker said amendments to Zoning Ordinance Code 17.28.050(e), 17.20.020, and 17.20.030 pertaining to residential treatment facilities are being proposed at the request of Chris Wadsworth, a member of the City Council. Mr. Baker reviewed the proposed changes addressing owner occupancy requirements.

Mr. Pierson also proposed changes to the conditional use permits for the R-1 and the R-3 zones with respect to residential treatment centers.

Mr. Rosenbaum said he is concerned with juveniles placed in homes without notification to the police department concerning the individual’s background. Can the city require DFS to provide that information to the police department?

Mr. Baker said the city cannot require anything with respect to foster homes and we cannot force DFS to provide information. However, the city may require residential treatment centers to provide information and the ordinance change will implement those requirements.

Mr. Pierson made a **motion** to recommend approval of the zoning ordinance text amendment as presented with respect to Ordinances 17.28.050(e), 17.20.020, and 17.20.030. Mr. Rosenbaum **seconded**, and the motion **passed** with a unanimous vote.

Other Business

None

Adjournment

Mr. Baker made a **motion** to adjourn, Mr. Broadhead **seconded** the motion, the motion **passed** with a unanimous vote, and the meeting adjourned at 11:50 a.m..