

**Adopted Minutes
Development Review Committee
January 26, 2005**

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

Staff Members Present: Richard Heap, Engineering/Public Works Director; Emil Pierson, Planning Director; David A. Oyler, City Manager; S. Junior Baker, City Attorney; Richard Nielson, Assistant Public Works Director; Marvin Banks, Public Works Superintendent; Keith Broadhead, Public Works Inspector; Jeff Foster, Electric Department Superintendent; Dee Rosenbaum, Public Safety Director; Shawn Beecher, GIS Specialists; Connie Swain, Deputy Recorder.

Citizens Present: Ray Morley, *Charter One Development L.L.C.*, Eric Maynard, *Sunny Ridge Subdivision*, Nate Simpson, *Sunny Ridge Subdivision*, David Simpson, *Sunny Ridge Subdivision*.

Minutes

Mr. Baker made a **motion** to approve the November 17, 2004 minutes of the Development Review Committee meeting with changes as noted. Mr. Foster **seconded** and the motion **passed** with a unanimous vote.

Mr. Baker made a **motion** to approve the November 24, 2004 minutes of the Development Review Committee meeting with changes as noted. Mr. Foster **seconded** and the motion **passed** with a unanimous vote.

Mr. Baker made a **motion** to approve the December 15, 2004 minutes of the Development Review Committee meeting with changes as noted. Mr. Pierson **seconded** and the motion **passed** with a unanimous vote.

Peterson Rezone

Mr. Pierson said he contacted Mr. Peterson and assumed he would be present. He said Mr. Peterson is requesting to rezone the property at 114 East 800 North from R-1-6 to C-O to allow him to construct a dental office on the property. The home currently on the property will be removed.

Mr. Baker asked if the adjacent property should be rezoned R-1-6 while the General Plan is being amended.

Mr. Pierson said he would make note of the suggestion for the future General Plan changes.

Mr. Foster said a request has been received to relocate the power pole or an anchor along 800 North. Mr. Foster said the anchor is a heavy distribution anchor and cannot be moved easily.

Mr. Nielson asked if there will be a fence along the south and east property lines.

Mr. Pierson concurred and said there will be a masonry wall unless the adjacent property owners sign letters waiving the requirement.

Mr. Pierson made a **motion** to recommend approval of the Peterson Rezone from Medium High Urban Residential (R-1-6) to Commercial Office (C-O) with the following findings:

1. The rezone is consistent with the policies of the General Plan,
2. Consideration has been given to include any conditions necessary to mitigate adverse impacts on adjoining or nearby properties.

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

Sunny Ridge Preliminary Plat - Amended

Mr. Simpson said Kelly, the property owner at the northwest corner of this development, is now interested in selling his property. Mr. Simpson said they are now requesting to include this property in the subdivision. He presented amended drawings and said the sewer to service this section and possibly additional areas will be connected to the north. This amendment will increase the development by 9 lots and they will transfer building rights.

Mr. Baker asked if they have acquired the necessary sewer easement.

Mr. Simpson said they are meeting with the property owner today to obtain the easement.

Mr. Nielson said the amended plat is a more favorable plan for the property.

Mr. Pierson said this design is more conducive to the area. There will be a 10-foot asphalt trail on the south side of the development.

Mr. Oyler asked concerning the pedestrian crossing at the railroad track.

Mr. Simpson said they have just added an extension to the railroad crossing for pedestrians. He said they will join up there and extend the sidewalk along this development.

Mr. Baker made a **motion** to approve the Sunny Ridge Amended Preliminary Plat subject to the following conditions:

1. Meet any previous conditions imposed including the installment of a wall separating existing homes as required,
2. The detention basin is to be contained by a vinyl coated chain link fence,
3. The trail is to extend to 400 North,
4. The development is to have the building rights for 183 lots,
5. Receive approval from the Engineering Department for the amended utility design,
6. Install sidewalks and receive approval of the railroad crossing from the Engineering Department.

Chief Rosenbaum asked if getting children safely to the school had been discussed

Mr. Pierson said a crossing guard will be necessary.

Mr. Pierson **seconded** the motion. The motion **passed** with a unanimous vote.

Mr. Pierson recommended proceeding with the original plat since all the reviews have been completed and the bond has been calculated.

Mr. Oyler said this amendment also changes a portion of the original plat. Therefore, they cannot proceed with the original plat. Also, before they proceed, the sewer line connecting to the north and the retention basin need to be completed.

Mr. Heap requested that Mr. Simpson submit amended drawings and said the city staff will make every attempt to expedite the process.

Mr. Simpson asked if they could begin construction if the bond is in place. He asked if there are provisions in the bond to allow for this.

Mr. Broadhead said the utilities on 400 North need to be amended since the connection is now larger.

Mr. Oyler said the plan needs to be redesigned and should be completed correctly before construction begins.

Mr. Heap requested a revised final plat and construction drawings.

Mr. Broadhead asked if the detention basin is changing in size.

Mr. Simpson said the detention basin will be slightly larger.

Mr. Oyler said when we get the redesign, the city staff will complete the review process as soon as possible.

General Plan Amendment and Rezone -Valley/Charter School

Mr. Pierson said the Valley Asphalt area is zoned Medium Industrial (I-2). They are proposing a charter school to be constructed on the upper area of the property.

Mr. Heap asked if the residents in the area have been informed of the meeting today.

Mr. Pierson said Mr. Morley has talked to most of the residents in the area and they are aware of the public hearing before the Planning Commission next week.

Mr. Baker asked why the zone being requested is different from the adjacent property zoning of R-1-12.

Mr. Pierson said he recommended the lower density of R-1-30. He said they are also requesting a small portion along Del Monte Road be zoned as Commercial and the area shown in purple on the General Plan to be zoned Professional Office. This area could become a business park area.

Mr. Morley said Mr. Haymore, the owner of property at the southwest corner of the development, is not interested in developing his property at this time.

Mr. Pierson recommended the Jack B. Parsons' property not be rezoned at this time. The property owner can request the change at a later time if desired. He wants to avoid any non-conforming areas.

Mr. Oyler said the property should not be made non-conforming without the property owner's approval.

Mr. Morley said he has talked with the property owners and they are interested in moving but have been advised by legal counsel not to sign any papers until issues with the proposed area for the move have been resolved.

Mr. Pierson said the General Plan can be changed if needed.

Mr. Baker said the property should not be made non-conforming unless our intent is to chase the property owners out.

Mr. Pierson recommended ending the R-1-30 zone at the property line and excluding the Parsons' property from the rezone. He said he is not opposed to the Business Park Zone as long as it excludes any portion of the Jack B. Parsons' property and the balance of the property remain R-R.

Mr. Oyler asked Mr. Morley how he felt about Mr. Pierson's recommendations.

Mr. Morley said he is not opposed to the recommendation and said hopefully in the future the other zone changes can be made.

Mr. Nielson said the canal is considered an 8-stream canal and must be piped.

Mr. Morley said he has met with South Field Irrigation Company. L.E.I is developing the piping design. The developer has agreed to pay the piping cost as long as the costs are not prohibitive. He said Mr. Scott and Mr. Olson are the only property owners using the ditch and he reviewed the possible design and grading.

Mr. Pierson said the developer will need to install curb, gutter and sidewalk along Mill Road. He also asked Mr. Morley to consider future access for the property.

Mr. Morley provided a proposal of the development design of the property.

Mr. Nielson asked concerning the proposed use for the areas shown as Business Park and Commercial.

Mr. Morley said the trade school is requesting to construct a small tutoring center and possibly a daycare center in the area requested to be zoned as C-1.

Mr. Pierson reviewed the Business Park Zone (B-P), which also allows for tutoring centers and daycare centers.

Mr. Morley said according to the allowed uses the B-P Zone will also meet their needs. He also said the proposed trade school will utilize the entire 20-acre parcel.

Possible General Plan changes to be included in this amendment were discussed.

Mr. Nielson asked concerning the sewer profiles.

Mr. Morley said they feel there is enough excess material in the area to fill the low areas to achieve the proper flow.

Mr. Foster said all power currently on the site is provided by Strawberry Power. The development will need to be connected to Spanish Fork power. He reviewed the electrical design in the area and the changes needed for the development.

Mr. Morley asked concerning water services.

Mr. Nielson reviewed the existing water lines. The possible storm drain requirements were also discussed.

Mr. Pierson said he wants to insure the property has proper turnarounds and traffic flow.

Mr. Banks asked if access will be allowed onto Mill Road.

Mr. Pierson said there will be no access onto Mill Road.

Mr. Morley asked concerning an access on the northwest corner of the property.

Mr. Pierson said there may be problems with grading.

Mr. Oyler said residents in the area were concerned with increasing traffic at this intersection.

Mr. Pierson said the public hearing notice has gone out concerning the public hearing scheduled on the next Planning Commission agenda. Mr. Pierson directed Mr. Morley to meet with Lisa Olsen and Kevin Baadsgaard to determine the residents' concerns.

Mr. Pierson made a **motion** to recommend approval of the Valley/Charter General Plan Amendment subject to the following conditions:

1. Amend the property shown as R-R/Residential 1-2.5 units to the acre,*
2. Amend the property shown as Commercial and Professional Office to all be Professional Office,*
3. Amend the area shown as R-R/Residential 2.5 -3.5 units to the acre and to include the Haymore property,*
4. Include the Ted Scott property in the amendment to be shown as R-R/Residential 2.5-3.5

units to the acre.*

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

*Refer to the attached map

Mr. Pierson made a **motion** to recommend approval of the Valley/Charter Rezone with the following conditions and findings:

CONDITIONS

1. Remove all of the Jack B. Parsons' property from the rezone and it is to remain in the Medium Industrial Zone (I-2),*
2. Rezone the northwest area of the property as Very Low Urban Residential (R-1-30), excluding the Jack B. Parsons' property,*
3. Rezone the center area of the property as Business Park (B-P), excluding the Jack B. Parsons' property,*
4. The remainder of the property is to be zoned Rural Residential (R-R).*

FINDINGS

1. The proposed rezone matches the proposed changes in the General Plan,
2. Any necessary changes have been considered pertaining to traffic, land use, irrigation ditches and utilities,
3. The rezone meets the capital improvements.

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

*Refer to the attached map

Other Business

None

Adjournment

Mr. Baker made a **motion** to adjourn. Mr. Foster **seconded**, the motion **passed** unanimously, and the meeting adjourned at 11:35 a.m.

Charter School Zone Change



1 Inch equals 381 Feet

Legend

- Roads**
- Other Roads
 - Not Paved
 - Paved
 - Lot Lines
 - Road Centerline
 - Growth Lot Lines
 - Growth Centerline
 - Original Boundary
 - US HWY 6 ROW
- Rivers**
- Spanish Fork Boundary
- Lot Lines**
- Curb and Gutter and Sidewalk
 - Easements
- BP**
- I-2
 - R-1-30
 - R-R
 - Sunny_Ridge_PlatA

2/23/2005



Geographic Information Systems

Spanish Fork City GIS
40 South Main Street
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Charter School General Plan Amendment



1 Inch equals 381 Feet

Legend

- Roads**
- Other Roads
 - - - Not Paved
 - Paved
 - Lot Lines
 - Road Centerline
 - Growth Lot Lines
 - Growth Centerline
 - Original Boundary
 - US HWY 6 ROW
 - Rivers
 - Spanish Fork Boundary
 - Lot Lines
 - Curb and Gutter and Sidewalk
 - Easements
 - 1 U/S+ Acres / 1-2.5 U/A
 - 1 U/S+ Acres / 2.5-3.5 U/A
 - Professional Office
 - Sunny_Ridge_PlatA

2/23/2005



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