

**Adopted Minutes of the Spanish Fork  
Development Review Committee  
June 28, 2006**

The meeting was called to order at 10:04 a.m. by Richard Heap.

Staff Members Present: Marvin Banks, Public Utilities Superintendent; Richard Nielson, Assistant Public Works Director; Richard Heap, Public Works Director; David Oyler, City Manager; Dave Anderson, Planning Director; Junior Baker, City Attorney; Shawn Beecher, GIS Specialist; Kimberly Robinson, Deputy Recorder; Shelley Hendrickson, Planning Secretary.

Citizens Present: Ellwood Wall, Huff Trucking; Greg Magleby, LEI; Corey Pierce, LEI; Jared Stubbs, Stubbs Subdivision; Scott Peterson, Atlas Engineering; Steven Maddox, Steve Maddox Development; Karen Vincent, Alan Vincent, Mark Stevenson, Kraig Robinson, Forest Line Construction; Lyte Kenney, Forest Line Construction; Neil Wilkinson, Richmond American Homes; Rick Isaacson, Richmond American Homes; Richard Evans; Eric Hallen, J Ballard Homes

**MINUTES:**

Mr. Baker made a **motion** to approve the minutes of June 14, 2006, with the changes he noted. Mr. Nielson **seconded** and the motion **passed** all in favor.

**PRELIMINARY PLATS**

**Stubbs Subdivision**

Mr. Anderson explained the proposal and stated that it does meet the pertinent standards. There is an existing home on lot 2 that would meet the setback requirements for the R-1-12 zone.

The developer needs to submit digital file showing the temporary turnaround.

The developer needs a legal description for the Annexation before it can be completed.

Mr. Nielson stated that it will have the same utility requirements and easements as the Spanish Highlands development.

Discussion was made regarding the neighborhood meeting held for this project.

The meeting was advertised but no one attended.

Mr. Baker stated that the purpose of neighborhood meetings is to provide a venue for people to express their concerns related to development proposals.

Mr. Oyler described some of the challenges that neighborhood meetings can create. He stated that we need to make sure that these people get educated on what the cities have the authority to require of developers.

Mr. Magelby stated traffic is the #1 issue every time. He stated that in neighborhood meetings there needs to be some sort of mediator. He explained that Strawberry Power has voted to allow the crossing for the Oak Ridge Cove development. They have given their approval to the Bureau of Reclamation who is now reviewing the application.

Mr. Anderson suggested that neighborhood meetings be held earlier so that the issues can be addressed more efficiently.

Some of the issues with facilities to hold neighborhood meetings were discussed. Schools and other venues were discussed as possible options.

Mr. Baker made a **motion** to approve the Stubbs Subdivision Preliminary Plat located at 1425 East 400 North, subject to the following conditions:

1. That the Mapleton Bench Annexation ordinance be recorded before a Final Plat application is submitted.
2. That the development standards be met with the development of the property.
3. That the same utility conditions imposed on Spanish Highlands be met with this development.
4. That the required electronic files be provided to GIS Specialist Shawn Beecher.

Mr. Nielson **seconded** the motion **passed** all in favor.

### **Spanish Springs Business Park**

Mr. Anderson explained the proposal.

Discussion was made regarding ownership or right of way for the access.

Mr. Nielson said they need to show 12 inch pressurized irrigation on 2700 North. He recommends the sewer be adjusted to only cross Main Street one time. The road needs to be dedicated along the property line even if it is not constructed at this time.

Mr. Foster stated that the plat map show a public utility easement in 2700 North.

Discussion was made regarding the road entrances and exits to the property.

Mr. Anderson made a **motion** to approve the Spanish Springs Business Park located at 2700 North Main, subject to the following conditions:

1. That access to Main Street be provided as represented on Preliminary Plat.
2. That they acquire utility easements for 2700 North.
3. Subject to meeting the Electric Department requirements.
4. That a 12 inch pressurized irrigation line be installed on 2700 North.
5. That the road adjacent to lot 110 be dedicated to the east property line.
6. That a new digital file be submitted to the GIS department.

Mr. Nielson **seconded** and the motion **passed** all in favor.

## **FINAL PLATS**

### **Whispering Willows Plat G**

Mr. Anderson stated this plat contains 25 units. It is a Master Planned Development.

Mr. Baker made a **motion** to approve the Whispering Willows Plat G approximately located at State Road 51 and Ridgefield Road, subject to the following findings and conditions:

Finding

1. The density meets the density bonus requirements as approved by the City Council on the Preliminary Plat requirements.

Condition

1. That it meet the construction and developments standards.

Mr. Foster **seconded** and the motion **passed** all in favor.

## **SITE PLANS**

### **Cornaby Railing**

The storm drainage for the property was discussed.

Mr. Nielson made a **motion** to approve the Cornaby Railing Site Plan located at 2100 North 200 East, subject to the following conditions:

1. That they grant a public utility easement across the property.
2. That they install four bollards around the power pole in the back parking lot and paint them yellow.

Mr. Foster **seconded** and the motion **passed** all in favor.

## **ANNEXATIONS**

## **Thompson Annexation**

Mr. Anderson said the goal is to have the Development Review Committee provide comments about the plan with the understanding that at the time of Annexation a plan may be reviewed that would set the groundwork for a Preliminary Plat approval. He explained that the current proposal leaves the wetlands intact. The applicant is requesting R-1-6 zoning. He explained that the wetlands will be excluded from the density calculation and; therefore, the proposal exceeds the allowable density. The General Plan would have to be changed to make the proposal work. He stated he does not agree with changing the General Plan frequently but believes this is a case that warrants consideration.

Mr. Neilson stated that he feels the zoning designation should be the same throughout the project.

Mr. Anderson stated that amending the General Plan would allow for them to meet the density requirements and still maintain the same type of proposal.

Mr. Baker stated that if the Development Review Committee is going to recommend this to the Planning Commission there will need to be public hearings held in conjunction with the Annexation process.

Mr. Nielson stated there would need to be a Zone Change for the Robinson piece of property.

Mr. Anderson stated that he believes it is best for all of the properties to be included in one project. He feels the best way to accomplish this is to petition for a General Plan Amendment and Zone Change.

Discussion was made regarding the public access requirements and the roads proposed.

Mr. Anderson stated the wetlands add a lot of open space to the development.

Mr. Baker said the wetlands area should enable them to receive density bonus as their preservation is an upgrade or improvement made to that area.

Mr. Anderson stated there are no parks proposed within the development.

Mr. Maddox said the Army Corps of Engineers likes the wetlands to be maintained and they plan to maintain and enhance them.

Mr. Baker recommended to the Planning Commission a favorable recommendation for the Thompson Annexation approximately located at 850 North State Road 51, with the property on north and west side of railroad tracks zoned R-3 and the property to the southeast zoned RR.

Mr. Heap feels they need to bring this back to the Development Review Committee for discussion.

Mr. Baker made a **motion** to table this item for the meeting in two weeks. Mr. Banks **seconded** and the motion **passed** all in favor.

## **OTHER BUSINESS**

### **Lot 535 Spanish Vista Development**

Mr. Anderson explained Richmond American Homes has submitted a building permit application.

Allen Vincent

Mr. Vincent stated they wanted the home to face the other way for a clear view for safety reasons down their driveway. They also stated that all the homes faced west and it finished out the street. He feels the developer made a commitment to them if they supported this development and feels they should follow through.

Mr. Vincent would like to see the promises that were made by the original developer be followed through.

Ms. Vincent stated that they agreed to the ½ acre lot with the understanding that the house would be facing the other way, and it is hurting their property value with the current way.

Mr. Evans stated he is the president of the Home Owners Association and there are a lot of commitments that have not been met by the developer. He gave an example of the retention basin behind his property.

Mr. Oyler asked who knew about the detention basin commitments besides the home owners.

Mr. Evans stated that Mr. Adams knew as well. He asked that there be a process in place to ensure these agreements are met. There have been many agreements made to get this development approved. He stated he was there and heard the agreements being made dealing with these issues.

Mr. Oyler stated that there should be no commitments made unless they are in writing. He also said the commitments should be made in these open meetings.

Mr. Baker stated the City cannot control agreements made in someone's home. The owners need to come to the meeting and voice their opinion and ensure that the agreements are included in the approval process.

Mr. Evans said there was good faith all the way around for these agreements. They left the meeting feeling that the items had been taken care of.

Mr. Baker stated they should try to honor the commitments, as a legal matter they cannot require them they can only ask them to build the home facing west.

Discussion was made regarding the locations of the utilities.

Mr. Oyler asked that if, there were some way to accommodate the cost of the changes, would the homeowner agree to change the home's position.

Mr. Heap asked if there was any way to sit down with the homeowner to see what they can work out. He stated staff can work with them to help expedite the project.

Mr. Baker offered city services, with staff, to meet with all the parties to see if they can't work something out.

### **Forest Line Construction – Storage Unit Development**

Brent Ludlow

Mr. Ludlow said they are having some trouble meeting the parking requirement.

Mr. Baker stated they must follow what the code says. The applicant would have to approach the Council to change the ordinance. They will need to submit a Zoning text amendment. He added that if they would like to approach the Council to express their concerns during the public input section of the meeting they can do so also.

### **Huff Trucking**

Mr. Anderson clarified that the applicant will need to go through the Site Plan approval process.

Ellwood Wall

Mr. Wall stated they want to put a building behind the office that for a shower and lunch room facility. He explained that they would give the \$1,700 bond and an additional \$3,000 at the time of permit to enable the City to do what they want with Williams Lane.

Mr. Heap doesn't mind the idea of the developer providing the money to finish the road.

### **J Ballard Homes**

Mr. Anderson stated there was a problem reviewing the building permit applications for some of the lots in this subdivision. The home sizes will be 1,400 square feet and 1,000 square feet on the main level for town homes. With the setback requirements it is almost impossible to fit a home the size that is being required on the lot and still meet the standards.

They are trying to design a home that is big enough to meet the setback requirements and the required square footage.

Mr. Nielson stated the driveways need to meet the standards.

Mr. Baker stated that they will need to amend the plat to create bigger lots.

Mr. Oyler stated the problem is that the lots are too small.

Discussion was made regarding the adjoining twin homes and the unit sizes.

It was decided they look at the layout of the adjacent town homes.

**ADJOURN**

Mr. Baker made a **motion** to adjourn at 12:21 p.m. Mr. Anderson **seconded** and the motion **passed** all in favor.

Attest:

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Shelley Hendrickson, Planning Secretary