

**Adopted Minutes
Spanish Fork City Development Review Committee
August 22, 2007**

The meeting was called to order at 10:33 a.m. by Richard Heap.

Staff Members Present: Richard Heap, Public Works Director; Richard Nielson, Assistant Public Works Director; Dave Anderson, Planning Director; Junior Baker, City Attorney; Shelley Hendrickson, Planning Secretary; Woody Mataele, Planning Intern; Shawn Jorgensen, Public Works Inspector; Kelly Peterson, Electric Superintendent; Dave Oyler, City Manager; Chris Swenson, Building Inspector; Tristan Nelson, GIS Intern; Christine Johnson, Assistant City Attorney.

Citizens Present: Jim Nielson, illegible, Kurt Christensen, Mike Klauck, Tish Throckmorton, Jeana Peterson, LaReita Berky, Julie Carter, Allen Carter, John Davis, Nancy Lund, Les Allen, Jesse Brimhall, Nate Jacobson.

MINUTES

August 8, 2007 & August 15, 2007

Mr. Baker **moved** to **approve** the minutes of August 8, 2007; with the noted corrections. Mr. Peterson **seconded** and the motion **passed** all in favor.

Mr. Anderson **moved** to **approve** the minutes of August 15, 2007; with the noted corrections. Mr. Nielson **seconded** and the motion **passed** all in favor.

ZONING AND ORDINANCE CHANGES

Jim Nielson General Plan and Zoning Map Amendment

Applicant: Jim Nielson

General Plan: General Commercial existing, Light Industrial requested

Zoning: R-1-8 existing, Industrial 1 requested

Location: 1450 East 100 South

Mr. Anderson explained the current General Plan and Zoning of the proposal and that this request was the subject of a previous request. He gave background and explained the proposal.

Mr. Baker feels that there needs to be adequate separation between residential and industrial parcels and is not comfortable making this change due to there not being a better separation between residential neighborhoods and industrial properties. He does not feel that storage units next to residential is a good use.

Mr. Heap feels that three acres is too small for an industrial zone. He feels that a project does not need to be 10 acres but that an industrial zone ought to be bigger than three acres.

Mr. Baker explained that he has had some discussion with Jim Nielson about this and still does not agree with him that storage units should be next to residential. He does not feel this is a good mix.

Mr. Oyler, in addressing Jim Nielson, explained that his understanding from the City Council meeting from his prior request was that he would analyze the property for residential use.

Mr. Jim Nielson does not feel that residential is financially feasible.

Mr. Oyler explained to Mr. Nielson that he would not have to remove the masonry wall that is presently on the property and gave examples where masonry walls exist in other subdivisions in the City.

Discussion was held regarding the masonry wall and what the City's standards for a six foot wall are.

Mr. Jim Nielson feels that storage units would be a perfect fit in this area and that storage units would be better than residential. He feels that several property owners in the area will be upset if the property is developed residentially.

Mr. Anderson feels that we have hundreds of acres throughout the City that are zoned for storage unit development and that placing storage units at this location would be very poor land use planning.

Mr. Heap recommended R-1-8 as the most appropriate use.

Mr. Baker **moved** to recommend **denial** of the Jim Nielson General Plan, Zoning Map and Zoning Text Amendments to change General Commercial to Light Industrial and R-1-8 to Industrial 1. Mr. Oyler **seconded** and the motion **passed** all in favor.

Discussion was made regarding Mr. Nielson analyzing the area with regard to residential.

Mr. Heap recommended to Mr. Jim Nielson that he and his engineer meet with Dave Anderson to discuss residential development options.

SITE PLANS

Retail Pad Site

Applicant: Westfield Properties

Zoning: Commercial 2

General Plan: General Commercial

Location: approximately 300 East 1000 North

Mr. Anderson said that everything conforms to the City's standards.

Mr. Peterson said that the power issues were taken care of this morning. The applicant turned in the load sheets.

Mr. Baker made a **motion to approve** the Site Plan for the Retail Pad Site located at approximately 300 East 1000 North showing four (4) retail pad sites on 200 East 1100 North. Mr. Anderson **seconded** and the motion **passed** all in favor.

Christensen Oil

Applicant: Kurt Christensen, Christensen Oil

Zoning: Industrial 1

General Plan: Industrial 1

Location: 1900 North Main

Mr. Anderson gave background and explained the proposal.

Mr. Mike Klauck addressed the Committee and handed out plans.

Mr. Nielson is not sure if the right-of-way has been dedicated on the south side of 1900 north.

Discussion was held regarding a 68 foot right-of-way.

Mr. Kurt Christensen explained what would be constructed on the site.

Mr. Anderson explained what was still needed; a landscape plan and dumpster enclosure.

Mr. Peterson explained what the applicant would be required to install with regard to the power and that he needs a load sheet filled out and submitted by the applicant.

Discussion was held regarding egress and ingress, a transfer switch for the generator, fuel lines, fuel tanks, and fire requirements.

Mr. Baker **moved to approve** the Site Plan for Christensen Oil located at 1900 North Main subject to the following conditions:

Conditions

1. That Mr. Nielson review and approve the road right-of-way distances.
2. That the applicant meets the landscape requirements of the City.
3. That the applicant provide a masonry enclosed garbage dumpster that meets the City's standards.
4. That the applicant works with the Electric Department to address issues with transformers and notices for the generator.
5. That the applicant meet the City's construction and development standards.

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

PRELIMINARY PLATS

Somerset Phase 4

Applicant: Dos Amigos, LLC

Zoning: R-1-6

General Plan: Residential 5.5-8 units per acre

Location: approximately 2800 East Canyon Road

Mr. Les Allen said that Phase 5 is now on the back burner due to the Utah Department of Transportation (UDOT).

Discussion was held regarding phase 5 and the issues with the Utah Department of Transportation (UDOT).

An overhead presentation was presented for Somerset Plat D, Les Allen addressed the Committee. Discussion was held regarding easements, streets, ingress and egress, retention basin, and parking.

Mr. Jesse Brimhall addressed the Committee, handed out materials and presented their Master Planned Development.

Discussion was held regarding units per acre, CC & R's, HOA dues, qualifications for bonus density, landscape, fencing, and the new town home units.

Mr. Brimhall feels that in reading through the new Master Planned Development requirements he highlighted the things that are given as an opportunity to gain bonus density. The majority of those things they have fulfilled the requirements and in some cases feels that they have exceeded the requirements needed. The area where he feels that maybe they are lacking is the clubhouse area; however, where they did not initially incorporate that in the HOA fees they have had difficulty in trying to go back and implement that now. In Somerset the people that live there feel that it is a retirement community and that living somewhere that is cold eight months out of the year a swimming pool does not appeal to them.

Mr. Baker feels that there needs to be some type of an analysis documented for each Master Planned Development starting with what is the minimum and then the maximum.

Mr. Anderson expressed that he appreciated the presentation that was given by Mr. Brimhall and that it was a very comprehensive overview of the whole project. He agrees with Mr. Baker's comments.

Discussion was held regarding financing complaints.

Mr. Brimhall explained how they have handled the HOA rates from the beginning to current.

Mr. Baker asked if they should go through the ordinance to see what qualifies.

Discussion was held regarding the new Master Planned Ordinance and the proposed Master Planned Development.

Mr. Anderson feels that based on everything that has been presented, the amenities proposed, the quality of the project, and the history of the project, that the project with 40 units qualifies as a Master Planned Development and recommends that it be approved.

Mr. Baker feels that because the new ordinance is open ended, unlike the last one that was very specific on what you could get the Committee needs to set some kind of standard through an analysis that will set precedence.

Mr. Anderson explained that he felt the material that was presented best describes the offered upgrades and that this material should be entered into the record.

Mr. Les Allen said that it has been hard for them to know what to provide as the ordinance is new.

Mr. Heap agrees with Mr. Baker; that there needs to be something on record.

Discussion was held regarding the material presented being the record.

Mr. Oyler feels that it ought to be spelled out in the minutes and documentation to back them up.

Mr. Anderson **moved** to recommend **approval** of the Preliminary Plat for Somerset Plat D (phase 4) at approximately 2800 East Canyon Road with 40 dwelling units, a density bonus of 10 dwelling units, based on the following findings:

Findings:

1. That the applicant meets the minimum requirements to qualify as a Master Planned Development.
2. That the application meets the required findings found in the Master Planned Development ordinance.
3. That the following amenities as represented are provided to qualify for the 10 units of requested bonus density: the concrete fence, entry monument, landscaping, playground and sports court, and architectural variety.

Discussion was held regarding verbiage along with pictures for architecture, and access.

***Mr. Baker excused himself at 11:41 a.m. Ms. Johnson arrived at 11:41 a.m.*

Mr. Oyler feels that verbiage needs to go along with the pictures and gave an example of a pavilion that seats four people vs. a pavilion that will seat forty people. He does not feel comfortable with just using pictures. He feels the applicant needs to spell out, in a lot more detail, to eliminate any

room for misunderstanding and so people who are not on the building side of things can understand.

Discussion was held regarding applicants using verbiage to back the Master Planned Development requests, and continuing this proposal for one week due to traffic, irrigation, sidewalks, parking and other issues.

Mr. Anderson **withdrew** his **motion**. Mr. Peterson **concurred**.

Mr. Anderson **moved** to **continue** the Preliminary Plat for Somerset Plat D (phase 4) located at approximately 2800 East and Highway 6; for one week. Mr. Peterson **seconded** and the motion **passed** all in favor.

Wisteria Lane

Applicant: Dos Amigos, LLC

Zoning: R-1-9

General Plan: Residential 2.5-3.5 units per acre

Location: approximately 2800 East Canyon Road

Mr. Allen addressed the Committee. He feels that if they increase the road from 60 to 68 feet than he will lose one of his lots.

Mr. Anderson **moved** to **continue** the Preliminary Plat for Wisteria Lane located at approximately 2800 East Canyon Road; for one week. Mr. Nielson **seconded** and the motion **passed** all in favor.

Sierra View

Applicant: Nate Jacobson

Zoning: R-1-6

General Plan: Residential 5.5-8 units per acre

Location: approximately 2800 East Canyon Road

Mr. Nate Jacobson addressed the Committee. He explained that he has removed the cul-de-sac and feels that it makes the project a lot nicer. He presented his proposed Master Planned Development.

Discussion was held regarding streets, parking, density, architecture, HOA, and public roads.

Mr. Oyler feels that bonus density request needs to have verbiage to back it up.

Ms. Johnson feels that the applicant needs to supply more information with regard to the amenities for the Planning Commission.

Discussion was held regarding the concrete wall, and the property that the City owns adjacent to the proposal.

Mr. Anderson **moved** to **continue** the Preliminary Plat for Sierra View located at for one week. Ms. Johnson **seconded** and the motion **passed** all in favor.

DRC BUSINESS

- a. **review of new submittals**

Discussion was held regarding Hayes Print Shop Site Plan submittal.

ADJOURN

Mr. Nielson **moved** to adjourn. Ms. Johnson **seconded** and the motion **passed** all in favor at 12:52 p.m.

Adopted: September 5, 2007

Shelley Hendrickson, Planning Secretary