

**Adopted Minutes
Spanish Fork City Development Review Committee
August 29, 2007**

The meeting was called to order at 10:10 a.m. by Dave Anderson.

Staff Members Present: Richard Nielson, Assistant Public Works Director; Dave Anderson, Planning Director; Junior Baker, City Attorney; Shelley Hendrickson, Planning Secretary; Woody Mataele, Planning Intern; Kelly Peterson, Electric Superintendent; Ryan Baum, Public Works Inspector; Marvin Banks, Public Utilities Director; Dave Oyler, City Manager; Junior Baker, City Attorney; Richard Heap, Public Works Director; Shawn Jorgensen, Public Works Inspector.

Citizens Present: Glenn Way, Barry Whitaker, Les Allen, Nate Jacobson, Jesse Brimhall, Dale Larsen, Jed Morley.

MINUTES

August 22, 2007

Mr. Nielson **moved** to **continue** the minutes of August 22, 2007. Mr. Baker **seconded** and the motion **passed** all in favor.

FINAL PLATS

Academy Park Plat A

Applicant: US Charter Development, LLC

General Plan: Residential 2.5 to 3.5 units per acre

Zoning: R-1-12

Location: 900 South Del Monte

Mr. Nielson asked Mr. Way if the existing home was going to stay or be demolished.

Mr. Way said it would be torn down.

Mr. Nielson let Mr. Way know the utilities would need to be disconnected at the street and asked about the ownership of the triangular piece of property.

Mr. Way explained what he recalled took place at the January 16th City Council meeting; that the City was going to deed the parcel and said that he had not received anything.

The minutes to the City Council meeting of January 16, 2007, were viewed for verification.

Discussion was held regarding the parcel, ownership, to whom it would be deeded to, and who in the City would see it through. It was determined that Westfield Development owns the property. Mr. Anderson will talk with them and then get with Mr. Way.

Mr. Baker asked if the easements had been obtained from the Isaacs for American Leadership Academy.

Mr. Nielson concurred that they had.

Mr. Anderson said that Plat B is being amended so that the road can be connected to Old Mill Estates. In the meantime, Mr. Way would be submitting a modified Final Plat that will not include the lots that are proposed to be changed.

Mr. Baker **moved** to **approve** the Final Plat for Academy Park located at 900 South Del Monte subject to the following conditions:

Conditions

1. That the applicant meet the City's construction and development standards.
2. That the applicant obtain title to the north triangle of property.
3. That the appropriate permits be obtained through the City so that the applicant can demolish the existing home.
4. That all the conditions of the Preliminary Plat be met prior to recordation.

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

***Excerpt from the City Council Minutes of January 16, 2007. Preliminary Plat approval for Academy Park. ***

*Councilman Andersen made a **motion** to approve the proposed Preliminary Plat for the Academy Park North based on the following finding and subject to the following conditions:*

Finding:

- 1. That the proposed Preliminary Plat conforms to the City's standards for developments in the R-1-12 zone.*

Conditions:

- 2. That the applicant provide a preliminary title report.*
- 3. That the applicant incorporate the property to the north triangle into the plat.*
- 4. That the applicant work with the Power Department on the power issues including working around the SESD line easement.*
- 5. That the applicant place a berm with a masonry wall on the west border adjacent to the Leland Mill.*
- 6. That the applicant relocate the utilities on the west end into the location they are suppose to be.*
- 7. That the applicant redraft the legal description to the easement.*
- 8. That a note be placed on the plat indicating that because it is adjacent to an industrial area that there will be noise and dust issues, and subject to the language being refined.*
- 9. That the development meet the City's construction and development standards.*
- 10. That the applicant submit a corrected electronic version and authorize and Mayor to sign quit claim deed, and make road perpendicular to west park drive.*

*Councilman Sorensen **seconded** and the motion **passed** all in favor.*

Discussion was held regarding the conditions of the Preliminary Plat approval.

Oak Ridge Cove Plat B

Applicant: CEA Development

Zoning: R-1-30

Location: 2650 South Spanish Oak Drive

Mr. Anderson explained the proposal.

Mr. Heap asked if all of the parcels had been exchanged.

Mr. Baker said verification with the County Recorder ought to take place to verify the recordations.

Discussion was held regarding dust control, mud control, maintaining open access, pressurized irrigation vault, conditions of the Preliminary Plat, fencing and timing of the fencing.

Mr. Baker **moved** to **approve** the Site Plan for Oakridge Cove Plat B located at 2650 South Spanish Oaks Drive subject to the following conditions:

Conditions

1. Meet the City's construction and development standards.
2. Meet conditions of the Preliminary Plat approval.
3. Pay City \$50,000 for sidewalk as part of the amenities approved with the Preliminary Plat.
4. Provide adequate dust and mud control.
5. A six foot vinyl privacy fence be constructed adjacent to City property north of the reservoir.
6. That when they bond for Plat B that they also bond for the balance of the trail; up to the reservoir.

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

Discussion was held regarding the sidewalk along Fairway Drive.

GENERAL PLAN, ZONING MAP AND ORDINANCE AMENDMENTS

Corner Lot Rear Setback Modification

Applicant: Barrett D. Whitaker

Location: Citywide

Mr. Anderson explained the ordinance setback requirements for corner lots, and that the request is to modify the rear setback for corner lots down to 20 feet.

Mr. Whitaker explained the purpose of his proposal and that he plans to construct an addition onto the back of his home.

Mr. Anderson explained if the request is approved that it will apply citywide and that any changes need to ensure that there are not any adverse impacts that could result from a change. He feels that this change would not be that big of an impact.

Discussion was held regarding different scenarios, and what the setback should be reduced too.

Mr. Baker feels that it would be better to start out more conservative to see if it creates any problems and then reduce it a little more next time.

Mr. Anderson explained where the change would need to take place in the ordinance.

Discussion was held regarding how to change the verbiage in the ordinance.

Mr. Baker **moved** to recommend to the Planning Commission **approval** of the Zoning Map Ordinance Amendment for Barrett D. Whitaker in all of the residential zones for corner lots that we reduce the rear yard setback by five feet.

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

Spanish Fork Storage

Applicant: Property Brokers

General Plan: Industrial 2

Zoning: General Commercial

Location: corner of Del Monte and Arrowhead Trail

Mr. Anderson explained that action is not anticipated; that Mr. Morley was looking for feedback on his proposal. He then explained the setback standards in an Industrial 2 zone, and right now in the ordinance there is a setback that would require fifty feet on the north and west boundaries because they are adjacent to residential districts. The concept drawings Mr. Morley has show zero setbacks on the north and west boundaries. Storage units are a conditional use in the Industrial 2. General Plan for the property is General Commercial.

Mr. Baker does not feel that buildings should be built right on the property line next to residential developments.

Mr. Morley addressed the Committee. He explained his proposed concept drawings and explained the proposal.

Mr. Banks brought up the issue with fire protection along the canal. He does not feel that ten feet would be enough.

Discussion was held regarding irrigation easements, options, businesses in storage units, and access.

Mr. Anderson explained what the options could be and feels that he does not want anything that is built on the property line next to residential. A twenty five foot setback down to zero would take two ordinance changes and feels that would be hard to get.

Mr. Morley would like to keep his storage units higher end.

Mr. Oyler likes the concept if it can be designed to work in the Industrial zone.

Mr. Baker likes the retail mix but is concerned that a Zoning Text Amendment would affect things citywide and wonders how to ensure that any projects would be as nice as what Mr. Morley is proposing to construct.

Mr. Baker suggested continuing the project so that Mr. Anderson and himself can draft verbiage for the ordinance change.

Mr. Baker **moved** to **continue** the General Plan, Zoning Map and Ordinance Amendments for Property Brokers for two weeks; so, Mr. Anderson and he can work on drafting the ordinance changes.

Mr. Oyler feels that I-1- and I-2 should both be looked at.

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

SITE PLANS

Hayes Print Shop

Applicant: The Workman Company

General Plan: Commercial 2

Zoning: General Commercial

Location: approximately 1815 South Main

Mr. Anderson **moved** to **approve** the Site Plan for Hayes Print Shop located at 1815 South Main and issue a temporary occupancy certificate once the bond for site improvements has been posted, the Building Department has performed a final inspection and a fire protection waiver has been approved by the City Council, and subject to the following conditions:

Conditions

1. That the applicant provide an accurate load sheet to the Electric Department.
2. That three phase overhead power on the west side of SR 198 be constructed from the VIP Equestrian horse property to the subject property.
3. That the applicant provide a flood elevation certificate.
4. That the applicant have the septic tank inspected and approved by the Health Department.
5. That the applicant install non-ornamental deciduous trees in the park strip.

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

PRELIMINARY PLATS

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. Les Allen and Mr. Brimhall addressed the Committee. Together they explained what they believe has been agreed upon to resolve the issues with Dennis Stone. They explained the verbal agreement.

Discussion was held regarding the verbal agreement and the Stone parcel.

Discussion was held regarding the width of the road on Wisteria Lane and in Sierra View.

Mr. Nate Jacobson addressed the Committee. He explained the changes that he had made.

Mr. Heap feels that the planter strip needs to be removed in order to allow for 40 feet of asphalt instead of 34 feet of asphalt.

Discussion continued with regard to the width of the road that will run from Wisteria lane through Sierra View and how to shift things around to gain the width required.

Discussion was held regarding the amenities that Mr. Jacobsen submitted: fencing, sports court, full landscape, and a park.

Mr. Anderson **moved to approve** the Preliminary Plat for Sierra View with 57 lots in all, 16 total lots in bonus density, located at approximately 2800 East Canyon Road subject to the following findings and conditions:

Findings

1. That the proposed development will provide a more pleasant and attractive living environment than a conventional residential development established under the strict application of the provisions of the underlying zone due to the following amenities that are proposed as outlined in the Sierra View Master Planned Development submittal packet:
 1. The construction of the proposed masonry wall around the perimeter of the development with the possible exception of the east boundary line.
 2. The construction of the proposed entrance features.
 3. The construction of the proposed pavilion.
 4. The construction of the proposed playground.

5. The construction of the proposed sports court.
6. The architectural upgrades of the proposed structures.
2. That the proposed development will not be materially detrimental to the health, safety, or general welfare of persons residing or working within the neighborhood of the development;
3. That any variation allowed from the development standards of the underlying district will not create increased hazards to the health, safety, or general welfare of the residents of the development of adjacent areas.

Conditions

1. That the public street in the proposed development be designed to meet the City's standards for a Minor Collector Street with a 68 foot right-of-way
2. That the applicant provide final designs of all structures including the garages for the 12-plexes with final plat submittal.

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

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. Allen addressed the Committee and explained the changes that he has made.

Discussion was held regarding the narration that has now been added to the Somerset Phase 4 Master Planned Development packet.

Mr. Anderson **moved** to **approve** the Preliminary Plat for Somerset Village Phase 4 with a total of 42 lots, 12 lots in bonus density, based on the following findings:

Findings

1. That the proposed development will provide a more pleasant and attractive living environment than a conventional residential development established under the strict application of the provisions of the underlying zone due to the following amenities that are proposed as outlined in the Somerset Village Phase 4 Master Planned Development submittal packet:
 1. The construction of the proposed masonry wall around the perimeter of the development with the possible exception of the west boundary line.
 2. The construction of the proposed entrance features and gates.
 3. The construction of the proposed playground.
 4. The construction of the proposed sports court.
 5. The architectural upgrades of the proposed structures.
 6. The access that residents of this phase will have to the amenities in the existing development.

2. That the proposed development will not be materially detrimental to the health, safety, or general welfare of persons residing or working within the neighborhood of the development;
3. That any variation allowed from the development standards of the underlying district will not create increased hazards to the health, safety, or general welfare of the residents of the development of adjacent areas.

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

Wisteria Lane

Applicant: Dos Amigos

Zoning: R-1-9

General Plan: Residential 5.5-8 units per acre

Location: approximately 2800 East Canyon Road

Mr. Allen addressed the Committee and explained his meeting with the Utah Department of Transportation

Mr. Anderson **moved** to **approve** the Wisteria Lane Preliminary Plat for Dos Amigos located at approximately 2800 East Canyon Road subject to the following conditions:

Conditions

1. That the public street modified to be 68 feet meeting the City's standards for a Minor Collector Street.
2. That the applicant obtain UDOT approval for the intersection design at Canyon Road.

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

DRC BUSINESS

- a. **review of new submittals**

ADJOURN

Mr. Nielson **moved** to adjourn. Mr. Anderson **seconded** and the motion **passed** all in favor at 12:45 p.m.

Adopted: September 5, 2007

Shelley Hendrickson, Planning Secretary