

**Adopted Minutes
Spanish Fork City Development Review Committee
October 7, 2009**

The meeting was called to order at 10:07 a.m. by Dave Anderson.

Staff Members Present: Junior Baker, City Attorney; Dave Anderson, Community Development Director; Marvin Banks, Public Utilities Director; Shelley Hendrickson, Planning Secretary; Dave Oyler, City Manager; Shawn Beecher, GIS Administrator; Jered Johnson, City Surveyor; Kelly Peterson, Electric Superintendent; Chris Swenson, Building Inspector; Seth Perrins, Assistant City Manager; Brian Bradford, GIS Intern.

Citizens Present: None present

MINUTES

September 23, 2009 & September 30, 2009

Mr. Baker **moved** to **approve** the minutes of September 30, 2009. Mr. Peterson **seconded** and the motion **passed** all in favor.

Mr. Baker **moved** to **approve** the minutes of September 23, 2009 with the noted corrections. Mr. Johnson **seconded** and the motion **passed** all in favor.

DRC BUSINESS

Academy Park Plat A

Mr. Anderson explained that discussion had taken place in the last DRC meeting regarding modifying the fencing requirements for Academy Park Plat A. He apologized that Mr. Brand had not been invited to attend that meeting and that he had invited him to be present at this meeting.

Mr. Baker explained the amendment approval.

Scott Brand

Mr. Brand said he was part of Portfolio Investments and explained what his involvement in this project was. He said the project was originally driven by another party who has since moved out of state. He explained that the project had evolved into a completely different project than what was originally approved. He said the original project did not include an LDS Church and had he been involved he would have run the project as two separate developments. He said SESD was increasing a power easement that would affect some of the building lots making them significantly less marketable.

Mr. Peterson explained that the person who had originally driven this development was notified about the easement and the need to talk to SESD and SUVPS to obtain a letter from SESD approving the power.

Mr. Brand expressed his disagreement with the DRC's modification to the fencing requirements and explained esthetically what he felt the fencing should be.

Discussion was held regarding the fencing that had already been installed and fencing options.

Mr. Anderson expressed that nothing relative to the easement changed the functionality of a wall versus chain link or vinyl fencing. He did not see a connection other than the financial aspect of the project.

Mr. Brand said he knew the fencing had been approved but still wondered, looking at the changed project today, what the fencing requirement would be if he sought to have the project approved today. Would the City really require a masonry wall on a seven lot subdivision?

Mr. Baker said that he needed to look at the entire project which included the lot where the LDS Church was and that because a masonry wall had already been constructed that what remained to be fenced should, in his opinion, be masonry.

Discussion was held regarding the fencing along the public right-of-way and allowing for something other than a masonry wall.

Mr. Baker said he did not care if Mr. Brand included language in their CC&R's for the owner's of the lots to be responsible for the fencing but that the fencing needed to be the same. He said the sidewalk would need to be completed up to property line.

Discussion was held regarding the City's standards for fencing along Collector class streets.

Mr. Perrins said that if the fence was not installed by the developer then the fence would need to go up before a Certificate of Occupancy was issued because of the Collector class road.

Mr. Anderson said he felt there was some thought into how this project was originally approved and in his opinion the fact that the LDS Church bought a larger part of the project therefore reducing the number of building lots, from the City's perspective, was a non-issue. He said the original applicant proffered the masonry wall in an effort to address some other issues with the property at that point in time. He told Mr. Brand that if he would like to file an appeal that he could do so by submitting in writing and filing it with the City Recorder.

SITE PLAN APPROVAL AMENDMENT

JNB Development Warehouse

Applicant: Todd Gordon
General: Light Industrial
Zoning: Industrial 1

Location: 2000 North 300 West

Mr. Anderson explained this amendment was discussed in DRC one week previous. He said that there were four different requests to the amendment (see attached memo).

Discussion was held regarding the structure on site and how many man doors the structure had, a concrete landing outside of one of the man doors, what the use would be in the building which is a light industrial manufacturing use, that the Site Plan requires a sidewalk along the back and was there a code issue with a concrete landing versus a sidewalk.

Mr. Swenson said he did not know if there would be any code issues having a concrete landing versus a sidewalk because it depended on what the use of the building would be and without knowing who would be occupying the structure he didn't know. He said if there was a use in the building that would require two exits than you would need the sidewalk.

Discussion was held regarding the original approval and what was required, which was a contiguous 5-foot sidewalk.

Mr. Banks **moved** to **grant** the request as outlined in points one, three, and four but that we not approve an amendment to change the existing requirement to construct the five foot walk around the entire the building. Mr. Perrins **seconded** and the motion **passed** all in favor.

***The following were the submitted amendment changes:*

- 1. The fences on the site plan show chain link. We installed an Adobe Vinyl Fence, which is a superior to the chain link, in hopes to enhance the look of the area.*
- 2. The site plan has a 5' foot sidewalk note around building. We installed a 5' Side walk around the front and sides. In the rear of the building we install a 5'X5' porch pad at each exit. These entrances are not primary use and general purpose for doors is fire escape or ventilation.*
- 3. The site plan indicates a chain link fence in back of the building. A concrete fence has been installed from the building out both sides. In discussion with the neighboring property owner we would like to leave that section open.*
- 4. The site plan indicates an existing 6' cinder block fence to remain. We have left it there. However, the plan indicates that the fence was behind the Dunstan Property also, and it does not exist there.*

DRC BUSINESS

Mr. Perrins **moved** to **adjourn**. Mr. Banks **seconded** and the motion **passed** all in favor at 10:48 a.m.

Adopted: October 21, 2009

Shelley Hendrickson, Planning Secretary