

**Adopted Minutes
Spanish Fork City Development Review Committee
November 18, 2009**

The meeting was called to order at 10:02 a.m. by Richard Heap.

Staff Members Present: Dave Oyler, City Manager; Dave Anderson, Community Development Director; Shelley Hendrickson, Planning Secretary; Shawn Beecher, GIS Administrator; Jered Johnson, City Surveyor; Kelly Peterson, Electric Superintendent; Tom Cooper, Electric Department Operations; Junior Baker, City Attorney; Joe Jarvis, Fire Marshall; Bart Morrill, Parks & Recreation; Shawn Jorgensen, Public Utilities Inspector; Chris Thompson, Assistant Public Works Director; Richard Heap, Public Works Director; Ryan Baum, Public Works Inspector.

Citizens Present: Nina Isaacson, Wilson Dansie, Scott Isaacson, Bruce Hall, Steve Carter, Steve Maughan, Jeff Heaps, Kay Heaps.

MINUTES

November 11, 2009

Mr. Baker **moved** to **approve** the minutes of November 11, 2009 with the noted corrections. Mr. Anderson **seconded** and the motion **passed** all in favor.

FINAL PLATS

Spanish Trails Plat E

Applicant: SF West Land LLC
General Plan: Residential 5.5 to 8 units per acre
Zoning: R-1-8
Location: 300 West 400 South

Mr. Heap said that we would come back to this agenda item later in the meeting.

PRELIMINARY PLATS

Maple Mountain Amended

Applicant: Dave Simpson
General Plan: Residential 2.5 to 3.5 units per acre
Zoning: R-1-12
Location: 100 North 1500 East

Mr. Anderson explained that the reason for the proposed amendment was to allow the Nebo School District to purchase several of the lots in order to create a site for a new

school. He said with this amendment the developer has proposed 152 lots which was the maximum permitted by the General Plan. He said that details still would need to be worked through on the storm drainage. He explained that phasing was an issue and asked for a phasing plan be created in the motion.

Mr. Baum asked if the road on 1800 East (City address) would be completed (at least ½ plus ten like it was on the north side of the football field).

Discussion was held regarding the road and whether or not restrictions would be placed on this amendment that would tie up the school. Mr. Anderson said he was more concerned about public improvements and didn't see how that would tie up the school site.

Mr. Oyler said the units that will be built on the north side should not be allowed to be constructed until the park is constructed. Mr. Anderson agreed. Discussion was held regarding when the bond will be posted for the park. Mr. Baker said he would not tie the construction of the park to the school but to the residential development.

Mr. Oyler asked why there was such a rush on the proposed amendment when there had not been any rush on the part of the developer to construct the park. He asked when the park would be bonded for.

Mr. Dave Simpson said he did not know when the park would be built. He said he was present for the meeting representing the request to accommodate a site for Nebo School District. He said he realized the amendment was somewhat of a bandaid on the situation due to the economic down turn.

Mr. Thompson explained that there could be some easements that the City would ask to be turned over as part of the phasing for storm drain but that he would not know that for a couple of more weeks.

Mr. Jorgensen explained a sewer concern along the west side of the school property.

Discussion was held regarding the sewer and who would be responsible to construct the road in front of Jared Clayson's home.

Mr. Baker explained that the original plat approval said the park was to be constructed with the third phase.

Mr. Oyler asked Mr. Simpson if Mr. Salisbury was aware that the park would need to be installed with the next residential phase. Mr. Simpson said that he could not speak for Mr. Salisbury and that they did need to hold a meeting to discuss the details of the park.

Mr. Baker **moved** to recommend to the City Council **approval** of the amended Maple Mountain Preliminary Plat subject to the following conditions:

Conditions

1. That the applicant meet all of the conditions of the original approval.
2. That the park be constructed with the next residential phase.

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

Mr. Anderson asked the committee if they had any qualms about him discussing a phasing plan with the applicant before the December Planning Commission meeting. Mr. Oyler explained that, with the school project, Mr. Thompson might need easements for the storm drain. Mr. Heap said that they would take care of any easements with the final plat application. Mr. Johnson said that he would need to get an upgrade of the utility map.

Pine View

Applicant: Kay Heaps

General Plan: Residential 1.5 to 2.5 units per acre

Zoning: R-1-15

Location: 2700 East 750 South

Mr. Anderson explained that this property was annexed into the City in 2007 and at that time the General Plan was amended to permit residential development at a density of 2.5 units per acre. He said the purpose of the proposal was that the Nebo School District would like to purchase a portion of the property to build a school.

Mr. Baker asked if the power corridor was on the east side of the proposed lot and discussion was held regarding what the applicant was proposing to build along the power corridor. Mr. Kay Heaps said he would have residential lots.

Discussion was held regarding SESD and whether or not the power had been bought out from SESD at the time of annexation.

Mr. Baker said that this was a Preliminary Plat and the approval would only be good for one year. He asked if either developer involved in this proposal were going to be constructing anything within a year. They said they were not planning to construct anything that soon. Mr. Baker suggested that the proposal be treated as an agricultural subdivision; therefore, it would require a Preliminary Plat.

Mr. Oyler **moved** to recommend to the City Council **approval** of an agriculture subdivision that does not require a plat. Mr. Baker **seconded** and the motion **passed** all in favor.

Mr. Peterson said that along 7200 South the Power Department has planned for a major line and he wanted them to be aware of it.

Peterson Spanish Cove Preliminary Plat

Applicant: Warren Peterson

General Plan: Residential 9 to 12 units per acre

Zoning: R-3 existing, In-Fill Overlay requested

Location: 245 North 300 East

Mr. Anderson explained the proposal and that the applicant had held a neighborhood meeting. He said that the underlying zone (R-3) would not be changing and that the In-Fill Overlay zone, if approved, would be applied as an overlay zone.

Mr. Baker asked if the driveway was going to be asphalt or if there would be some landscaping. Mr. Johnson said that it was going to be concrete. Mr. Dansie said he thought it would be asphalt.

Mr. Baker asked if the Committee felt that this was a superior design and to include in the motion how the project met the superior design standard.

Mr. Anderson **moved** to recommend to the City Council **approval** of the Peterson Spanish Cove In-Fill Overlay Zone based on the following findings:

Findings

1. That the number of units is within the density range found in the General Plan.
2. That the proposed design meets the requirements of the In-Fill Overlay Zone.
3. That the proposed architecture is superior to what is found in other twin home projects in the City.
4. That the development would not have an adverse impact on the surrounding properties.

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

Mr. Baker **moved** to recommend **approval** of the Peterson Spanish Cove Preliminary Plat based on the following findings and conditions:

Findings

1. That the number of units is within the density range found in the General Plan.
2. That the proposed design meets the requirements of the In-Fill Overlay Zone.
3. That the proposed architecture is superior to what is found in other twin home projects in the City.
4. That the development would not have an adverse impact on the surrounding properties.

Conditions

1. That the applicant meets the City construction and development standards.
2. That the applicant meets any Engineering and Electrical Department conditions.

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

Spanish Fork Assisted Living Preliminary Plat

Applicant: Rockworth Companies

General Plan: General Commercial

Zoning: R-1-8

Location: 1450 East 100 South

Mr. Anderson explained that there were three prior requests for this parcel and explained that in his opinion this was an appropriate use for this particular parcel. He said that the applicant had met with the Fire department. Ninety-six beds were proposed for the development.

The applicant explained that this facility would be licensed through the State of Utah as an AL-1 and AL-2 and would have a dementia wing. He said the residents would not be allowed to have vehicles.

Mr. Peterson explained the relocation of the power. Mr. Johnson explained what fire hydrants would need to be removed and where one would need to be installed.

Mr. Peterson told the applicant that there was a power line along one of the buildings and that they would need to maintain a 15-foot horizontal and vertical clearance. Mr. Bruce Hall said that it would not meet the clearance and he would need to fix it.

Mr. Baker asked what the maximum staff would be at any given shift. It was determined that the proposal did not meet the City's parking ordinance and that the applicant would need to come up with 15 more spaces of parking. Bruce Hall said he had a cross easement with the strip mall.

Discussion was held regarding cross access easements, allowing the applicant to obtain 15 parking spaces from the strip mall property adjacent to the proposal, removal of some of the current masonry wall, and the applicant needing to submit a lighting and landscaping plan.

Mr. Baker **moved** to recommend **approval** of the Spanish Fork Assisted Living Preliminary Plat subject to the following conditions:

Conditions

1. That the applicant meets the City's construction and development standards.
2. That the applicant meet any redlines from the City's Engineering and Power Departments.

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

Mr. Baker **moved** to recommend **approval** of the Spanish Fork Assisted Living Site plan and Conditional Use subject to the following conditions:

Conditions

1. That the wall along 150 South be removed and a masonry wall be constructed along Highway 6 and between the project and each adjacent residential area.

2. Forty-seven parking stalls be shown and if they cannot fit on site that a cross easement to the North and West be obtained where the commercial property is located for the additional stalls.
3. That a permanent turn around be constructed on 100 South that meets the City's construction and development standards.
4. That a landscape plan be approved by the Community Development Director.
5. That a lighting plan be submitted.
6. That all signs be consistent with the City sign ordinance.
7. That per the ordinance, a copy of the State license be provided along with a sworn affidavit that no person will reside or remain in the facility whose tenancy would likely constitute a direct threat to the health or safety of other individuals or result in substantial physical damage to the property of others.
8. That the applicant provide an updated engineered Site plan.

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

ZONE CHANGES/GENERAL PLAN AMENDMENTS/ORDINANCE AMENDMENTS

Jensen Zone Change and General Plan Amendment

Applicant: Grant Jensen

General Plan: Residential 9 to 12 units per acre existing, General Commercial requested

Zoning: R-1-6 existing, Commercial 2 requested

Location: 55 East 700 North

Mr. Anderson explained the proposal.

Discussion was held regarding the minimum square footage requirements in the R-1-6 zone and that the applicant would need to make sure that he maintained the 6,000 square foot minimum with the home so that it would conform to the zoning ordinance.

Mr. Baker said a lot line adjustment and Zone Change looked good to him.

Mr. Anderson explained the City's fencing requirements to Mr. Jensen and that he would need to install a masonry fence where his commercial zone abutted any residential zone.

Mr. Peterson said he had some clearance issues with the overhead lines and asked what they anticipated using the parking lot for. Discussion was held regarding the parking lot.

Mr. Baker **moved** to recommend **approval** of amending the General Plan for the property outlined in blue on the overhead map and approve a boundary line adjustment to incorporate the 3,600 square feet to the West, provided that the parcel with the house remain a minimum of 6,000 square feet, and that when the applicant is ready to construct that they will need to meet the City's construction and development standards. Mr. Anderson **seconded** and the motion **passed** all in favor.

Isaacson Zone Change and General Plan Amendment

Applicant: Scott Isaacson
General Plan: Residential 5.5 to 8 units per acre existing, Residential Office requested
Zoning: R-1-6 existing, Residential Office requested
Location: 885 North 200 East

The applicant, Scott Isaacson, explained to the committee that they had purchased the home and were running a home occupation business out of it. He said the block that the home was located on already had some commercial zoning. He explained that if they were granted the R-O zoning that they would continue to run the business as they were running it currently but that they would move out of the home and just run the business there. He said that in the future they might want to live there and run the commercial business.

Mr. Anderson explained that the Planning Commission would be looking at the General Plan in 2010 and that the area of town that this proposal was located in was one of the areas that the Planning Commission was going to study. He said that the Commission might not want to take action on this proposal until they studied the entire area in 2010.

Mr. Isaacson said he would still like to move forward with his request.

Mr. Anderson **moved** to recommend that the Planning Commission either **approve** a General Plan Amendment to the portion of the block that was not Professional Office to Professional Office/Residential Office or that they **review** this when they review the General Plan Amendment. Mr. Baker **seconded** and the motion **passed** all in favor.

Mr. Anderson **moved** that if they approve the General Plan Amendment that the zone be changed to Residential Office. Mr. Baker **seconded** and the motion **passed** all in favor.

SITE PLANS & CONDITIONAL USE APPROVAL

Hughes Site Plan and Conditional Use

Applicant: J.P. Hughes
General Plan: Residential 9 to 12 units per acre
Zoning: R-1-6
Location: 64 East 100 South

Mr. Anderson explained the proposal and that parking would need to be addressed.

Discussion was held regarding the Walker Mortuary parking lot and whether the applicant could use it for parking. Mr. Baker said that it would work since the hours of operation would largely be offsetting and that the applicant would need to obtain a letter from Walker Mortuary granting them permission to use their parking lot.

Mr. Johnson said that the fire department would require a fire hydrant. Discussion was held regarding fire protection and whether or not the existing hydrants would work (it was determined that they would not need a hydrant).

Mr. Baker **moved** to recommend approval of the Hughes Site Plan and Conditional Use for a lot line adjustment subject to the following conditions:

Conditions

1. That the existing residential use needs to remain conforming after the lot line adjustment.
2. That the driveway will need to be an all weather surface access.
3. That all lighting be contained on site.
4. That if the need for parking increases over time the applicant would need to obtain a letter from Walker Mortuary granting them permission to use their parking lot.

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

ZONE CHANGES/GENERAL PLAN AMENDMENTS/ORDINANCE AMENDMENTS

American Leadership Academy Zone Change and Text Amendment

Applicant: American Leadership Academy

General Plan: Residential 1.5 to 2.5 units per acre

Zoning: R-1-30 existing, R-1-15 requested

Location: 1050 South Mill Road

Mr. Anderson explained that there was a non-conforming building at the American Leadership Academy and explained the way that the ordinance could be changed in order to bring the non-conforming structure into conformance.

Mr. Anderson **moved** to **approve** the American Leadership Academy Zone Change changing the zone of the athletic portion of the ALA site to R-1-15. Mr. Baker **seconded** and the motion **passed** all in favor.

Mr. Anderson **moved** to **approve** the American Leadership Academy Text Amendment to amend the text of Title 15 so as to make the setback requirements of the R-1-15 zone to be the same as the R-1-12 zone. Mr. Baker **seconded** and the motion **passed** all in favor.

Peterson Spanish Cove Zone Change

Applicant: Warren Peterson

General Plan: Residential 9 to 12 units per acre

Zoning: R-3 existing, In-Fill Overlay requested

Location: 245 North 300 East

Discussion and motion took place with the Preliminary Plat.

SITE PLANS & CONDITIONAL USE APPROVAL

Spanish Fork Assisted Living Site Plan and Conditional Use Approval

Applicant: Rockworth Companies

General Plan: General Commercial

Zoning: R-1-8

Location: 1450 East 100 South

Discussion and motion took place with the Preliminary Plat.

OTHER BUSINESS

Discussion was held regarding the Legacy Farms plat.

Mr. Baker **moved** to **adjourn**. Mr. Peterson **seconded** and the motion **passed** all in favor at 12:13 p.m.

Adopted: December 2, 2009

Shelley Hendrickson, Planning Secretary