

**Adopted Minutes
Spanish Fork City Development Review Committee
February 24, 2010**

The meeting was called to order at 10:00 a.m. by S. Junior Baker.

Staff Members Present: Dave Anderson, Community Development Director; S. Junior Baker, City Attorney; Chris Thompson, Assistant Public Works Director; Jered Johnson, City Surveyor; Shelley Hendrickson, Planning Secretary; Tom Cooper, Electric Operator Dispatcher; Shawn Beecher, GIS Specialist; Kelly Peterson, Power Superintendent; Trapper Burdick, Assistant City Engineer; Dave Oyler, City Manager; Bart Morrill, Parks & Recreation.

Citizens Present: Laura Lee Adams, SFATC; Jennifer Lind, SFATC; Katie Simmons, Orchard View Heights; Alvahaw N. Allan, Allan Development.

MINUTES

February 3, 2010

Mr. Baker **moved** to **approve** the minutes of February 3, 2010, with the noted corrections. Mr. Peterson **seconded** and the motion **passed** all in favor.

ORDINANCE AMENDMENT

Crossings Church

Applicant: Mickie Kelly

General Plan: citywide

Zoning: citywide

Location: citywide

Mr. Anderson explained that the applicant, Mickie Kelly, requested to pull his application.

SITE PLANS

Wiggy Wash

Applicant: Chris Hailstone

General Plan: General Commercial

Zoning: Commercial 2

Location: approximately 810 South Main Street

Mr. Anderson said this proposal would be tabled for one week.

FINAL PLATS

Orchard View Heights

Applicant: Allen Developments

General Plan: Residential 2.5 to 3.5 units per acre

Zoning: R-1-9

Location: 820 East 700 South

Mr. Anderson explained the proposal.

Mr. Thompson told the applicant to talk with the City before they build the storm drain.

Mr. Baker **moved** to **approve** the Orchard View Heights Final Plat subject to the following condition:

Condition

1. That the applicant meets the City's construction and development standards.

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

PRELIMINARY PLATS

Academy Park

Applicant: SFATC LLC

General Plan: Business Park/Residential 2.5 to 3.5 units per acre

Zoning: Industrial 2, Business Park and R-1-15

Location: approximately 1200 South Del Monte Road

Mr. Anderson said that he had a couple of issues to discuss. He said that he had discussed with Laura Lee Adams the improvements along Del Monte and a zoning violation on a parcel that Mike Morley owns or has an interest in an entity which owns it. He said that there was a rock crusher and heavy equipment on the site and explained that the site was not approved for that use. Discussion was held with Jennifer Lint, Morley's representative, regarding the public improvements in front of Mr. Morley's parcel. Lint indicated they would not do the improvements. Mr. Anderson said he could not recall a time where the City had allowed a gap in public improvements a public right-of-way where we have not required that the entire frontage adjacent to a subdivision to be improved. He said that what

required was very clear; that the Del Monte frontage would need to be improved and all the lots brought into conformity.

Ms. Lint said that, in speaking with Morley, the material that is on the site had been dug up on site and not hauled in. She asked what they would need to do to be approved to continue the use of the crusher and haul off the material. Mr. Anderson said it would not be possible, that a crusher was not allowed in that zone. Ms. Lint said that they were running the crusher everyday, five days a week, and that they would not be able to be finished crushing within one month, but could be within three months.

Adams asked if they could come to some sort of an agreement on the zoning violation so that a final plat could be recorded.

Ms. Lint said that they would not be able to bond for the public improvements and explained the expenses they were currently incurring. She said that they were anxious to get the site improved so that they could sell or develop it. She said it would not be possible for them to improve the frontage on Del Monte and that their preference would be to not include the Morley property until they were ready to improve the parcel.

Discussion was held regarding the history of ownership on the parcels included in the proposal.

Mr. Anderson explained that it was the City's staff's job to look at the City's standards and policies when approving projects. He said in the case of this proposal he did not feel it would meet the City's standards and policies if the improvements on Del Monte were not included with the plat. He explained that he believed the City Council had the power to deviate from the standards and policies but that the Development Review Committee did not.

Mr. Baker **moved** to recommend **approval** of the Academy Park Preliminary Plat as drawn. Mr. Oylar **seconded**.

Mr. Anderson explained that the City would not take any action with regard to the crusher on the Morley site unless at the end of the three-month period that the crusher, cement, asphalt or any other debris were still present on site. He told the applicant that a letter of agreement would need to be submitted to the City before the Planning Commission's March 3, 2010 meeting. Lint agreed to provide the letter by then.

Ms. Lint said that if the City was going to require the improvements along Del Monte they would not agree to that and the deal would be off. Discussion was held on what the improvements were (curb, gutter, sidewalk and a storm drain line with two boxes.)

Mr. Anderson asked Mr. Baker to amend his motion and to include that the public improvements be included with the Preliminary Plat first phase.

Mr. Baker **moved** to **amend** his **motion** to include that with the first phase the public improvements would need to be completed. Mr. Oyler **seconded** and the motion **passed** all in favor.

Discussion was held regarding the timing of the proposal. Mr. Anderson said that the Preliminary Plat was scheduled for the Planning Commission meeting on March 3, 2010 and then it would be scheduled for the City Council meeting on March 16, 2010, and a Final Plat could conceivably be on the Development Review Committee meeting agenda for March 17, 2010, as long as a Final Plat application was submitted within the next few days.

ZONE CHANGES

Mark Dallin Center Street In-Fill Overlay

Applicant: Mark Dallin

General Plan: Residential 9-12 units per acre

Zoning: R-3

Location: 142 West Center Street

Mr. Anderson explained the proposal and said that the was so that Mr. Dallin could build the exact same duplex on this parcel as he built on a parcel on 300 North. Mr. Anderson explained the In-Fill Overlay Zone was required for multi-family dwellings. He explained the footprint of the proposal via the overhead projector. He then explained that the point of the In-fill Overlay Zone was to allow people to build multi-family dwellings on lots in the old part of the City and have them conform to the neighborhood's characteristics, such as roof pitch, building materials, door placement and building orientation. Mr. Anderson asked the Committee to recommend that the Planning Commission only approve the In-Fill Overlay Zone as long as the duplex is redesigned to be brick and not siding and that the building be oriented to the public right-of-way (which is the case with all of the dwelling units on the block).

Mr. Thompson suggested that one unit front the street with the other unit behind it.

Mr. Baker said that he agreed with Mr. Thompson's suggestion of having one unit face the street with one in the rear.

Discussion was held regarding having one of the front the street, that when you drive by the duplex it would look like a house and not a duplex, thus conforming to the neighboring properties.

Mr. Anderson **moved** to recommend that the Planning Commission consider **approving** the Overlay only if the building is redesigned so as to have the appearance of a single family home from Center Street it blends into the neighborhood and meets the ordinance. Mr. Baker **seconded** and the motion **passed** all in favor.

Mr. Morrill said that the park strip was asphalt and asked if the City would like it to be landscaped. Mr. Anderson said that landscape guidelines were part of the Overlay Zone and they could request something other than asphalt.

Discussion was held regarding shared sewer laterals. Mr. Thompson said shared lines were not allowed.

OTHER BUSINESS

None

ADJOURNMENT

Mr. Baker **moved** to **adjourn**. Mr. Anderson **seconded** and the motion **passed** all in favor at 10:50 am.

Adopted: March 3, 2010

Shelley Hendrickson, Planning Secretary