

**Adopted Minutes
Spanish Fork City Development Review Committee
May 18, 2011**

Staff Members Present: Chris Thompson, Public Works Director; Trapper Burdick, Assistant City Engineer; Shelley Hendrickson, Planning Secretary; Junior Baker, City Attorney; Chris Swenson, Chief of Chief Building Officials; Kelly Peterson, Electric Superintendent; Jered Johnson, City Surveying Specialist; Dave Anderson, Community Development Director; Dave Oyler; City Manager; Shawn Beecher, GIS Specialist; Bart Morrill, Parks & Recreation Supervisor.

Citizens Present: Kyle Harding, Adam Lambert, Steve Maddox, Gordon Jones, Nathan Walter, Wayne Niederhauser, Scott Peterson.

Mr. Thompson called the meeting to order at 10:05 a.m.

MINUTES

May 11, 2011

Mr. Baker **moved** to **approve** the minutes of May 11, 2011 with the noted corrections. Mr. Anderson **seconded** and the motion **passed** all in favor.

PRELIMINARY PLATS

Old Mill Estates

Applicant: Wayne Niederhauser
General Plan: High Density Residential
Zoning: R-1-15
Location: 775 West Mill Road

Mr. Anderson explained that as he understood it the plat had not changed since the previous approval over two years ago. It was approved as a Master Planned Development not necessarily for density but to give the applicant flexibility with some lot width and depth. In order to re-approve the Plat the DRC would need to recommend that it be approved as a Master Planned Development with the appropriate changes to Mill Road.

Mr. Johnson said that design of Mill Road had changed to a collector road and would need 85 feet of right-of-way. The following are the Engineering redlines:

1. Submit phasing plan.
2. Change note #2 to read: All ADA Pedestrian Ramps shall meet Spanish Fork City current standards and shall comply with Spanish Fork City Transportation Master Plan.
3. Mill Road is required to be an 85' Collector Road. Mill Road shall comply with the Spanish Fork City Transportation Master Plan. Update detail sheet 5.
4. Note: All driveway access locations for corner lots shall meet Spanish Fork City Standards and comply with the Spanish Fork City Transportation Master Plan.
5. Proposed street surface drainage.

6. All proposed storm drainage shall meet the Spanish Fork City Storm Drain Master Plan. Storm Drain Report as per Storm Drain Manual.
7. Minimum 18" RCP required on all storm drain lines.
8. Note: Offsite sewer shall meet Spanish Fork City Sewer Master Plan. Line sizes for offsite sewer shall be determined with final design.
9. Cluster water valves on water tee in intersections.
10. Note: All fire hydrant locations to be approved by the Spanish Fork City Fire Marshall at final design.
11. Remove utility detail from sheet 5. Utility lateral locations required with final design.
12. Geotechnical Soils Report required.
13. Irrigation Company approval required on any improvements to irrigation ditches or any irrigation facilities.

Discussion was held regarding the size of a collector road and how it would affect the residents along Mill Road.

Mr. Niederhauser expressed that he was fine with the 8-foot increase to the road width. He explained a development that he had been a part of 20 years ago where he improved a road and that he felt the improvements were a waste because now, 20 years later, the road was the same. He said that he would hate to see the improvements to Mill Road be a waste. He further explained that they were proposing to not have a Homeowner's Association that would be responsible for the retention. He said he felt it would be better to have an easement on privately owned lots.

Discussion was held regarding storm drain retention and detention.

Mr. Thompson asked the applicant who would be responsible if the retention basin is not maintained and were to back up and flood the lots. Mr. Niederhauser said that under either scenario you would have risks of that.

Mr. Johnson said that he felt an entire lot would need to be used in order to meet the standards for a 100-year storm flow.

Discussion was held regarding retention versus detention size and what the applicant's options could be.

Mr. Oyler said where it is our system we need to be careful about who would be responsible for maintaining it.

Discussion was held regarding the City maintaining storm drain facilities.

It was determined that it is better to have the City maintain the retention area either by an easement or ownership.

Mr. Johnson explained that the sewer would be flowing to Salem City.

Mr. Peterson explained the power design and phasing the development to the North.

Mr. Anderson **moved** to recommend that the City Council **approve** the Old Mill Estates Preliminary Plat as a Master Planned Development located at 2250 East 350 South subject to the following conditions:

Conditions

1. That the retention basin land is dedicated to the City and the developer will construct the storm water retention basin.
2. That the applicant bring three phase power to the project.
3. That the applicant meets all of the City's Engineering Department redlines.

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

Maple Highlands

Applicant: Steve Maddox

General Plan: Low Density Residential

Zoning: R-1-12

Location: 2250 East 350 South

Mr. Anderson explained that the proposal was originally approved as a Master Planned Development in 2007 and that the approvals had expired and had lost its vesting.

Mr. Baker explained that the City's Master Planned Development ordinance had changed since 2007 and that in order to re-approve this proposal they would have to meet the Master Planned Development ordinance as it reads today.

Mr. Johnson explained the Engineering redlines. Which were:

1. Note: 2550 East shall be designed to match existing right-of-ways, alignments and utilities. Final design shall be approved by the City Engineer.
2. Geotechnical Soils Report required. Typical street cross sections shall reflect report and City Standards.
3. Impact Fee for Cut-Bridge widening will be assessed with the Final Plat. (Informative, no action required)
4. Note #6 needs to read between 0.45% and 2%.
5. Proposed sewer layout requires trenching in existing streets. Trenching existing streets shall require streets to be overlaid from curb to curb. Intersections require asphalt edges to be milled. All overlays shall be approved by the City Engineer.
6. All proposed storm drainage shall meet the Spanish Fork City Storm Drain Master Plan. Submit Storm Drain Report as per Storm Drain Manual.
7. Note: Complete design of 2550 East required with Phase 1. Design shall include design of storm drainage to match City's Storm Drain Master Plan. All storm drainage along 2550 East required to be retained on site.
8. Sewer design along 2550 East shall match proposed master planned Spanish Fork-Mapleton Sewer Trunkline designed to service the East Bench and Mapleton City area. Costs associated with sewer trunkline shall be paid to the City in lieu of improvement.
9. Note: All fire hydrant locations to be approved by the Spanish Fork City Fire Marshall at final design.
10. Cluster water valves on water tee in intersections.
11. PI Valves required mid-block along 2360 East and 2510 East.
12. Note: Irrigation Company approval required on any improvements to irrigation ditches or any irrigation Structures. All irrigation ditches abandoned with development require irrigation company approval.
13. Update developer contact information on plans.
14. Rear 10' PUE required.

Mr. Baker said that the Committee would need to look at density bonus and amenities.

Mr. Anderson explained that this was the last proposal approved under the old Master Planned Development ordinance.

Mr. Anderson asked the applicant what they were proposing to do to qualify for the bonus density.

Mr. Thompson said they should get bonus density for the trail.

Mr. Anderson explained to the applicant that the Planning Commission would go over the development and the applicant would need to be prepared to justify the bonus density and what they had to proffer.

Discussion was held regarding the portion of the proposal that was already built out and what the Committee was felt the amenities ought to be.

Mr. Anderson said that it was the applicant's responsibility to propose what they would proffer.

Mr. Jones explained that what other cities were doing with regard to re-approving Preliminary Plats under old standards.

Mr. Baker asked what the bonus density was. Mr. Anderson said that they were at the maximum density.

Discussion was held regarding bonus density in the Municipal Code Section 15.3.24.030.

Mr. Maddox asked if the Master Planned Development was approved and then it was constructed in phases with the Master Plan not changing.

Mr. Baker explained that the Master Planned Development approval had expired.

Mr. Maddox asked if the Master Planned Development could be cut in half then with half under the old and half under the new ordinance.

Mr. Baker said if the standard had not changed then that would have been possible.

Discussion was held regarding the Master Planned Development and the Preliminary Plat approval being one and the same.

Mr. Thompson explained that he felt the City had tried to protect itself from developer's being derelict and leaving projects unfinished. He further explained that he felt the reason for the expired Preliminary Plat on the agenda today was due to the economy not the developer being incompetent and that would lend the Committee to being more lenient. Mr. Baker said the standard would still need to be met.

Discussion was held regarding the applicant having a discussion with the Planning Commission regarding bonus density and amenities.

Mr. Peterson said that there were connector's agreements with the Nebo School District.

Mr. Jones asked about the DRC recommendation as it relates to the Planning Commission. He would like the staff report to be in support of the proposal.

Mr. Oyler asked Mr. Anderson if he was recommending that the applicants sit down on their own and discuss what the amenities would be or meet with staff.

Mr. Anderson **moved** to recommend that the Planning Commission **approve** the Maple Highlands Preliminary Plat as a Master Planned Development provided that the Planning Commission finds that the density in the project is justified based on the amenities that are proffered and subject to the following condition:

Condition

1. That the applicant meets the City's Engineering redlines.

Mr. Baker **seconded**.

Mr. Baker said one of the changes to the Master Planned Ordinance was with regard to landscape and that under the new Master Planned Development Ordinance it requires that all front and side yards need to be landscaped.

Mr. Oyler expressed that he felt the ordinance becomes a guessing game because it is so subjective and then asked what the Development Review Committee's role was as it pertains to Master Planned Developments.

Mr. Anderson said that he felt the ordinance was intended to be a negotiation.

Discussion was held regarding what role, as an advisory body, the Development Review Committee has as it relates to the Master Planned Development ordinance.

Mr. Baker **withdrew** his second and the motion **died**.

Mr. Baker **moved** to **continue** the Maple Highlands Preliminary Plat, for one week, in order to allow for the developer to meet with Mr. Anderson to make a proposal on the amenities and bonus density so that the Development Review Committee can have a more specific recommendation. Mr. Anderson **seconded** and the motion **passed** all in favor.

*** Mr. Thompson excused himself at 11:08 a.m.*

Spanish Trails

Applicant: SF West Land, LLC

General Plan: Medium Density Residential

Zoning: R-1-8

Location: 430 South Spanish Trails Boulevard

Discussion was held regarding what portion of the project was unfinished.

Mr. Baker said he would look at this as mostly built out and that there was not a lot that could be done to change things.

Discussion was held regarding the utilities, vehicles using the trail as a road and landscape on the single-family homes.

Mr. Baker proposed that they meet the landscape standards of the new Master Planned Development ordinance on the single-family lots.

Discussion was held regarding landscape as it pertains to a side yard.

Mr. Baker **moved** to **approve** the Spanish Trails Preliminary Plat located at 430 South Spanish Trails Boulevard subject to the following conditions:

Conditions

1. That the applicant meets the landscape portion of the Master Planned Development ordinance.
2. That the applicant meets the City's Recreation Department improvements per the Recreation Department.

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

CONDITIONAL USE

Legacy House at Spanish Fork

Applicant: Steve Broadbent

General Plan: Mixed Use

Zoning: R-1-8

Location: 1450 East 100 South

Mr. Anderson explained the vesting on this project had expired that the proposal today is identical to what was approved two years ago with one exception; the access coming through the commercial zone.

Discussion was held regarding parking.

Mr. Peterson said that there would need to be 15 feet of clearance from the over head power line along north side of the property.

Mr. Anderson explained to the applicant that they would need to re-apply for the Preliminary Plat and the Final Plat because they had expired.

Discussion was held regarding a hammerhead turnaround on 100 North.

Mr. Anderson said that the portion of the Municipal Code 15.3.08.060 C are the findings that the DRC needs to conclude before making a recommendation.

Discussion was held regarding parking and fencing.

Mr. Baker said that one of the conditions ought to be that they get a Preliminary Plat approved.

Mr. Oyler **moved** to recommend **approval** of the Legacy House of Spanish Fork Conditional Use Permit as long as a Preliminary Plat runs concurrent and that the findings of section 15.3.08.050 C 1 through 5 are met.

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

Digis

Applicant: Digis, LLC

General Plan: Public Facilities

Zoning: Public Facilities

Location: 1200 North 300 East

Discussion was held regarding the proposed site being at a different location than the address on the application, the height, how many current provider's are on the tower, by co-locating there is one less tower.

Mr. Baker **moved** to recommend **approval** of the Conditional Use Permit for Digis located at approximately 500 South and 251 West located in an I-1 zone. With the findings that it meets the requirements of the Industrial-1 zone and the comprehensive General Plan and by co-locating it, there is one less tower and meets the interests of the City.

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

ADJOURNMENT

Mr. Baker **moved** to **adjourn**. Mr. Oyler **seconded** and the motion **passed** all in favor at 11:47 a.m.

Adopted: June 1, 2011

Shelley Hendrickson, Planning Secretary