

**Adopted Minutes
Spanish Fork City Development Review Committee
July 25, 2012**

Staff Members Present: Chris Thompson, Public Works Director; Dave Oyler, City Manager; Jason Sant, Assistant City Attorney; Shelley Hendrickson, Community Development Department Secretary; Kelly Peterson; Electric Superintendent; Jered Johnson, Engineer Division Manager; Shawn Beecher, GIS Administrator; Bart Morrill, Parks and Recreation Supervisor; Dave Anderson, Community Development Director.

Citizens Present:

Mr. Thompson called the meeting to order at 10:00 a.m.

MINUTES

Mr. Peterson **moved** to **approve** the minutes of July 11, 2012. Mr. Johnson **seconded** and the motion **passed** all in favor.

PRELIMINARY PLATS

Old Mill Estates

Applicant: CW Management
General Plan: Low Density Residential
Zoning: R-1-15
Location: approximately 1500 South Mill Road

Mr. Anderson **moved** to **re-approve** the Old Mill Estates Preliminary Plat subject to the following conditions:

Condition

1. That the applicant meets all of the conditions of the original approval which include the following:
 1. That the retention basin land is dedicated to the City and the developer will construct the storm water retention.
 2. That the applicant bring three phase power to the project.
2. That the applicant submit a phasing plan that details what improvements will be included with each phase for the Engineering Department's review and approval.

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

Mr. Johnson **amended** the **motion** to include that the applicant will need to submit a phasing plan that details what improvements will be included with each phase. The pressurized irrigation will need to connect to the north with the next phase and the electrical and streets looped with the third phase.

Discussion was held regarding the phasing and pressurized irrigation and power.

Somerset Village

Applicant: Los Dos Amigos

General Plan: Low Density Residential

Zoning: R-1-6

Location: approximately 2900 East 950 South

Discussion was held regarding the history of what had been approved in the past relative to Somerset Village and The Ridge.

Mr. Anderson explained that there was enough acreage to add two units to this phase. He said that it was legal; but the density was at the max. He then asked the applicant how the neighborhood meeting went. Mr. Brimhall stated that it went great. Mr. Allen stated that most people that attended were in favor of the proposal.

Mr. Pierce explained to the applicant that the City's Engineering Department would need a revised Preliminary Plat submitted.

Mr. Peterson explained that the Power Department's concern is whether the transformer would be big enough for the additional units. Additional discussion was held with the applicant regarding where the power would need to be stubbed to and that an easement would need to be granted to SUVPS for their easements.

Mr. Anderson **moved** to recommend that the **amended** Preliminary Plat for Somerset Village be **approved** subject to the following findings and conditions:

Findings:

1. That the project does not exceed the maximum allowable density.
2. The change would allow for development that is consistent with what's been previously built within Somerset Village.

Conditions:

1. That the applicant address all of the City's Engineering Department redlines; prior to the City's Planning Commission meeting.

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

The Ridge

Applicant: Los Dos Amigos

General Plan: Low Density Residential

Zoning: R-1-6

Location: approximately 2700 East Canyon Road

Mr. Anderson explained that the proposal had expired. There are not any changes. It just needs to be re-approved.

Discussion was held regarding zoning.

Mr. Anderson asked the applicants what their plans were for the rest of the Ridge development.

Mr. Allen explained that they are market controlled right now and do not know what will happen in the future.

Mr. Anderson concluded that the DRC should look at this proposal as a free standing six-lot subdivision. He said that there was not any reason to not approve the lots that they met all of the City's zoning criteria.

Mr. Allen asked if the storm drain issues had been worked out. Mr. Thompson said yes. Discussion was held regarding storm drain and the capacity in the Canyon Road storm drain line.

Mr. Peterson explained the power requirements.

Mr. Pierce explained that the City standards, on half-plus-ten roads, require a two-foot shoulder. Discussion was held regarding obtaining an easement from the Braithwaites, adjusting the road two feet, a connector's agreement, obtaining a letter from the canal company with regard to the piping of the canal and an estimated cost to pipe the canal.

Mr. Johnson stated that the applicant should pipe the canal and put the temporary turnaround on the other side of the property. The applicant will need an agreement from the East Bench Canal Company.

Mr. Anderson **moved** to recommend **approval** of The Ridge Preliminary Plat as a six-lot standard subdivision in a R-1-6 zone subject to the following condition:

Condition

1. That the applicant meets the City's Engineering redlines; prior to the City's Planning Commission meeting.

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

ANNEXATIONS

Schwartz

Applicant: Spanish Fork City

General Plan: Light Industrial

Zoning: Industrial 1 (proposed)

Location: approximately 2300 North 1100 East

Mr. Anderson explained the proposal was in our Annexation Declaration. Our ordinance requires that we do an Annexation Feasibility study.

Mr. Thompson said that SESD wants a \$500 fee to process any type of annexation. This proposal does not have any SESD facilities in this area.

Mr. Peterson said that he had a letter from Springville stating that they do not have any facilities in the area.

Mr. Oyler **moved** to recommend **approval** of the Schwartz annexation and to zone it as Industrial 1. Mr. Sant **seconded** and the motion **passed** all in favor.

TEXT AMENDMENTS

CD Zone

Applicant: Spanish Fork City

General Plan: Mixed Use

Zoning: Commercial Downtown

Location: City-wide

Mr. Anderson explained what City zones currently allow Churches as a Permitted Use. He stated that Churches are not allowed in our Commercial Downtown Zone. He further explained that the applicant was requesting to change the Commercial Downtown Zone for the purpose of purchasing a building, in the Commercial Downtown Zone, to use as a Church.

Mr. Oyler said that he thought the reason Churches were not allowed in the C-D zone is because there is not any parking.

Mr. Kirk said that the specific building that his client is purchasing does have a lot of parking.

Mr. Anderson said that he could see parking being the issue with the C-D Zone.

Discussion was held regarding parking.

Mr. Oyler suggested making it a Conditional Use in the C-D Zone and require parking for Churches. If a particular piece of property has parking then it would be fine but if someone buys another facility that has no parking, then no.

Mr. Kirk explained that he felt parking was somewhat self regulating.

Mr. Oyler said that he did not have a problem with it if it was a Conditional Use.

Discussion was held regarding scenarios that could affect parking in the Commercial Downtown Zone.

Mr. Anderson explained that the C-D Zone is intended to be something of a mixed use zone and that there is a benefit to having a mixture of uses in that area.

Mr. Oyler explained that one of the challenges is employee parking. When you have a business that has a lot of employees, that take up a majority of the parking if not all of the parking, then customers have nowhere to park.

Mr. Anderson explained that he would allow for a Church to count on-street parking when evaluating the need for conditions.

Brandon Kirk explained that the client was purchasing the entire building and that they planned to keep the Retail uses and add a Church use.

Mr. Anderson stated that, from a land use perspective, he did not feel a Church in the Commercial Downtown area is a problem. Making it a Conditional Use gives the City some opportunity to impose conditions to mitigate anticipated adverse impacts.

Mr. Oyler said that he did not have a problem with it being put into the ordinance as a Conditional Use.

Mr. Kirk asked for clarification on the City's Conditional Use process. Mr. Oyler gave an explanation.

Mr. Anderson **moved** to **recommend** that the City **change** the list of Conditional Uses in the Commercial Downtown (C-D) Zone to include Churches.

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

OTHER BUSINESS

Mr. Peterson **moved** to **adjourn**. Mr. Johnson **seconded** and the motion **passed** all in favor at 11:12 a.m.

Adopted: August 15, 2012

Shelley Hendrickson, Planning Secretary