



PLANNING COMMISSION AGENDA

WEDNESDAY, FEBRUARY 4, 2004

PLANNING COMMISSIONERS	6:30 P.M.	AGENDA REVIEW
	7:00 P.M.	1. PRELIMINARY ACTIVITIES
THAD JENSEN CHAIRMAN		A. PLEDGE OF ALLEGIANCE
		B. MINUTES: JANUARY 7, 2004
PAUL BRADFORD ASST. CHAIRMAN		2. PUBLIC HEARINGS
THORA SHAW		A. CONDITIONAL USE PERMIT
TED SCOTT		Conditional Use Permit request for a basement apartment.
DEL ROBINS		Location: 543 East 400 South, Zoned R-1-6
		Applicant(s): Jerry Pidcock
CHRIS WADSWORTH CITY COUNCIL REP.		B. ZONING TEXT AMENDMENT
		A request to amend the Zoning Ordinance Sections 17.20.030(C)(5), 17.20.020(C)(6), 17.28.050(E)(1), 17.28.050(D)(10), 17.28.050(D)(7)(a)(ii), 17.28.050(A)(5)(b)(ii) pertaining to residential treatment center
		Applicant(s): Spanish Fork City
		C. HUGHES/HILL (RIVER COVE) REZONE
		A request to consider a rezone of 80 acres from R-R to R-1-12
		Location: approximately 975 S Del Monte Road
		Applicant(s): Westfield Development
		3. STAFF REPORTS
		A. RIVER COVE PRELIMINARY PLAT
		Location: 975 S Del Monte Road
		Zoned: See 2C
		Applicant: Westfield Development
		B. LEW CHRISTENSEN SUBDIVISION WAIVER
		Location: 475 West 465 South
		Zoned: R-R
		Applicant(s): Nebo School District
		4. OTHER BUSINESS
		5. ADJOURN

The public is invited to participate in all Planning Commission Meetings. If you need special accommodations to participate in the meeting, please contact the City Manager's Office at (801) 798-5000.

**SPANISH FORK CITY
PLANNING COMMISSION
STAFF REPORT**

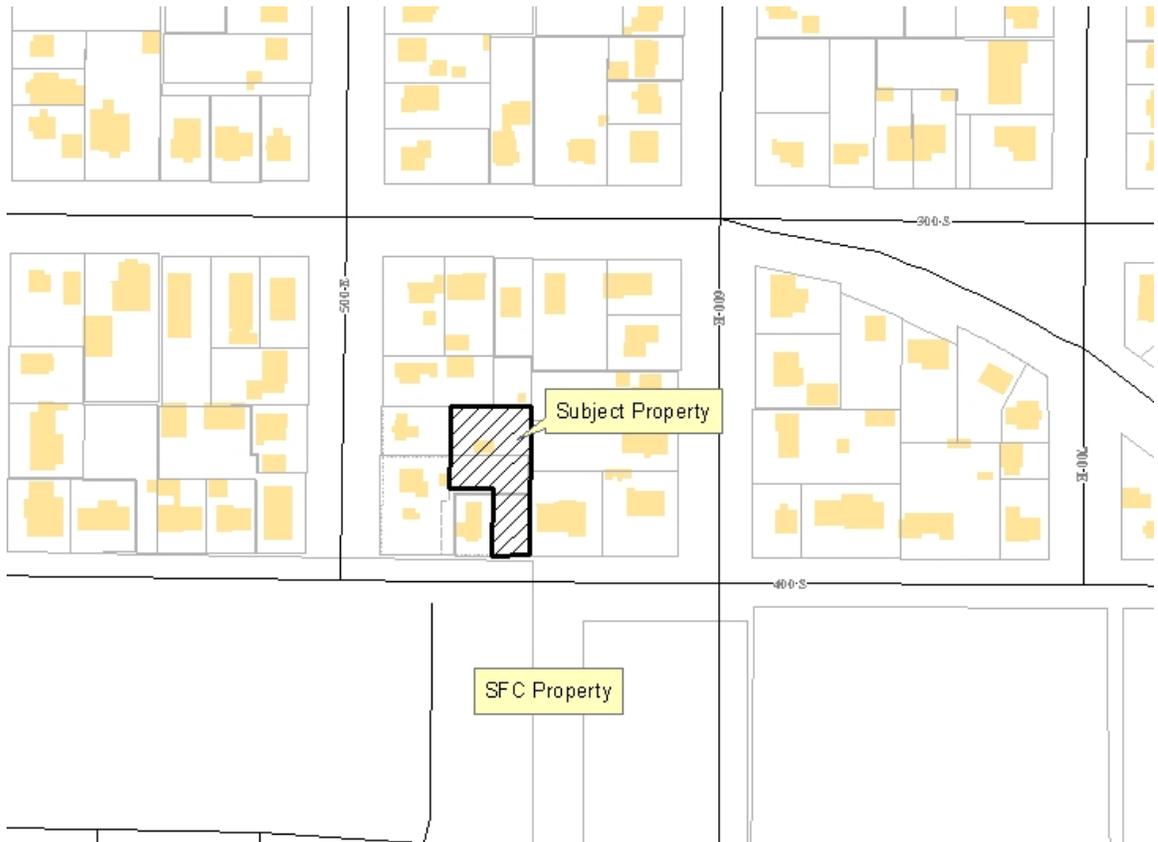


To:	Planning Commission	Zoning:	R-1-6
From:	Emil Pierson, City Planner	Property Size:	16,164 sq. ft.
Date:	February 5, 2003	# Lots:	N/A
Subject:	Conditional Use Permit		
Location:	543 East 400 South		

Public Hearing: 300 feet notification, newspaper 14 days prior to PC meeting

Background

The applicant(s), Jerry Pidcock, is requesting Conditional Use approval in order to have an accessory apartment in the Medium High Urban Residential (R-1-6) zoning district. They are in the process of constructing a home at 543 East 400 South and would to have an accessory apartment in the basement.



Analysis

According to the Spanish Fork City Zoning Ordinance accessory apartments must meet the following:

17.28.060 B. Accessory Apartments

- a. *This sub-section is established to provide regulations for accessory apartments within single family dwellings in residential zone district(s), where allowed. Accessory apartments may be allowed by conditional use permit.*
- b. *Requirements for Approval. A conditional use permit may be granted by the Planning Commission for accessory apartments provided that the following requirements are met.*
 1. *Only one apartment shall be created within a single family dwelling.*
 2. *Permitted on lots 10,000 square feet or larger.*
 3. *One covered and one uncovered parking space per apartment unit not located in the front setback area.*
 4. *Register with city utilities for minimum billing.*
 5. *The home shall meet all applicable building and fire codes.*
 6. *Located in a R-1-6 or R-3 zone.*

The applicant will have additional parking on the eastside of their home that will be at least 5 feet from the property line. The lot size is 16,164 sq. ft. which is over 10,000 square feet which is required for a duplex in this zone and what is needed for a accessory or basement apartment. A single family home in the R-1-6 zoning district is required to have 6,000 square feet. If the applicant desired to construct a duplex he would not need a conditional use permit and would only need to apply for a building permit. The main reason for a conditional use permit is to determine if the parking is being met and if there are any additional issues.

Development Review Committee

The Development Review Committee reviewed this request at their January 28th meeting and recommended approval.

Minutes:

Mr. Pierson said the applicant, Jerry Pidcock, is requesting a conditional use permit allowing him to add a basement apartment in the home located at 535 East 400 South. The Development Review Committee will need to determine if the request meets the code and make recommendations to the Planning Commission.

Mr. Baker said the 10,000 square foot lot meets the requirements.

Mr. Baum said there is only one electric meter.

Mr. Banks said there should be a fire hydrant closer to the lot frontage.

Mr. Pierson said fire hydrant requirements should have been imposed when the subdivision was approved.

Mr. Baker said a building permit has been issued and a fire hydrant cannot be required at this point.

Mr. Baker made a **motion** to recommend approval of the conditional use permit requested by Jerry Pidcock for a basement with the **following findings**:

1. The property is within the R-1-6 zone,
2. The lot contains the required square footage,

3. Adequate parking is available.

Mr. Baker also recommends approval subject to the following condition(s):

1. Maintain the parking requirements of two parking spaces for each unit, one of which is to be covered,
2. Provide and maintain separate metering for each unit,
3. Landscape the front area of the lot, facing the street, by the end of the summer,
4. Grant an easement to the city for the public utilities.

Mr. Bagley **seconded**, and the motion **passed** with a unanimous vote.

FINDINGS

The Planning Commission must make the following findings prior to granting a conditional use permit:

1. The proposed use is consistent with the policies of the City's General Plan and the purpose of the zoning district in which the site is located.

Finding:

The proposed use is consistent with the General Plan because it states in the Residential Policies:

Goal Two: *To provide a range of housing types and prices levels in all areas of the City.*

Policy a) *Allow a variety of lot sizes and housing types in all "Urban Residential area".*

The Zoning Ordinance allows for accessory apartments in the R-1-6 zoning district if it meets certain criteria.

2. The proposed use will not be materially detrimental to the health, safety, or general welfare of persons residing or working within the neighborhood of the proposed use, when consideration is given to the character and size of the use and hours of operation.

Finding:

An accessory apartment in the basement of a home should not be materially detrimental to the health, safety, or general welfare of persons in the neighborhood.

3. The proposed site is adequate in size and shape to accommodate the intended use, and that all requirements for the zoning district, including but not limited to: setbacks, walls, landscaping and buffer yards are met.

Finding:

The lot size is 16,000 sq. ft. which is over 10,000 square feet larger than what is required in this zone for a single family home and 6,000 square feet larger than what is required for a duplex. If the applicant wanted to construct a duplex he would not need a conditional use permit.

4. The proposed site has adequate access to public streets to carry the type and quantity of traffic which may be generated by the use, and that on-site circulation is adequate to permit driveways, parking, pedestrian ways, and loading requirements in a manner which is safe and efficient.

Finding:

The site has adequate access to 400 South which can accommodate the additional traffic that is added by a basement apartment. The lot width is 50 feet wide which is what the zoning ordinance requires for this zone and is not considered a flag lot. The applicant will have the two

covered and two uncovered parking spaces.

5. Adequate conditions or stipulations have been incorporated into the approval of the Conditional Use Permit to insure that any anticipated detrimental effects can be minimized.

Finding: *There is no addition conditions required because no anticipated effects are anticipated.*

Recommendations (remember to make findings)

Approval

Make a motion to **approve** the Jerry Pidcock Conditional Use permit at 543 East 400 South subject to the following conditions of approval:

1. Maintain the parking requirements of two parking spaces for each unit, one of which is to be covered,
2. Provide and maintain separate metering for each unit,
3. Landscape the front area of the lot, facing the street, by the end of the summer,
4. Grant an easement to the city for the public utilities.

Table

Make a motion to **table** the Jerry Pidcock Conditional Use permit at 543 East 400 South for the following reasons:

Deny

Make a motion to **deny** the Jerry Pidcock Conditional Use Permit at 543 East 400 South for the following reasons:

Pidcock CUP Map



1 inch equals 188.7 feet

Legend

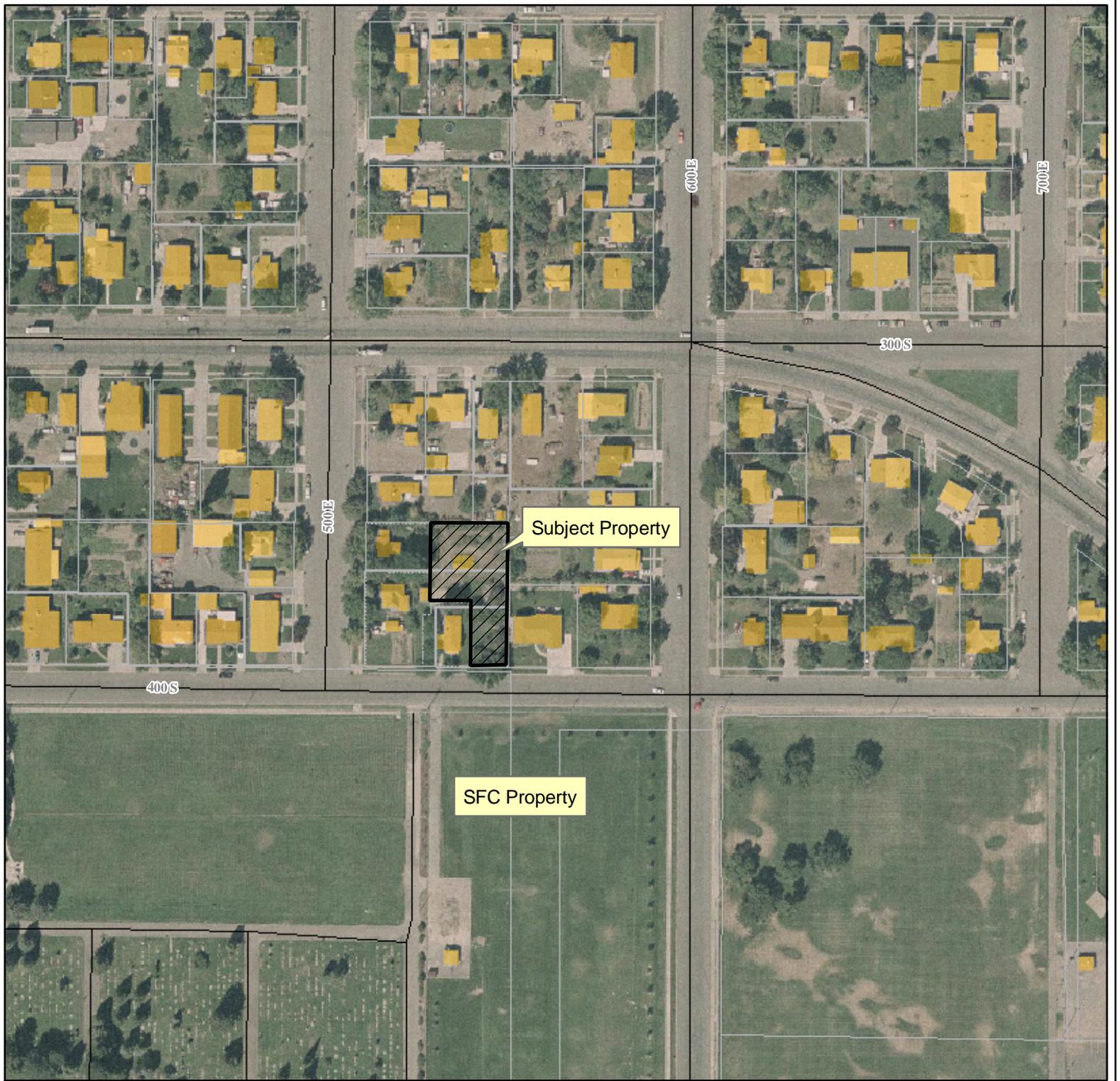
-  Site Pictures
- Roads**
 -  Other Roads
 -  Not Paved
 -  Paved
 -  Rivers
-  Buildings
-  Spanish Fork Boundary
-  LineMeasurements



Geographic Information Systems

Spanish Fork City GIS
40 South Main Street
Spanish Fork, UT 84660
(801) 798-5000

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**SPANISH FORK CITY
PLANNING COMMISSION
STAFF REPORT**



To: Planning Commission
From: Emil Pierson, City Planner
Date: February 4, 2004
Subject: Zoning Ordinance Amendments - Title 17
Section 17.20.030(C)(5), Section 17.20.020(C)(6), Section
17.28.050(E)(1), 17.28.050(D)(10), 17.28.050(D)(7)(a)(ii),
17.28.050(A)(5)(b)(ii)
Location: City Wide

Zoning: N/A
Property Size: N/A
Lots: N/A

Background

A request has been by a City Councilman to make the following changes in Title 17 - Zoning Ordinance pertaining to the Residential Treatment Facilities. Staff has attached the latest revision for your review and consideration.

Development Review Committee

DRC MINUTES January 28, 2004

Mr. Baker said amendments to Zoning Ordinance Code 17.28.050(e), 17.20.020, and 17.20.030 pertaining to residential treatment facilities are being proposed at the request of Chris Wadsworth, a member of the City Council. Mr. Baker reviewed the proposed changes addressing owner occupancy requirements.

Mr. Pierson also proposed changes to the conditional use permits for the R-1 and the R-3 zones with respect to residential treatment centers.

Mr. Rosenbaum said he is concerned with juveniles placed in homes without notification to the police department concerning the individual's background. Can the city require DFS to provide that information to the police department?

Mr. Baker said the city cannot require anything with respect to foster homes and we cannot force DFS to provide information. However, the city may require residential treatment centers to provide information and the ordinance change will implement the requirements.

Mr. Pierson made a **motion** to recommend approval of the zoning ordinance text amendment as presented with respect to Ordinances 17.28.050(e), 17.20.020, and 17.20.030. Mr. Rosenbaum **seconded**, and the motion **passed** with a unanimous vote.

See attached Ordinance

Recommendations

Option One - approve no recommendations

Make a motion to approve the amendments to the Zoning Ordinance Title 17
Section 17.20.030(C)(5), Section 17.20.020(C)(6), Section 17.28.050(E)(1), 17.28.050(D)(10),

17.28.050(D)(7)(a)(ii), 17.28.050(A)(5)(b)(ii) as attached.

Option Two - approve with recommendations

Make a motion to approve the amendments to the Zoning Ordinance Title 17 Section 17.20.030(C)(5), Section 17.20.020(C)(6), Section 17.28.050(E)(1), 17.28.050(D)(10), 17.28.050(D)(7)(a)(ii), 17.28.050(A)(5)(b)(ii) with the following recommendations:

Option Three - table

Make a motion to Table the amendments to the Zoning Ordinance Title 17 Section 17.20.030(C)(5), Section 17.20.020(C)(6), Section 17.28.050(E)(1), 17.28.050(D)(10), 17.28.050(D)(7)(a)(ii), 17.28.050(A)(5)(b)(ii) for the following reasons:

Option Four - deny

Make a motion to deny the amendments to the Zoning Ordinance Title 17 Section 17.20.030(C)(5), Section 17.20.020(C)(6), Section 17.28.050(E)(1), 17.28.050(D)(10), 17.28.050(D)(7)(a)(ii), 17.28.050(A)(5)(b)(ii) for the following reasons

ORDINANCE NO. _____

ROLL CALL

VOTING	YES	NO
MAYOR DALE R. BARNEY <i>(votes only in case of tie)</i>		
MATTHEW D. BARBER <i>Councilmember</i>		
PAUL M. CHRISTENSEN <i>Councilmember</i>		
SETH V. SORESENSEN <i>Councilmember</i>		
CHRIS C. WADSWORTH <i>Councilmember</i>		
EVERETT KELEPOLO <i>Councilmember</i>		

I MOVE this ordinance be adopted: _____

I SECOND the foregoing motion: _____

ORDINANCE _____

AN ORDINANCE AMENDING VARIOUS PROVISIONS OF THE ZONING
ORDINANCE DEALING WITH RESIDENTIAL FACILITIES FOR PERSONS
WITH DISABILITIES AND RESIDENTIAL TREATMENT CENTERS

WHEREAS, Spanish Fork City has adopted a zoning ordinance setting forth various permitted uses subject to conditions in order to protect the health, safety and welfare of the residents of the City; and

WHEREAS, a residential facility for persons with a disability is one such use which requires a certificate issued by a medical professional which allows evaluation tools of the ICAP and MMPI which fails to include the Diagnostic and Statistical Manual of Mental Disorders (DSM), which is also a widely recognized tool; and

WHEREAS, residential treatment centers also have the same requirement; and

WHEREAS, clarification of medical providers to include other mental health professionals is also appropriate given the diagnostic tools which include the ICAP, MMPI, and DSM; and

WHEREAS, residential treatment centers are required to be owner occupied; and

WHEREAS, the Division of Child and Family Services prohibits residential treatment center from being owner occupied; and

WHEREAS, the Spanish Fork City Planning Commission held a public hearing on the 4th day of February, 2004 whereat public comment was received; and

WHEREAS, the Spanish Fork City Council held a public hearing on the 2nd day of March, 2004 whereat public comment was received; and

WHEREAS, in order to protect the health, safety and welfare of the residents of the City it is necessary to make various changes in the zoning ordinance;

NOW THEREFORE, be it ordained and enacted by the Spanish Fork Council as follows:

I.

Section 17.28.050(A)(5)(b)(ii) of the Spanish Fork Municipal Code is hereby amended to read as follows:

individuals placed in a level 1 facility shall produce, through the operator of the facility, a certificate issued by ~~the~~ appropriate medical or other mental health professional and based upon professional evaluations such as the ICAP, MMPI, DSM, and/or such other resources as may be available to the medical or other mental health professional, which certificate shall indicate that the person is not violent, nor a direct threat to the safety or the property of any other person at the time of placement. Production of the certificate required by this section shall be a prerequisite to the obtaining of the business license required by this chapter. Each new resident shall also provide said certificate in order for the facility to be eligible to renew its business license.

II.

Section 17.28.050(D)(7)(a)(ii) of the Spanish Fork City Municipal Code is hereby amended

to read as follows:

individuals placed in a level 1 facility shall produce, through the operator of the facility, a certificate issued by ~~the~~ appropriate medical or other mental health professional and based upon professional evaluations such as the ICAP, MMPI, DSM, and/or such other resources as may be available to the medical or other mental health professional, which certificate shall indicate that the person is not violent, nor a direct threat to the safety or the property of any other person at the time of placement. Production of the certificate required by this section shall be a prerequisite to the obtaining of the business license required by this chapter. Each new resident shall also provide said certificate in order for the facility to be eligible to renew its business license.

III.

Section 17.28.050(D)(10) of the Spanish Fork City Municipal Code is hereby amended to

read as follows:

Any residential treatment facility located in a residential zone must be ~~owner occupied~~ supervised 24 hours a day 7 days a week which shall include, but not necessarily be limited to, house parents who are on site 24 hours a day, plus other surveillance measures designed to protect the health and safety of residents therein.

IV.

Section 17.28.050(E)(1) of the Spanish Fork City Municipal Code is hereby amended to read as follows:

All residential facilities for persons with a disability, residential facility for elderly persons, residential treatment center (~~owner occupied~~), supervisory care facility, and assisted living facility must meet these requirements.

V.

Section 17.20.020(C)(6) of the Spanish Fork City Municipal Code is hereby amended to read as follows:

Residential treatment center (~~owner occupied~~) must meet minimum conditions of 17.28.050.

VI.

Section 17.20.030(C)(5) of the Spanish Fork City Municipal Code is hereby amended to read as follows:

Residential treatment center (~~owner occupied~~) must minimum conditions of 17.28.050.

VII.

This ordinance shall take effect 20 days after passage and publication.

PASSED AND ORDERED PUBLISHED BY THE CITY COUNCIL OF SPANISH FORK,
UTAH, this _____ day of _____, 2004.

DALE R. BARNEY, Mayor

ATTEST:

KENT R. CLARK, City Recorder

F:\ORDBOOK\ORD----

**SPANISH FORK CITY
PLANNING COMMISSION
STAFF REPORT**



To:	Planning Commission	Zoning:	R-R to R-1-12
From:	Emil Pierson, City Planner	Property Size:	80.37 acres
Date:	February 4, 2004	# Lots:	N/A
Subject:	Hugh/Hill "River Cove" Rezone		
Location:	900 South and Del Monte Rd.		

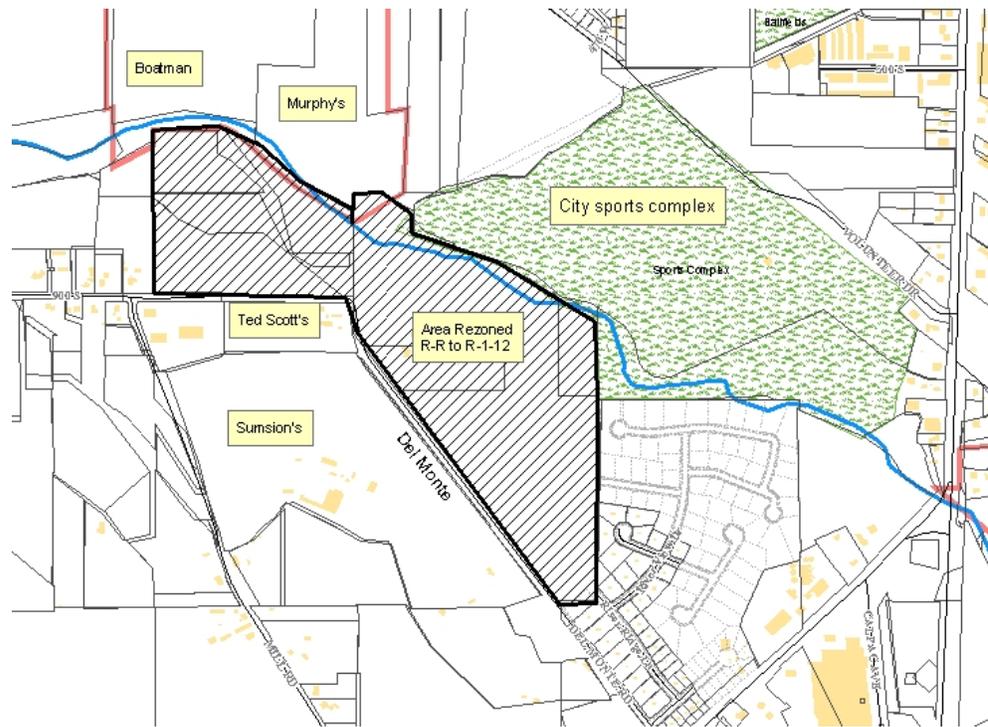
Public Hearing: Everyone within 300 feet of the property was noticed of the public hearing as well as being published in the Daily Herald 14 days prior to the meeting.

Background

The applicant(s), David Hughes and Gerald Hill with Westfield Development (Richard Mendenhall), is asking for rezone approval of approximately 80.37 acres from Rural Residential (R-R) to Low Urban Residential (R-1-12). If approved Westfield Development is planning to subdivide the property into a subdivision known as River Cove (see preliminary plat). This property is shown on the General Plan as Residential 2.5 to 3.5 u/a and the zoning requested follows the Plan.

Analysis

The property is 80.37 acres in size and is currently being farmed. To the north is the Spanish Fork River and the sports complex owned by the city. To the east is Quail Hollow subdivision zoned R-1-12. To the south is Del Monte Road and JBP and the Scott residence.



Development Review Committee

The Development Review Committee reviewed this request at their January 21st and 28th meetings and recommended approval.

Minutes from January 21, 2004

This item was tabled along with the Preliminary Plat.

Minutes from January 28, 2004

Mr. Pierson said this item was tabled from last week. Mr. Thompson said the city has not received the study on the armor and flow capacity of the river. The study will need to be submitted and reviewed before the plat will be approved. Mr. Eskelson said he will give the study to Richard Heap today. He said he also brought a sample of the materials that could be use. He is not sure what the city wants as far as materials. Mr. Thompson said Mr. Heap wants a recommendation based on the engineering study and the city engineering department will review the recommendation. Mr. Mendenhall said at this time the banks are stable.

Mr. Baker said the concern is the condition of the river bank in the event of a substantial increase in the river flow. The city wants to insure the river channel will not change or erode. Mr. Eskelson said if there is vegetation growing in the river bed or on the river bank it will encroach on the flow of the river. Mr. Baker said there is a problem with vegetation, however, the county is unwilling to provide maintenance during the drought period. Mr. Thompson said the recommendation needs to be based on vegetation growth and increased river flow. If there is no way to safeguard the homes and lots from erosion then the plat will not be approved. Mr. Eskelson said they need to make sure the bridge is wide enough to accommodate increase river flow and the corners of the river banks are armored properly. Mr. Baker said the city wants to prevent lot erosion mostly.

Mr. Pierson said he needs to prepare a staff report tomorrow for the Planning Commission agenda packets and needs the river study information.

Mr. Thompson said there is also an issue with the River Road alignment. Mr. Mendenhall presented a document to the Development Review Committee and reviewed it. Mr. Beecher said according to the most recent county records indicate an overlap in the Murphy and Hughes properties. Mr. Baker said the two property owners will need resolve the property ownership issue and the River Road alignment. Mr. Pierson said this matter will not be presented to the Planning Commission until the River Road alignment and property ownership issues are resolved.

Mr. Carlisle, from LEI, said they were presented information from the city concerning the road alignment and designed the Fieldstone Development road alignment accordingly. Mr. Thompson said the city provided the information from the Lew Christensen property and LEI designed the road to the river. The road from the Fieldstone property on the north side of the river and the road from the River Cover property on the south side of the river do not align. Mr. Mendenhall said this is where the alignment works best for the River Cove Development and the contours of the property. Mr. Pierson said the realignment on the north side of the river may require West Field, developer of the River Cover Development, to build a portion of River Road on the north side of the river.

Mr. Baker said the property owners and developers need to resolve the issue.

10:35 am - David Oyler arrived.

Mr. Mendenhall said they will meet with Fieldstone Development and LEI and resolve the issues. Mr. Pierson said a letter to the city will be required stating the issues have been resolved. Mr. Thompson said he has requested from LEI a right-of-way for the recording of the trail design. The property deed is for the roadway, trail, and park access.

Mr. Pierson said another issue to be resolved is the area to be considered open space. The Recreation Committee would like the developer to work with the Shade Tree Commission in determining what trees are to remain. Removal of the unwanted trees and the clean up are to be paid for by the developer. Also, the developer is to complete the connection to the trail with an additional connection running underneath the bridge.

Mr. Eskelson asked if Fieldstone will pick up the trail at the property line near the bridge. Mr. Pierson affirmed. Mr. Thompson said there will also be a little bride across a stream within the park area. Westfield Development will need to construct the bridge after the city has redirected the stream. Mr. Broadhead asked how the utilities will get across the river. Mr. Eskelson reviewed the utility design across the river. There will be a sewer lift station and then

the sewer line will go under the river. Mr. Broadhead said he thought there was a pressurized irrigation line and loop.

11:00 am - Dave Hughes arrived

Mr. Eskelson said he was aware of the pressurized irrigation line and loop. They will put it in as well. Also the electric services will be brought across on the bridge and the water and pressurized irrigation will run under the bridge. Mr. Broadhead said the water lines should be buried to prevent freezing. Mr. Bagley said the phase three electric line will need to be in a casing. Mr. Baker said the design and construct of the bridge will need to be approved by Richard Heap. Mr. Pierson requested a review of the items included in the phases of the development.

Mr. Eskelson said the open space, the bridge, and the Delmonte Rd. connection will be included in phase one. The attaching housing will be in phase two. Phases one and two will be constructed concurrently. Phases three, four, and five will be completed consecutively in that order. Also, there will be a temporary access on the east side of the property.

Mr. Oyler asked who will clear an emergency access in case of snow. Mr. Banks said until the rezone is approved the city will not clear the access. Mr. Mendenhall said they are required to keep access to the Hughes home open and it will be used as an emergency access.

Mr. Baker said it may be best to wait on the trail until the proper alignment is determined. Set a deadline for the completion of the trail and the open space cleanup and allow the developer to complete it earlier if possible.

Mr. Pierson reviewed the bonus density spreadsheet as shown below. All of the Development Review Committee members agreed with the density matrix as presented. (This is in the Preliminary Plat Report)

Mr. Baker made a **motion** to recommend approval of the request to rezone the Hughes/Hill Property located at 975 South Del Monte Rd. from R-R to R-1-12 upon the finding the rezone meets the requirements of the General Plan. Mr. Broadhead **seconded**, and the motion **passed** with a unanimous vote.

RECOMMENDATION

Approve

Make a motion to give the City Council a **POSITIVE** recommendation on the Hughes/Hill (River Cove) Rezone of 80.37 acres at 900 South and Del Monte from Rural Residential (R-R) to Low Urban Residential (R-1-12) **with the following findings and condition(s)**:

FINDINGS

- **That** the zone change is consistent with the policies of the General Plan, including any policies of the Capital Improvements Plan; and

The General Plan shows this property as Residential 2.5 to 3.5 u/a and the R-1-12 is within that density.

- **That** consideration has been given to include any conditions necessary to mitigate adverse impacts on adjoining or nearby properties.

Condition(s):

None

Deny

Make the motion to give the Hughes/Hill (River Cove) Rezone of 80.37 acres at 900 South and

Del Monte from Rural Residential (R-R) to Low Urban Residential (R-1-12) a **NEGITIVE** recommendation for the follow reason(s):

Table

Make the motion to **TABLE** the Hughes/Hill (River Cove) Rezone of 80.37 acres at 900 South and Del Monte from Rural Residential (R-R) to Low Urban Residential (R-1-12) for the follow reason(s):

Rivercove Rezone Map



1 inch equals 774.8 feet

Legend

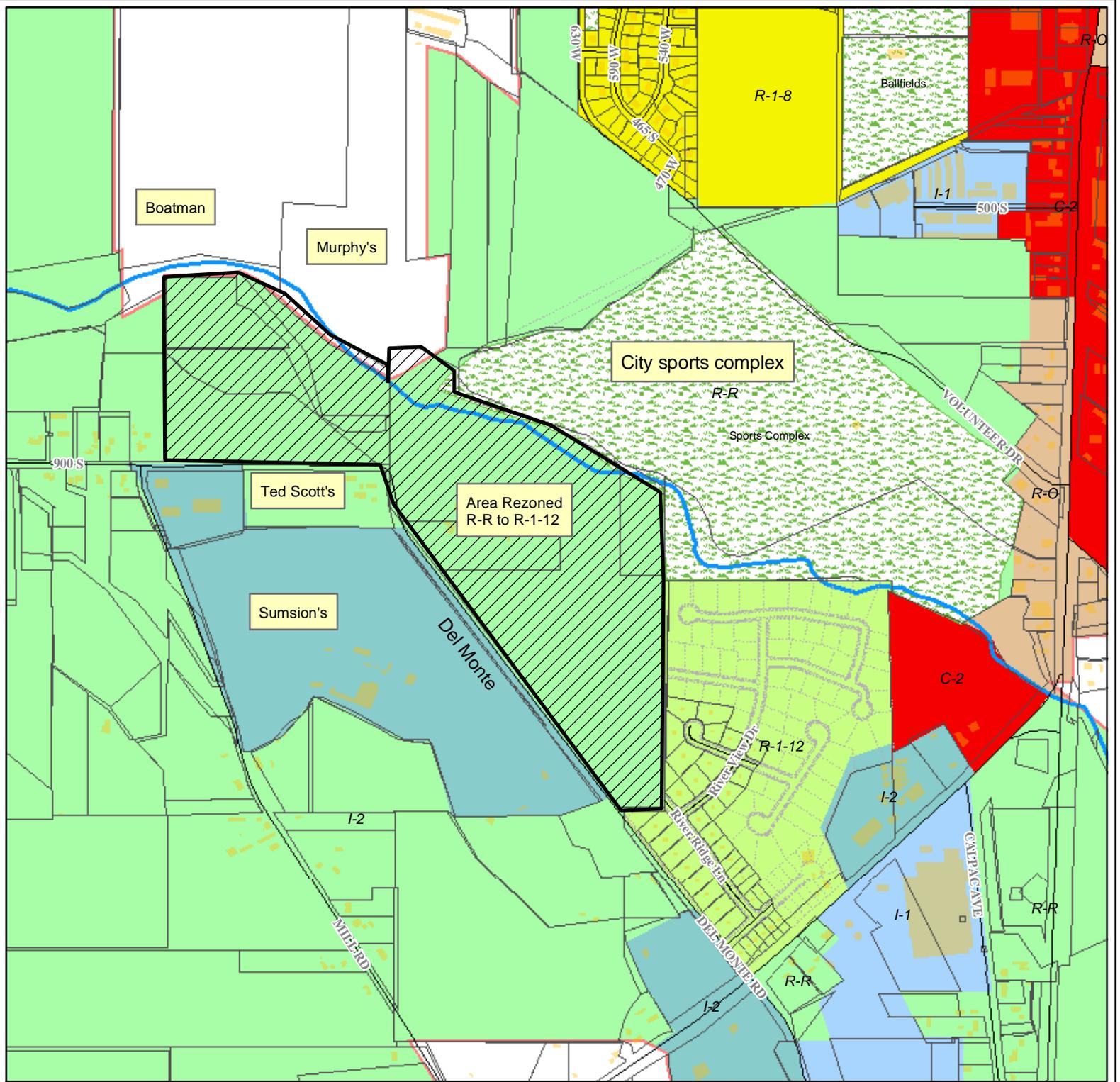
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| Roads | |
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| | C-D |
| | C-O |
| | I-1 |
| | I-2 |
| | I-3 |
| | R-1-12 |
| | R-1-30 |
| | R-1-6 |
| | R-1-8 |
| | R-1-9 |
| | R-1-6 |
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| | LineMeasurements |
| | New Property Lines |
| | Property Lines |
| | Preliminary Property Lines |



Geographic Information Systems

Spanish Fork City GIS
 40 South Main Street
 Spanish Fork, UT 84660
 (801) 798-5000

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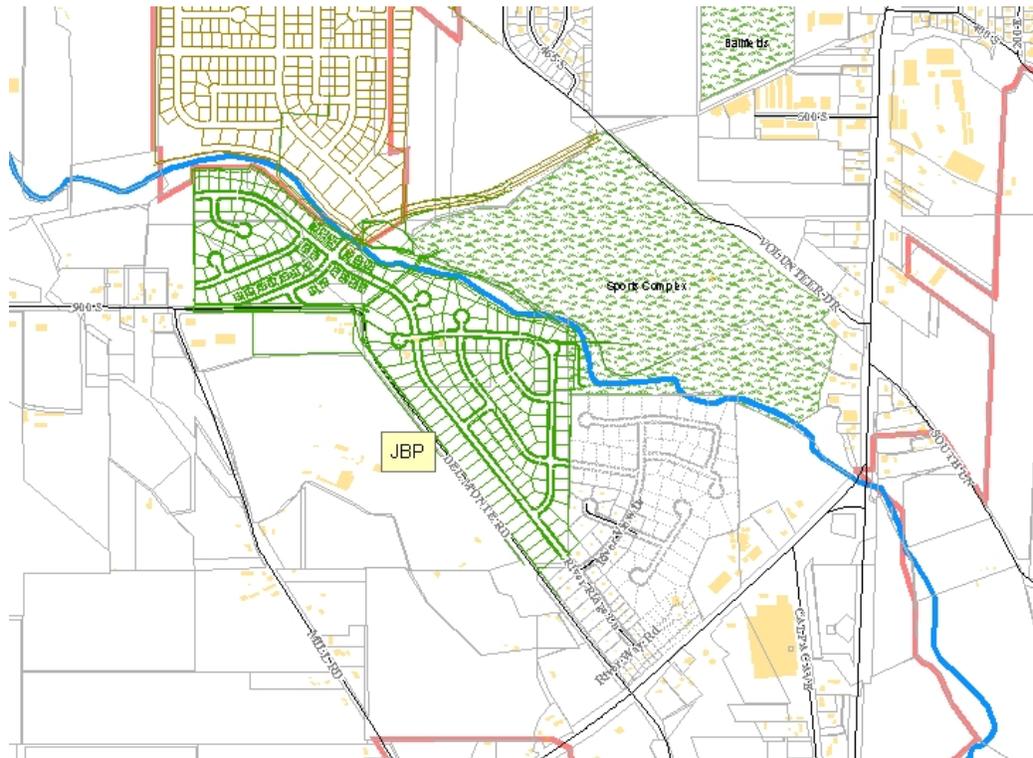
**SPANISH FORK CITY
PLANNING COMMISSION
STAFF REPORT**



To:	Planning Commission	Zoning:	R-1-12
From:	Emil Pierson, City Planner	Property Size:	80.37 acres
Date:	February 4, 2004	# Lots/Units:	248
Subject:	River Cove Preliminary Plat	Units/Acre	3.09
Location:	900 South Del Monte		

Background

The applicant(s), WestField Development (Richard Mendenhall), is requesting preliminary plat approval in order to develop a 248 lot/unit subdivision of which 185 are single family homes and 63 are town home units. The property is shown in



the General Plan as Residential 2.5 to 3.5 u/a. The applicant is requesting to rezone the property to R-1-12. The property is 80.37 acres in size and is currently being farmed. To the north is the Spanish Fork River, to the east is property zoned R-1-12 and is known as the Quail Hollow by the River subdivision. To the south is property zoned R-R (Scott's, Isaac) and I-2 (Jack B. Parson's/ Valley Asphalt). West of the proposed development is property owned by the Warner's zoned R-R.

Analysis

The applicant is proposing 248 lots of which 185 lots are planned single family homes and 63 as town-homes. (see attached packet)

Lot Sizes

The single family lots range from 8,100 to 37,000 square feet with most of the lots exceeding 10,000 square feet.

Homes:

The developer is proposing custom homes with upgraded exteriors and roof lines.

Access:

Access into the subdivision is shown from a new road that would be constructed from 900 South and from Volunteer Drive via a new road that Fieldstone is constructing. Another access into the subdivision will come from the south through the Quail Hollow Subdivision along the hill side. The developer is also required to participate in the construction of a vehicle and pedestrian bridge across the river.

Density

The General Plan designates this property as Residential 2.5-3.5 u/a. The developer is proposing this subdivision at 3.09 u/a. If the developer does not want to do the Master Planned Development (MPD) concept he would be required to have all of the lots over 12,000 square feet respectively. The developer, on the other hand, has decided to do a MPD and include town homes and lots under the required size.

Amenities:

The developer is proposing amenities like the Aspen Meadows and Quail Hollow developments.

1. Being proposed is higher quality homes with brick, stone, and masonry products.
2. Roof lines will be a minimum of 7/12 pitch
3. Landscaping will be required within one year of the home being constructed.
4. Over five (5) acres of open space on the north side of the Spanish Fork river be deeded to the City
5. Constructing the river trail on the north side of the river
6. Cleaning up the fallen trees on the north side of the river.
7. Construct the trail under the bridge which will require the trail to be of concrete
8. Construct the trail between lots 50 & 51 and connect to city trail and Quail Hollow trail
9. Mixture of housing types
10. Widening the sidewalk to 6 feet coming from 900 South to the river bridge (trail)

General Plan – Findings of Facts

#1

The River Cove Preliminary Plat follows and supports the General Plan by meeting the following Goals and Policies:

General Land Use Goals and Policies

Goal One: To maintain the high quality physical and social environment in Spanish Fork.

Policies:

- Require new development to respect the character of the surrounding area.
- Require that all implementing ordinances (i.e., zoning and subdivision regulations) be consistent with the General Plan.
- Allow development to occur only in areas where adequate streets, public facilities, and services exist or where the developer will provide them

Residential Policies:

Goal One: To provide high quality, stable residential neighborhoods.

Policies:

- Encourage the creation of neighborhood or homeowners’ associations to help maintain the quality of neighborhoods.
- Design local streets in residential areas with discontinuous patterns to discourage through traffic.

Goal Two: To provide a range of housing types and price levels in all areas of the City.

Policies:

- Allow a variety of lot sizes and housing types in all “Urban Residential” areas.
- Develop an architectural theme that integrates different housing types in mixed-use projects
- Allow residential development projects that provide superior design features and amenities to be developed at the high end of the density ranges as shown on the General Plan Map.

Goal Three: To ensure that adequate open space, buffering, and landscaped areas are provided in new developments.

Policies:

- Develop an overall landscape concept for all common areas of the project including, entries, street plantings, reverse frontage streets, and park and retention areas.
- Select plant materials that are suited for their proposed use.
- Install street landscaping in significant lengths to develop the desired character and maintain continuity in the project.
- Develop parks within ½ mile of all residences.

Transportation Goals and Policies

Goal One: Provide a safe, convenient, and efficient system for transporting both people and goods.

Policies:

- Develop intersections to obtain Level of Service C or better during peak-hour traffic periods. Reduce the intensity of proposed projects or require traffic improvements to maintain or achieve Level of Service C or better.
- Require new developments to have or to develop appropriate access for the intensity of the development.
- Obtain needed street rights-of-way through property dedication when subdivisions, conditional use permits, rezonings, or design review plans are approved.
- Base street system planning on traffic generated from planned uses. Changes in planned uses are to be accompanied by an analysis of traffic impacts created by those land use changes and what improvements are needed to deal with these impacts.
- Design sidewalks along new streets to be set back from the traveled roadway, thereby providing a safer walking area.
- Design local residential streets with discontinuous patterns to discourage through traffic.
- Discourage partial width streets (half streets) for new, local streets.

Goal Two: Provide pleasant, safe, and functional non-motorized transportation routes.

Policies:

- Prepare a more extensive bikeway and trails plan that identifies which parts of the system should be paths, routes, or lanes, and what types of non-motorized transportation should occur in each area. Develop detailed design guidelines for each component of the system.
- Require pedestrian walkways between sidewalks along public streets and developments adjacent to those streets. Pedestrians should not have to use driveways or parking lots as the only access points to buildings.

Development Review Committee

The Development Review Committee reviewed this request at their January 21st and January 28, 2004 meetings.

Draft Minutes from January 21st

The preliminary plat was discussed and tabled until the open space issue could be resolved along with the bridge, road alignment, river channel and capacity, and property lines.

Draft Minutes from January 28, 2004

Mr. Pierson said this item was tabled from last week. Mr. Thompson said the city has not received the study on the armor and flow capacity of the river. The study will need to be submitted and reviewed before the plat will be approved. Mr. Eskelson said he will give the study to Richard Heap today. He said he also brought a sample of the materials that could be use. He is not sure what the city wants as far as materials. Mr. Thompson said Mr. Heap wants a recommendation based on the engineering study and the city engineering department will review the recommendation. Mr. Mendenhall said at this time the banks are stable.

Mr. Baker said the concern is the condition of the river bank in the event of a substantial increase in the river flow. The city wants to insure the river channel will not change or erode. Mr. Eskelson said if there is vegetation growing in the river bed or on the river bank it will encroach on the flow of the river. Mr. Baker said there is a problem with vegetation; however, the county is unwilling to provide maintenance during the drought period. Mr. Thompson said the recommendation needs to be based on vegetation growth and increased river flow. If there is no way to safeguard the homes and lots from erosion then the plat will not be approved. Mr. Eskelson said they need to make sure the bridge is wide enough to accommodate increase river flow and the corners of the river banks are armored properly. Mr. Baker said the city wants to prevent lot erosion mostly.

Mr. Pierson said he needs to prepare a staff report tomorrow for the Planning Commission agenda packets and needs the river study information.

Mr. Thompson said there is also an issue with the River Road alignment. Mr. Mendenhall presented a document to the Development Review Committee and reviewed it. Mr. Beecher said according to the most recent county records indicate an overlap in the Murphy and Hughes properties. Mr. Baker said the two property owners will need resolve the property ownership issue and the River Road alignment. Mr. Pierson said this matter will not be presented to the Planning Commission until the River Road alignment and property ownership issues are resolved.

Mr. Carlisle, from LEI, said they were presented information from the city concerning the road alignment and designed the Fieldstone Development road alignment accordingly. Mr. Thompson said the city provided the information from the Lew Christensen property and LEI designed the road to the river. The road from the Fieldstone property on the north side of the river and the road from the River Cover property on the south side of the river do not align. Mr. Mendenhall said this is where the alignment works best for the River Cove Development and the contours of the property. Mr. Pierson said the realignment on the north side of the river may require West Field, developer of the River Cover Development, to build a portion of River Road on the north side of the river.

Mr. Baker said the property owners and developers need to resolve the issue.

10:35 am - David Oyler arrived.

Mr. Mendenhall said they will meet with Fieldstone Development and LEI and resolve the issues. Mr. Pierson said a letter to the city will be required stating the issues have been resolved. Mr. Thompson said he has requested from LEI a right-of-way for the recording of the trail design. The property deed is for the roadway, trail, and park access.

Mr. Pierson said another issue to be resolved is the area to be considered open space. The Recreation Committee would like the developer to work with the Shade Tree Commission in determining what trees are to remain. Removal of the unwanted trees and the clean up are to be paid for by the developer. Also, the developer is to

complete the connection to the trail with an additional connection running underneath the bridge.

Mr. Eskelson asked if Fieldstone will pick up the trail at the property line near the bridge. Mr. Pierson affirmed. Mr. Thompson said there will also be a little bridge across a stream within the park area. Westfield Development will need to construct the bridge after the city has redirected the stream. Mr. Broadhead asked how the utilities will get across the river. Mr. Eskelson reviewed the utility design across the river. There will be a sewer lift station and then the sewer line will go under the river. Mr. Broadhead said he thought there was a pressurized irrigation line and loop.

11:00 am - Dave Hughes arrived

Mr. Eskelson said he was aware of the pressurized irrigation line and loop. They will put it in as well. Also the electric services will be brought across on the bridge and the water and pressurized irrigation will run under the bridge. Mr. Broadhead said the water lines should be buried to prevent freezing. Mr. Bagley said the phase three electric line will need to be in a casing. Mr. Baker said the design and construct of the bridge will need to be approved by Richard Heap. Mr. Pierson requested a review of the items included in the phases of the development.

Mr. Eskelson said the open space, the bridge, and the Del Monte Rd. connection will be included in phase one. The attaching housing will be in phase two. Phases one and two will be constructed concurrently. Phases three, four, and five will be completed consecutively in that order. Also, there will be a temporary access on the east side of the property.

Mr. Oyler asked who will clear an emergency access in case of snow. Mr. Banks said until the rezone is approved the city will not clear the access. Mr. Mendenhall said they are required to keep access to the Hughes home open and it will be used as an emergency access.

Mr. Baker said it may be best to wait on the trail until the proper alignment is determined. Set a deadline for the completion of the trail and the open space cleanup and allow the developer to complete it earlier if possible.

Mr. Pierson reviewed the bonus density spreadsheet as shown below. All of the Development Review Committee members agreed with the density matrix as presented. (This is in the Preliminary Plat Report)

Mr. Baker made a **motion** to recommend approval of the request to rezone the Hughes/Hill Property located at 975 South Del Monte Rd. from R-R to R-1-12 upon the finding the rezone meets the requirements of the General Plan. Mr. Broadhead **seconded**, and the motion **passed** with a unanimous vote.

Mr. Pierson made a **motion** to recommend approval of the River Cove Preliminary Plat located at 975 South Del Monte Rd. on the following condition(s):

1. Install improvements along Del Monte Rd., with the exception of the sidewalk,
2. No hill area excavation is to take place without approval from the city engineer,
3. Provide a flood plain update and a wetlands report to the city,
4. Upon development of 50 percent of the lots, a 14-foot asphalted pedestrian access between lots 50 and 51 connecting to the city trail is to be bonded for and installed at the developer's expense,
5. Submit covenants, codes and restrictions for the development to the city,
6. The developer is to sign off on all house plans in the subdivision,
7. Provide the city with a title report for all of the property and work out all boundary issues prior to going to the City Council,
8. The project is to meet all of the construction and development standards,
9. The developer of the Butlers' property is to participate in the cost of constructing a pedestrian/vehicle bridge over the Spanish Fork River; to the percent indicated by an updated traffic study,
10. Construct the River Cove Project as per the preliminary plan document contained in the packet,
11. The developer is to provide an engineering study of the stability of the existing river rip rap,
12. No duplicate homes are to be constructed within 120 feet of each other,
13. Receive approval of the electrical design for the development from Jeff Foster of the Electrical Department,
14. Construct 50% of the homes with at least 25% stone, brick, or masonry surface,
15. Side entry garages are strongly recommended on homes located on corner lots, especially on 66-foot right-of-

ways,

16. The project is to contain not more than 249 units as contained in the development packet,
 17. Irrigation ditches in the development are to be piped or eliminated and provide a letter of approval from the Irrigation Company,
 18. Have a 20-foot access easement along the south side of the river for maintenance purposes,
 19. Point system is approved as shown on the attached sheet,
 20. All open space areas are to be deeded to the city as part of the 1st plat
 21. Any grading of the hillside is to be re-vegetated,
 22. Feeder power line is to come off the hill at lot 1 and follow along River Ridge Lane,
 23. Meet with the US Post Office concerning the location of the post office boxes,
 24. Construct a 10-foot pedestrian and equestrian trail along the river as per the Spanish Fork City standards,
 25. The developer is required to work with the city Shade Tree Commission to determine which trees need to be removed and pay the cost of “removing of the trees and cleaning up” of the park area on the north side of the river,
 26. The developer is to pay the cost of connecting the trail through the “park area” on the north side of the river as well as constructing the trail under the proposed bridge,
 27. Provide a right-of-way description to the City Engineering Department prior to the City Council meeting.
- Mr. Baker **seconded**, and the motion **passed** with a unanimous vote.

RECOMMENDATION

Approve

Make the motion to give the River Cove Preliminary Plat located at 900 South Del Monte Road a POSITIVE recommendation to the City Council subject to the following condition(s):

1. Install improvements along Del Monte Rd., with the exception of the sidewalk,
2. No hill area excavation is to take place without approval from the city engineer,
3. Provide a flood plain update and a wetlands report to the city,
4. Upon development of 50 percent of the lots, a 14-foot asphalted pedestrian access between lots 50 and 51 connecting to the city trail is to be bonded for and installed at the developer’s expense,
5. Submit covenants, codes and restrictions for the development to the city,
6. The developer is to sign off on all house plans in the subdivision,
7. Provide the city with a title report for all of the property and work out all boundary issues prior to going to the City Council,
8. The project is to meet all of the construction and development standards,
9. The developer of the Butlers’ property is to participate in the cost of constructing a pedestrian/vehicle bridge over the Spanish Fork River; to the percent indicated by an updated traffic study.
10. Construct the River Cove Project as per the preliminary plan document contained in the packet,
11. The developer is to provide an engineering study of the stability of the existing river rip rap,
12. No duplicate homes are to be constructed within 120 feet of each other,
13. Receive approval of the electrical design for the development from Jeff Foster of the Electrical Department,
14. Construct 50% of the homes with at least 25% stone, brick, or masonry surface,
15. Side entry garages are strongly recommended on homes located on corner lots, especially on 66-foot right-of-ways,

16. The project is to contain not more than 249 units as contained in the development packet,
17. Irrigation ditches in the development are to be piped or eliminated and provide a letter of approval from the Irrigation Company,
18. Have a 20-foot access easement along the south side of the river for maintenance purposes,
19. Point system is approved as shown on the attached sheet,
20. All open space areas are to be deeded to the city as part of the 1st plat
21. Any grading of the hillside is to be re-vegetated,
22. Feeder power line is to come off the hill at lot 1 and follow along River Ridge Lane,
23. Meet with the US Post Office concerning the location of the post office boxes,
24. Construct a 10-foot pedestrian and equestrian trail along the river as per the Spanish Fork City standards,
25. The developer is required to work with the city Shade Tree Commission to determine which trees need to be removed and pay the cost of “removing of the trees and cleaning up” of the park area on the north side of the river,
26. The developer is to pay the cost of connecting the trail through the “park area” on the north side of the river as well as constructing the trail under the proposed bridge,
27. Provide a right-of-way description to the City Engineering Department prior to the City Council meeting.

Deny

Make the motion to give the River Cove Preliminary Plat located at 900 South Del Monte Road a NEGITIVE recommendation to the City Council for the follow reason(s):

Table

Make the motion to TABLE the River Cove Preliminary Plat located at 900 South Del Monte Road for the follow reason(s):

Project Name:	River Cove Preliminary Plat		
Total Acres	80.37		
Low End Density	2.5 U/A	200.925 Units	
High End Density	3.5 U/A	281.295 Units	
Zoning	R-1-12		
House size (main level) req'd	1,400 sq. ft.	20%	1,680 sq. ft.
Townhouse size req'd	1,000 sq. ft.	20%	1,200 sq. ft.

Overall Project Request

S.F. Homes	185			
Townhomes	63			
Total Units	248			
Density	3.09	Total OS	Ordinance	
Open Space	5.26	1.53	6.79	8.30% 3.32 acres

	Percent Allowed	Actual Given	Units	Running Total	Items provided
Density Bonus					
Active recreation	10%	4.00%	8.04	209	Trails, Widening Sidewalk
Common buildings	10%	0.00%	0.00	209	
Fencing	5%	0.00%	0.00	209	
Front setback variation	3%	0.00%	0.00	209	
Garage - three car	3%	0.00%	0.00	209	
Garage - setback	3%	0.00%	0.00	209	
Open space	5%	5.00%	10.45	219	5.26 acres, Cleaning up the open space
Landscaping	7%	1.00%	2.19	222	Require HO to put in landscaping
Lot size variation	3%	1.00%	2.22	224	
Materials on front façade	5%	5.00%	11.19	235	100% hard surface; 50% brick/stone on home
Mixture of housing types	5%	4.00%	9.40	244	SF and townhomes
Off-setting lots	3%	2.00%	4.89	249	
Roof pitch start 5/12	3%	2.00%	4.99	254	7/12 pitch roof would be required
Home sizes	7%	0.00%	0.00	254	
Miscellaneous	7%	0.00%	0.00	254	
			Total Units	254	

**SPANISH FORK CITY
PLANNING COMMISSION
STAFF REPORT**



To:	Planning Commission	Zoning:	R-R
From:	Emil Pierson, City Planner	Property Size:	23.23 acres
Date:	September 3, 2003	# Lots:	3
Subject:	Christensen Subdivision Waiver		
Location:	475 West 465 South		

Background

The applicant(s), Lew Christensen and Nebo School District is requesting Subdivision Waiver approval for 3 parcels.

Analysis

The property is 23.23 acres in size. The applicant is requesting to split the parcel into three parcels. Parcel A will be .4736 acres which will be quit-claim deed to the city, parcel B will be 10.2413 acres and will be warranty deeded to the school district, parcel C will be .1362 acres warranty deeded to the school district with the remainder of the property being 12 acres will be retained by Mr. Christensen.

Development Review Committee

The Development Review Committee will reviewed this request at their January 28th meeting.

Minutes of the January 28, 2004 meeting

Mr. Park said the School District is in the process of acquiring property from Lew Christensen for a future Elementary School. Approximately 1.2 acres will be deeded to the city for the road expansion and access to the trail and recreation facilities. Mr. Christensen will retain approximately 11 acres of the property.

Mr. Baker reviewed the purpose of the subdivision waiver.

Mr. Park said the School District plans to build the new school with the bond money being voted on next month. The city will purchase a portion of the property for the roadway and the School District will reimburse the city for their portion of the roadway. He also said a portion of the canal was to be piped and asked if Fieldstone was required to complete the piping.

Mr. Pierson said Fieldstone Development will complete all of the improvements south of the Christensen property line. Mr. Baker said Fieldstone Development receiving density bonus points for the piping. Mr. Park asked for the direction of the water flow in the ditch along the north side of the property. Mr. Broadhead said the water flows to the Northwest Mr. Pierson said the ditch is piped only the syphons will need to be removed.

Mr. Baker made a **motion** to approve the Lew Christensen Subdivision Waiver subject to the school finishing the road on Volunteer Dr. and the road to the south of the property. Mr. Thompson **seconded**, and the motion **passed** with a unanimous vote.

Recommendations

Approval

Make a motion to **APPROVE** the Christensen Subdivision Waiver at 475 West 465 South subject to the following conditions of approval:

1. The school finishing the road on Volunteer Drive and the road to the south of the property

Table

Make a motion to **TABLE** the Christensen Subdivision Waiver at 475 West 465 South for the following reasons:

Deny

Make a motion to **DENY** the Christensen Subdivision Waiver at 475 West 465 South for the following reasons:

Christensen Map



1 inch equals 356.8 feet

Legend

-  Site Pictures
- Roads**
 -  Other Roads
 -  Not Paved
 -  Paved
 -  Rivers
-  Parks
-  Spanish Fork Boundary
-  LineMeasurements
-  Nebo_LowChristensen
-  Nebo_LowChristensen_Lines



Geographic Information Systems

Spanish Fork City GIS
40 South Main Street
Spanish Fork, UT 84660
(801) 798-5000

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