
SPANISH FORK

PLANNING COMMISSION AGENDA

WEDNESDAY, OCTOBER 5, 2005

Planning Commissioners	6:30 P.M.	Agenda Review (Training)
Paul Bradford Chairman	7:00 P.M.	1. Preliminary Activities
Del Robins Asst. Chairman		a. Pledge of Allegiance
David Lewis		b. Minutes:
Ted Scott		c. Planning Review & Update: projects
Sherman Huff		2. Public Hearings
Sharon Miya		a) <u>General Plan Update 2005</u>
		Applicants(s): City
		Information: An update to the utilities, land use, public safety, recreation, design review, transportation, and affordable housing sections of the Plan as well as all maps. To review the plan please go to the City website at www.spanishfork.org
		b) <u>T-Mobile Conditional Use Permit</u>
		Applicants(s): Jerome Gourley
		Zoning: R-1-8
		Location: 1100 East 600 South
		Information: T-mobile is requesting to construct a wireless tower that is 80-feet in height
		c) <u>Amended to Title 15 Land Use Part 4 Development</u>
		Applicants(s): City Staff
		Information: Amend Title 15 pertaining to streets slope, etc..
		3. Staff Reports
		a) <u>84 Lumber Subdivision Waiver</u>
		Applicants(s): Scott Hansen (Hollow Acres)
		Zoning: I-1
		Location: 1900 North Chappel Drive
		b) <u>Dixie Thomas Subdivision Waiver</u>
		Applicants(s): MJ Grant
		Zoning: R-3
		Location: 189 North 200 West
		c) <u>Whispering Willows Amended Preliminary Plat</u>
		Applicants(s): Legrande Woolstenhulme
		Zoning: R-3
		Location: Ridgefield Road & Highway 51
		4. 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
From: Emil Pierson, City Planner
Date: October 5, 2005
Subject: General Plan Amendment – Public Hearing
Location: City wide
Noticed: 10 days prior to the public hearing in the Daily Herald

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

Background

The City Council requested that the Planning Commission review the General Plan and make any necessary updates. The Planning Commission over the last 8 months has reviewed the Plan and held numerous public meetings. At those meetings residents were able to give their input and recommendations pertaining to the land use, design review, public safety, utilities, transportation, and affordable housing including reviewing all of the Goals and Policies of the Plan.

Under the directions of the Planning Commission the City Staff has made those changes to the General Plan.

Development Review Committee

The Development Review Committee reviewed the recommended changes to the General Plan on September 21, 2005 and recommended approval.

Recommendations

Approval

Make a motion to Approve the 2005 General Plan Amendments.

Table

Make a motion to Table the 2005 General Plan Amendments for the following reasons:

Deny

Make a motion to Deny the 2005 General Plan Amendments for the following reasons:



Spanish Fork Planning Commission Staff Report

To:	Planning Commission	ID#	05-02
From:	Emil Pierson, City Planner	Zoning	R-1-8
Date:	October 5, 2004	Property Size	.037 acres
Subject:	T-Mobile Wireless Conditional Use Permit - 80-foot tower	# Lots/Units	N/A
Location:	1100 East 600 South	Units/Acre	N/A

Public Notices: 300 feet notification 10-days prior

BACKGROUND

T-Mobile Wireless is requesting to construct an 80-foot tower in the R-1-8 residential zone. The property is located in the detention basin at the corner of 1100 East and 600 South.

According to Section 15.3.08.010 C Uses Subject to Conditional Use Permit states that telecommunication towers must go through the conditional use permit process.

ANALYSIS

The location of the proposed pole is north of the substation and on the west side of the detention basin. There are electric power poles on the south side of the proposed location and the poles are around 63 feet in height. To the west of the proposed location is a 60 feet gas line easement making it difficult to move the site to the west.



Development Review Committee

The DRC reviewed this request at its August 24th and September 21st meetings and recommended approval subject to the conditions stated below.

DRC Minutes - August 24, 2005

Mr. Gourley said T-Mobile is requesting to install a cellular tower to resolve coverage issues resulting from the population growth in Spanish Fork. The 80-foot monopole will be located at 1150 East 600 South and will be equipped to service two additional carriers. He said they already have an agreement with Spanish Fork City for a cell tower located in Little Cleveland Park. The cell tower compound will be located next to the booster station.

Mr. Oyler said the cell tower is located in a different location than was originally represented. Mr. Heap said he was not aware the compound was relocated following a meeting with Jeff Foster, Electric Superintendent.

Mr. Baker asked if the tower could be shifted. Mr. Nielson said a gas line is in the area. Mr. Nielson said the drain line under the proposed site will need to be relocated around the cell tower compound. Mr. Gourley agreed to relocate the storm drain line.

Mr. Baker reviewed his questions concerning the lease agreement. He said the agreement indicates the tower will be a pole of metal or wood. Mr. Pierson and Mr. Nielson both prefer a metal pole. Mr. Foster said it should be a galvanized steel pole. Mr. Gourley said galvanized steel weathers well. A metal pole allows for additional carriers. Wooden poles do not allow for additional carriers.

Mr. Baker said he will change the lease to require the pole to be co-locatable. He said the agreement also refers to exhibit C, however, exhibit C is not attached. Mr. Gourley said reference to exhibit C can be stricken. Mr. Oyler said this is a detention basin which doubles as a park. Mr. Baker said he has concerns with interference regarding the substation. The substation cannot be shut down or relocated. He said the agreement should indicate there is to be no interference with the substation. Mr. Foster concurred.

Mr. Baker said the lease amount should start at \$730.00 based on the Little Cleveland lease plus the calculated yearly increases to date. Mr. Oyler asked why the amount is set at \$730.00 with the increase in land values. Mr. Gourley said they pay \$730.00 for the tower in Little Cleveland plus \$200.00 for maintenance of the park.

Mr. Baker said he would eliminate paragraph C and set the yearly lease at \$930.00 per month. He also pointed out a typographical error on page 6. Also, the reference to no interference with the substation is to be included on page 8.

Mr. Oyler asked if equipment in the inner circle of the compound will be affected by occasional water in the detention basin. Mr. Nielson said a strip of the park will be difficult to maintain. He suggested moving the cell tower compound to the property line. Mr. Foster said that would be okay as long as there is adequate space from the power line. Mr. Oyler said there may be water on the site at times. Mr. Nielson said they can elevate the tower pad. Mr. Foster said there should be 25 feet from the line to the west and 10 feet from the distribution line to the pole. He said there is also an existing telephone box between the proposed site and the park property line.

Mr. Heap told Mr. Gourley to contact Questar Gas in Salt Lake concerning the high pressure line and the easement to receive permission to locate the compound on or near the easement area. Questar Gas has a 60-foot right-of-way. Mr. Oyler said they can gravel the area between the property line and the cell tower compound in order to maintain weeds and retain the gas line easement area. Mr. Gourley said they are going to need to eliminate one of the trees in the park. He proposed a landscape plan in exchange for the tree to be removed. Mr. Pierson asked for a landscape plan to be submitted for review. He asked Mr. Gourley if tabling this item to allow him time to contact Questar Gas would cause difficulties. The lease will also need to be approved by the City Council.

Mr. Baker asked if we are okay with moving the pad to the south, next to the property line. This would also move the pad off of the existing storm drain line. Mr. Foster said Mr. Gourley will also need to work with the phone company concerning the telephone box. Mr. Oyler said the compound should be designed now to accommodate future service providers on the tower. Mr. Pierson asked for the result if the issue is tabled until approval from Questar Gas is received and the exact location of the cell tower compound is determined. Mr. Gourley said they would prefer not to table the issue, however, if additional time is needed they will make adjustments in their completion schedule.

Mr. Pierson made a **motion** to table the T-Mobile Cellular Tower Conditional Use Permit Request to allow time for Mr. Gourley to receive approval from Questar Gas, to prepare a new site plan and legal description to be submitted to the city. Mr. Baker said the legal description is needed before the City Council agenda is prepared. Mr. Pierson said the issue will be scheduled on the September 20 City Council agenda.

Mr. Gourley said in the telecommunication industry the site will belong to T-Mobile and the city will be the lease holder. He asked if the city wants to structure the lease so that future co-locators will be required to pay the city. All other cities have master lease agreements. The lease is already in place and the city receives funds for future co-locators on the cell tower. They need enough space on the compound for co-locators in the future.

Mr. Oyler said the compound can be expanded to the east to eliminate possible issues with Questar Gas. Mr. Gourley should be given time to contact Questar Gas. Mr. Heap said a motion has been made. Mr. Baker **seconded** the motion and the motion **passed** with a unanimous vote.

September 21st DRC Minutes

Mr. Pierson said the City Council approved this request during their meeting held the previous evening. He said Mr. Gourley has gone in and retrofitted the design according to the easements and utility lines in the area. Mr. Nielson said the monopole is still right on top of the storm drain line. Mr. Heap asked if a maintenance issue is being created for the Parks Department with the compound so far to the north. Mr. Gourley said he trying to preserve the trees and is planning to reroute the storm drain line to the catch basin. Mr. Nielson said the storm drain line must be property aligned.

Mr. Pierson asked Mr. Gourley if he can relocate the pole. Mr. Gourley said he can shift the pole to the south. He said they will shift the pole to the location most desired by the city. He said the existing trees cannot be in the compound. Mr. Oyler asked if the compound can be expanded south to the fence. This will allow additional space for the trees to remain in the compound with trees rings to protect the trees and gravel the remaining area.

Mr. Robinson said he would prefer expanding the compound as suggested by Mr. Oyler and drip irrigation can be run to the trees. This will allowing the area within the compound to be maintenance free. Mr. Oyler said this should also allow adequate space for future co-locations on the tower. Mr. Pierson said Mr. Gourley was to get a letter from Questar Gas. Mr. Gourley said the tower is no longer on the Questar Gas easement and a letter is not needed. Mr. Pierson said this request will come before the Planning Commission on October 5, 2005.

Mr. Gourley said he will install the three tree wells and will repair the sprinkling system at his expense according to the direction of the Parks Department. The Parks Department will run drip irrigation to the three trees within the compound. Mr. Oyler said the tower compound is to be off of the storm drain line. Mr. Pierson said there is no access to the site. Mr. Baum said Questar Gas put in a gravel driving area which provides a portion of the access. Mr. Gourley said they will drive on the gravel access and will walk to the site for maintenance. Mr. Pierson asked concerning damage cause by the construction equipment driving on the lawn. Mr. Gourley said they will attempt to do minimal damage during construction and will restore any damaged areas as per the Parks Department's specifications.

Mr. Baker made a **motion** to approve the T-mobile Cellular Tower Conditional Use Permit at 1150 East 600 South with the following findings and conditions:

FINDINGS

1. This is an R-1-8 zone which allows for cellular towers,
2. Because this is a retention basin/park there may be a cellular tower at this location,
3. There is an electric substation in the vicinity and a cellular tower fits well with this type of use.

CONDITIONS

1. The location of the compound is to be off of the Questar Gas easement to the west and is to go north to the city fence line,
2. The three existing trees are to be located within the cellular tower compound,
3. Tree rings are to be installed around the trees within the compound,

4. The sprinkling system is to be redesigned around the compound,
5. The tower is to be built off of the storm drain line,
6. An 80 foot, non-corrosive metal, co-locateable pole is to be installed,
7. Any landscaping damage is to be repaired as per the Parks Department,
8. Vehicles are to be kept on the existing gravel area for any future maintenance issues,
9. A six-foot black or dark green vinyl coated chainlink fence is to be installed around the compound.

Mr. Pierson **seconded** and the motion **passed** unanimously.

RECOMMENDATION

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 and the Zoning District R-1-8 does allow for a Wireless communication facilities through a Conditional Use Permit process.

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: The use will not be materially detrimental to the health, safety or welfare of the residents because of the conditions that will be placed on the use and that everyone uses cellular phones therefore, creating the need for additional towers.

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: That site is adequate in size and shape to accommodate the tower and the setbacks and location should keep it from nearby residents. The property is a detention/retention basin and is located next to an electrical substation.

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: No additional traffic should be created from the use.

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: That the conditions placed on T-mobile Wireless should resolve any anticipated detrimental effects from the tower. The tower will be high but the existing power poles in the area are already approximately 63-feet in height and the addition of a cellular tower shouldn't make a difference.

APPROVE

Make the motion to **APPROVE the T-Mobile Wireless Conditional Use Permit located at 1100 East 600 South** subject to the following condition(s):

1. The location of the compound is to be off of the Questar Gas easement to the west and is to go north to the city fence line,
2. The three existing trees are to be located within the cellular tower compound,
3. Tree rings are to be installed around the trees within the compound,
4. The sprinkling system is to be redesigned around the compound,
5. The tower is to be built off of the storm drain line,
6. An 80 foot, non-corrosive metal, co-locateable pole is to be installed,
7. Any landscaping damage is to be repaired as per the Parks Department,
8. Vehicles are to be kept on the existing gravel area for any future maintenance issues,
9. A six-foot black or dark green vinyl coated chainlink fence is to be installed around the compound.

DENY

Make the motion to **DENY the T-Mobile Wireless Conditional Use Permit located at 1100 East 600 South** for the follow reason(s):

TABLE

Make the motion to **TABLE the T-Mobile Wireless Conditional Use Permit located at 1100 East 600 South** for the follow reason(s):



Spanish Fork Planning Commission Staff Report

To:	Planning Commission	ID#	PRE 05-01
From:	Emil Pierson, City Planner	Zoning	I-1
Date:	October 5, 2004	Property Size	34.65 acres
Subject:	84 Lumber Commercial Subdivision Waiver	# Lots/Units	2
Location:	1900 North Chappel Drive	Units/Acre	N/A
Public Notices: N/A			

BACKGROUND

Scott Hansen is requesting to subdivide a parcel that is 34.65 acres into 2 separate lots; one 10 acre site and the other the remaining 24 acres.

ANALYSIS

The property is currently vacant and is not being used. The property owner is requesting to split the 34.65 acres into two separate lots. The 10 acre lot will be sold to 84 lumber which will be constructing a building in the future. The remaining 24 acres is zoned I-1 and S-C.

Development Review Committee

The DRC reviewed this request at its September 28th meeting and recommended approval subject to the conditions stated below.



DRC Minutes - September 28, 2005

Mr. Pierson said this is a subdivision waiver sw waiver precursor to the 84 Lumber site plan. All of the improvements and bonding will be connected to the 84 Lumber site plan.

Mr. Heap said water and sewer are already in the area. Mr. Nielson asked concerning the existing water line

easement. He said if the existing easement borders the new parcel they are okay, if there is a gap between the easement and the 84 Lumber site plan property line they will need an easement for the gap.

Mr. Baker made a motion to recommend to the Planning Commission approval of the 84 Lumber Subdivision Waiver subject to the following conditions:

1. A review of improvement to the site plan in completed,
2. Obtain an easement from the newly created lot to the existing water line easement running east and west.

Mr. Nielson seconded and the motion passed with a unanimous vote.

RECOMMENDATION

APPROVE

Make the motion to **APPROVE the 84 Lumber Subdivision Waiver located at 1900 North Chappel Drive** subject to the following condition(s):

- 1.

DENY

Make the motion to **DENY the 84 Lumber Subdivision Waiver located at 1900 North Chappel Drive for the follow reason(s):**

TABLE

Make the motion to **TABLE the 84 Lumber Subdivision Waiver located at 1900 North Chappel Drive** for the follow reason(s):



Spanish Fork Planning Commission Staff Report

To:	Planning Commission	ID#	PRE 05-02
From:	Emil Pierson, City Planner	Zoning	R-3
Date:	October 5, 2004	Property Size	.39 acres
Subject:	Dixie Thomas Subdivision Waiver	# Lots/Units	2
Location:	189 North 200 West	Units/Acre	N/A

Public Notices: N/A

BACKGROUND

Dixie Thomas is requesting to subdivide a parcel that is .39 acres or 17,162 square feet into 2 separate lots. Currently there is five units on the property and is considered legal non-conforming. Non-conforming in size and in setbacks.

ANALYSIS

The property is 17,162 square feet in size and according the R-3 zoning district a 4-plex is required to have a lot that is 18,000 square feet in size and the single family home is required to be 6,000 square feet for a total of 24,000 square feet or .55 acres. The 4-plex faces onto 200 North and the single family home is on 200 West. The applicant's request is to split the property with the single family lot becoming conforming and the 4-plex continuing to be non-conforming. The applicant is planning to add the required covered parking and or required parking spaces.



Development Review Committee

The DRC reviewed this request at its September 28th meeting and recommended approval subject to the

conditions stated below.

DRC Minutes - September 28, 2005

Mr. Pierson said this is a request by Dixie Thoms for a subdivision waiver. Currently on the property is a four-plex and a single family home and they are nonconforming. Should would like to divide the properties making the single family home section of the property conforming. The section containing the four-plex will remain nonconforming. Mr. Pierson reviewed the layout of the property division.

Mr. Nielson made a **motion** to recommend to the Planning Commission the approval of the Dixie Thomas Subdivision Waiver subject to the following conditions:

1. Meet all of the Engineering Department requirements,
2. Meet all of the parking requirements,
3. Construct the property as to the plot plan indicated.

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

RECOMMENDATION

APPROVE

Make the motion to **APPROVE the Dixie Thomas Subdivision Waiver located at 189 North 200 West** subject to the following condition(s):

- 1. Meet all of the Engineering Department requirements,**
- 2. Meet all of the parking requirements,**
- 3. Construct the property as to the plot plan indicated.**

DENY

Make the motion to **DENY the Dixie Thomas Subdivision Waiver located at 189 North 200 West** for the follow reason(s):

TABLE

Make the motion to **TABLE the Dixie Thomas Subdivision Waiver located at 189 North 200 West** for the follow reason(s):



Spanish Fork Planning Commission Staff Report

To:	Planning Commission	ID#	PRE 05-03
From:	Emil Pierson, City Planner	Zoning	R-3
Date:	October 5, 2004	Property Size	29 acres
Subject:	Whispering Willows Amended Preliminary Plat	# Lots/Units	246
Location:	Ridgefield Road & Highway 6	Units/Acre	8.48 Total

Public Notices: N/A

BACKGROUND

Legrande Woolstenhulme is requesting to Amend the Whispering Willows Preliminary Plat in order to remove the 12-plexes that were to be constructed north of Ridgefield Road and replace them with townhomes.

ANALYSIS

The Whispering Willow preliminary plat was approved by the City Council on August 21, 2001. The approval was for 246 units of which 66 were to be single family homes and for 180 multi-family units. The original project showed the 180 multi-family units as 12-plexes.



The applicant has purchased the property and is requesting to build 72 units in six 12-plex buildings and another 100 units as townhomes on the north side of the road.

Amenities: The applicant will still construct the playgrounds and pavilions as shown on the plans.

Development Review Committee

The DRC reviewed this request at its September 28th meeting and recommended approval subject to the conditions stated below.

DRC Minutes - September 28, 2005

Mr. Pierson this is a amended preliminary plat. Mr. Woolstenhulme has been working closely with engineering and planning. The pictures provided indicate the elevation of the 12-plex and townhome area. This project is patterned after the Canyon Glen development. The units face inward and the backs of the units and driveways face the road.

Mr. Woolstenhulme said this plan worked well in Canyon Glen. The difference in Whispering Willows is each two rows of units face each other. Mr. Pierson said he prefers this rather than 12-plexes. Mr. Nielson agreed. Mr. Baker asked if the townhome area and the single family home area should be switched. Mr. Pierson said there is not enough room for the density needed.

Mr. Baker said it appears to be the same acreage. Mr. Nielson said the plat has been recorded.

Mr. Woolstenhulme said the improvements are in. Mr. Pierson said he would like to see all setbacks and sidewalks shown on the site plan. He said this is a great plan and a win for the city. Most likely there will be a lot of owner-occupied units.

Mr. Pierson made a **motion** to recommend approval of the Whispering Willows Amended Preliminary Plat subject to the following conditions:

1. Meet all of the Construction and Development Standards,
2. Construct the development as shown on the amended preliminary plat,
3. Submit a new landscape plan prior to the plans coming before the City Council,
4. Submit playground plans prior to the plans coming before the City Council.

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

Mr. Nielson asked when road will be paved. Mr. Woolstenhulme said there have been some details associated with vandalism but the road will be done soon.

RECOMMENDATION

APPROVE

Make the motion to **APPROVE the Whispering Willows Amended Preliminary Plat located at Ridgefield Road & Highway 51** subject to the following condition(s):

1. **Meet all of the Construction and Development Standards,**
2. **Construct the development as shown on the amended preliminary plat,**
3. **Submit a new landscape plan prior to the plans coming before the City Council,**
4. **Submit playground plans prior to the plans coming before the City Council.**

DENY

Make the motion to **DENY the Whispering Willows Amended Preliminary Plat located at Ridgefield Road & Highway 51** for the follow reason(s):

TABLE

Make the motion to **TABLE the Whispering Willows Amended Preliminary Plat located at Ridgefield Road & Highway 51** for the follow reason(s):