

**Adopted Minutes
Spanish Fork City Planning Commission Meeting
January 9, 2008**

Agenda review 6:30 p.m.

Commission Members Present:

Staff Present: Dave Anderson, Planning Director; Richard Nielson, Public Works Assistant Director; Shelley Hendrickson, Planning Secretary.

Citizens Present: Cody Roberts, Dak Maxfield, Bob Rowberry, Jed Morley, Grey (illegible), Jeff Heaps, Kay Heaps, Jeff Clark, Wayne Niederhauser.

CALL TO ORDER

Chairman Robins called the meeting to order at 7:01 p.m.

PRELIMINARY ACTIVITIES

Pledge

Chairman Robins led the pledge of allegiance.

Chairman Robins welcomed everyone, excused Commissioner Lewis and said that he would be late and that Commissioner Sharon Miya had resigned. He expressed his thanks to Sharon Miya for her service on the Commission.

Adoption of Minutes: December 4, 2007

Commissioner Christianson **moved to approve** the minutes of December 4, 2007, with the noted corrections. Commissioner Marshall **seconded** and the motion **passed** all in favor.

PUBLIC HEARINGS

Commissioner Huff **moved to open** into Public Hearing. Commissioner Christianson **seconded** and the motion **passed** all in favor at 7:05 p.m.

***Commissioner Lewis arrived at 7:05 p.m.*

Old Mill Estates

Applicant: CW Management

General Plan: Residential 1.5 to 2.5 units per acre

Zoning: R-1-15

Location: 1503 South Mill Road

Mr. Anderson explained the proposal is a Master Planned Development. This change was made so that the applicant could still maintain their density by providing another important means for ingress and egress. He explained there was a 13,000 square-foot parcel of City-owned land, bisected by a large canal, adjacent to the proposal. The City has deeded this land to CW management in exchange for them assuming all costs associated with the piping of the canal. CW Management and Jed Morley will be sharing some of the costs associated with piping the canal.

Commissioner Christianson asked about the irrigation easements and if the canal would be included in the property of the lots that abut the canal.

Wayne Niederhauser

Mr. Niederhauser explained he did not have a problem putting verbiage on the plat regarding the irrigation easement that would be included with the lots that abut the canal. He feels unless there is a clean out section in the pipe in this area that the pipe should not ever have to be disturbed. He said due to the residential housing market slowing down they would like to phase their project. The first phase would provide access to Mill Road, Arrowhead Road and out to the north subdivision (Academy Park). The other two phases will be fairly small but we would like to not put as many lots on the market. They will work with Mr. Jed Morley and pipe the canal in conjunction with the construction of his proposal.

Mr. Nielson explained the canal will need to be piped according to the irrigation season.

Jeff Clark

Mr. Clark asked which irrigation ditches would be piped and a timeframe of when they would be piped.

Mr. Niederhauser explained what irrigation ditches he would be piping with regard to his proposal.

Discussion was held regarding the irrigation ditches in the area and easements.

No public comment.

Commissioner Marshall **moved** to recommend to the City Council **approval** of the Preliminary Plat for Old Mill Estates located approximately 700 West 1400 South subject to the following conditions:

Conditions

1. That the applicant adjust lot lines on Arrowhead road to accommodate the needed cross section and easements on the power line.
2. That the applicant meets all conditions of prior plat approval.
3. Include all piping of irrigation ditches in phase one.

Commissioner Lewis **seconded** and the motion **passed** all in favor by a roll call vote.

Trailside Subdivision Zone Change and Preliminary Plat

Applicant: Cody Roberts

General Plan: Residential 4.5 to 5.5 Units Per Acre

Zoning: Rural Residential existing, R-1-8 requested

Location: approximately 1300 North State Road 51

Mr. Anderson explained Mr. Roberts would be addressing the concerns that the Commission brought up in their December meeting.

Cody Roberts

Mr. Roberts explained the base density and what he felt the clean up guarantee should be based on, that the billboards belong to Reagan and the leases expire in February 2016. Reagan is willing to relocate them to another location on Highway 51 or somewhere else in the City; however, if the signs are moved they will require a new 20+ year lease. CC & R's have been written to include the entire development He has spent a lot of time talking to people with regard to the landfill. He did not dig trenches because the people he talked to advised him that it would not accomplish the Commission's concerns. A full analysis to define the landfill will take time and money.

He feels the concerns are vertical movement, vapor migration, stability, and contamination of soil or ground water and explained his solutions.

Chairman Robins feels it would be a mistake, given Spanish Fork's history, to build residential housing on top of a landfill.

Mr. Roberts feels he can address the Commissions concerns with regard to the landfill. He feels vertical movement can be addressed by a 25 to 50 foot buffer once the location is found. He will have an engineer sign off on vapor migration and contamination will be taken care of with a development agreement.

Commissioner Christianson feels the biggest concern is vapor in basements and what will happen if they grant approval for lots in an undefined area that have potential to be sitting on a landfill.

Discussion was held regarding the placing of a condition that lots would not be able to be built on or within 25 to 50 feet of the landfill.

Mr. Anderson feels that if the landfill site is larger than expected than the property loses the density.

Mr. Nielson explained what happened in the past with development on a landfill within Spanish Fork City. He said it was a perception issue and not a health issue. There was not any gas to speak of at all.

Discussion was held regarding the history of the landfill, trenches full of garbage not gas, and verifying the costs for the park.

Commissioner Marshall feels that there is not enough information to approve this project and asked if there was a way to approve the upper part of the development and not build on phase thirteen (13).

Mr. Roberts explained that with a Master Planned Development the entire project needs to be approved.

Mr. Anderson explained the only reason staff felt comfortable with the proposal was with the concept that the applicant would enter into a development agreement.

Discussion was held regarding a buffer for the landfill.

Mr. Anderson clarified that there would not be any residential development on top of any landfill.

Discussion was held regarding the footage for a buffer from the landfill, clean up of the salvage yard, landscaping and fencing.

Mr. Roberts explained that he does not have a landscape plan for the interior of the development.

Discussion was held regarding landscape guidelines. Mr. Anderson feels that it might be appropriate to place a condition that requires the applicant to bring a landscape plan in to staff for approval.

Mr. Anderson would like to discuss, with the City attorney, options for the billboards. He would like to see the billboards eliminated as soon as possible.

Discussion was held regarding the billboards, when the leases expire, and what to do to get rid of them.

No public comment.

Commissioner Christianson **moved** to recommend to City Council **approval** of the Preliminary Plat for Trailside located at approximately 1300 North State Road 51 subject to the following conditions:

Conditions

1. That the applicant dedicates 10.6 acres of park space to the City.
2. That the applicant improves the park space inclusive of a finished grade with top soil that is certified to construct a City park on.
3. That the applicant provides the easements and utilities as described in the Preliminary Plat to Chappel Drive and receive UDOT approval on improvements to State Road 51.
4. That any necessary buyout with Springville City be completed.
5. City staff review a cash in lieu of fence by City park.
6. No building lots on or within 25 feet be allowed on any landfill or waste.
7. That landscape plans be approved by City staff and the Planning Commission before any final plats are approved.
8. Architectural committee signs off on the architecture.
9. Billboard leases are reviewed by City staff prior to the Preliminary Plat being presented to the City Council.

Commissioner Lewis **seconded** and the motion **passed** all in favor.

Spanish Fork Storage Conditional Use

Applicant: Jed Morley
General Plan: General Commercial
Zoning: Industrial 2
Location: Arrowhead Trail and Del Monte Road

Mr. Anderson explained the proposal and the Development Review Committees recommendation. The applicant has provided an updated site plan and has been corresponding with UDOT on the ingress and egress onto Arrowhead Trail road.

Commissioner Lewis asked about the access onto Del Monte and what kind of an access it would be.

Mr. Anderson explained the plan shows it is a limited access.

Discussion was held regarding ingress and egress standards for developments.

Jed Morley

Mr. Morley explained that UDOT has agreed on the Arrowhead Trail access and are looking at installing a traffic light on Del Monte and Arrowhead Trail. He explained the limited access from the proposal onto Del Monte.

Commissioner Marshall asked for a landscape plan. Mr. Anderson passed out a copy of the plan.

No public comment.

Discussion was held regarding the landscape, piping the canal, reduction of the setback, and the materials to be used on the outside of the structures.

Commissioner Christianson does not feel that this is the best fit for the area and that landscape will be key.

Commissioner Lewis **moved** to recommend to City Council **approval** of the proposed Conditional Use Permit based on the following findings and subject to the following conditions:

Findings

1. That the five findings listed in Title 15, page 15-14 of the Municipal Code have all been made.

2. That the proposed site is consistent with the General Plan
3. That the size of site is adequate to accommodate the proposed use.
4. That the adjacent public streets are adequate to carry the anticipated traffic that the use will generate.
5. That the proposed use will not be detrimental to the health, safety or welfare of the general public in the area.
6. That suitable conditions have been imposed to mitigate any negative impacts.
7. That the applicant is allowed to reduce the setback adjacent to the residential district to 10 feet; due to the quality of the proposed architecture and landscaping and the fact that it makes the project more functional.

Conditions

1. That the applicant be required to construct all of the structures in accordance with the elevations that have been presented to the Development Review Committee.
2. That the applicant be required to work with the City to make any necessary modifications to the landscaping plan.
3. That the applicant be required to pipe the adjacent canal.
4. That the applicant be required to develop all adjacent streets according to City standards.
5. That the applicant submits a lighting plan for the Planning Department to review and approve.
6. That the applicant provides more information on the materials to be used.
7. That the applicant gets approval from UDOT for the access onto Arrowhead Trail.

Commissioner Marshall **seconded** and the motion **passed** all in favor by a roll call vote.

Staker Parsons Conditional Use Amendment Request

Applicant: Staker Parsons

Zoning: Industrial 2

Location: 2100 North 200 East

Mr. Anderson explained the amendment request was whether or not the applicant should be required to have the site completely hard surfaced upon commencement of the operation of the plant and be allowed to place a temporary office trailer and construct a permanent structure at a later date.

Commissioner Lewis asked if there was a phasing plan.

Mr. Anderson read from his notes what the phasing plan would be.

Dak Maxfield

Mr. Maxfield explained that when they purchased the property they knew that they had sub-standard soils and that the soil continues to move. He feels that if they asphalt the entire site it will last about two (2) years because of the heavy truck traffic. If they pave it in concrete it will be cleaner and, with a concrete application they can bridge soils with concrete and then cap it with another layer of concrete. He feels that it will benefit the City to have it paved in concrete instead of asphalt. Fugitive dust aspect will be under control better with the site paved in concrete. He is confident that the entire site will be paved in a two year period. Explained where the pavement would be upon opening. He feels with the down turn in the residential market they would like to come in with a temporary building and expense it over a two (2) year period.

Discussion was held regarding when this site would open (around May).

Commissioner Marshall asked with the bad soils if there was a concern that they would fail.

Mr. Maxfield said that they have equipment on hand to take care of the soils.

Discussion was held regarding what would be asphalt or concrete upon opening.

Commissioner Marshall asked if they had any tracking problems.

Bob Rowberry

Mr. Rowberry explained how their site runs in Salt Lake City. He feels that this facility runs very well. He explained that they hire an independent company to sweep and is confident that the tracking off of premise will be minimal.

Mr. Anderson explained that the Development Review Committee did not see the exhibits shown and feels that employee parking must be paved in order to meet City standards. He also feels that the ingress and egress areas need to be paved in full.

Mr. Rowberry explained that employee parking would be on the south side of the plant.

Mr. Anderson explained that there had not been any amendments to the site plan.

Discussion was held regarding magnesium chloride for fugitive dust control.

Commissioner Robins has concerns with parking not being paved.

Mr. Maxfield said they can commit to pave the residential landscape area.

Discussion was held regarding what to have paved upon opening.

No public comment

Commissioner Robins **moved** to recommend to City Council **approval** of the Conditional Use Permit Amendment for Staker Parson Companies located at 2100 North 200 East Approval Amendment request based on the following findings and subject to the following conditions:

Findings

1. That in the long term a site paved with concrete is going to be more effective addressing concerns related to fugitive dust and will accommodate the activity on the site better than asphalt.
2. That magnesium chloride can be effectively used to control fugitive dust from the day the facility opens to when the entire site is paved.

Conditions

1. That the entire site is paved with either concrete or asphalt within two years from the date that the facility receives a Business License from the City.
2. That the applicant be allowed to utilize a temporary office for two years. That the office must be removed and a permanent structure be completed and occupied within two years from the date the City Business License is issued.
3. That the entire landscape yards and all access onto 200 East be hard surfaced upon opening.
4. That all recommendations of the fugitive dust be adhered to.
5. That the City may require a consultant qualified to evaluate fugitive dust be retained by the operator to provide periodic reports if it is determined to be necessary.
6. That magnesium chloride will be effectively used to control fugitive dust from the day the facility opens to when the entire site is paved.

Commissioner Lewis **seconded** and the motion **passed** all in favor by a roll call vote.

Commissioner Christianson **moved** to **close** public hearing. Commissioner Marshall **seconded** and the motion **passed** all in favor at 9:12 p.m.

Staff Reports

Envision Annexation

Applicant: Kay Heaps

General Plan: Residential 1.5 to 2.5 Units Per Acre

Zoning: R-1-15

Location: 600 South 2550 East

Mr. Anderson explained the property J. Merrill Hallam owns be assigned R-R.

Commissioner Lewis **moved** to recommend to the City Council **approval** of the Envision Annexation subject to the following conditions:

Conditions

1. That the applicants enter into the accompanying Annexation Agreements and based on all of the information in Richard Nielson's report.
2. J. Merrill Hallam parcel(s) be zoned R-R and the remaining portion R-1-15.

Commissioner Huff **seconded** and the motion **passed** all in favor.

Other Discussion

Chairman Robins **moved** to have the **General Plan reviewed** for 2550 East and 400 North in their next meeting. Commissioner Lewis **seconded** and the motion **passed** all in favor.

Chairman Robins **moved** to have the **General Plan reviewed** for the 1100 South Del Monte area. Commissioner Lewis **seconded** and the motion **passed** all in favor.

Mr. Anderson reported on the approval of the Kelly Annexation by the City Council and that it was zoned Industrial 1.

Adjournment

Chairman Robins **moved to adjourn**. Commissioner Lewis **seconded** and the motion **passed** all in favor at 9:37 p.m.

Adopted: February 6, 2008

Shelley Hendrickson, Planning Secretary