



Planning Commission Agenda February 2, 2011

- Planning Commissioners** 6:00 P.M.
1. Preliminary Activities
 - b. Approval of Minutes: January 5, 2011
 - a. Pledge of Allegiance
 2. Preliminary Plats
 - a. **Bella Vista**
Applicant: Lou Bankhead
General Plan: Residential 5.5 to 8 units per acre
Zoning: R-1-6
Location: 800 North State Road 51
 - b. **Kirby Lane Business Complex**
Applicant: Duane Koyle
General Plan: General Commercial
Zoning: Commercial 2
Location: approximately 600 East Kirby Lane
 3. Discussion on General Plan Update

Planning Commissioners, if you are unable to attend a meeting please let us know ASAP. Thanks.

The public is invited to participate in all Planning Commission Meetings at 40 South Main Street, Room 140, Spanish Fork. If you need special accommodations to participate in the meeting, please contact the City Manager's Office at (801) 804-4530.

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Draft Minutes
Spanish Fork City Planning Commission Meeting
January 5, 2011

Commission Members Present: Rick Evans, Tyler Cope, Shane Marshall, Michael Christianson, Brad Gonzales.

Staff Present: Dave Anderson, Community Development Director; Shelley Hendrickson, Planning Secretary; Jason Sant, Assistant City Attorney; Trapper Burdick, Assistant City Engineer.

Citizens Present:

Chairman Christianson welcomed everyone to the meeting at 6:06 p.m.

PRELIMINARY ACTIVITIES

Pledge

Scout Ashton Fawson led the Pledge of Allegiance.

MINUTES

December 1, 2010

Commissioner Marshall **moved** to **approve** the minutes of December 1, 2010. Commissioner Evans **seconded** and the motion **passed** all in favor.

PRELIMINARY PLATS

Fritzi Subdivision Waiver

Applicant: Fritzi Realty

General Plan: Light Industrial

Zoning: Industrial 1

Location: Arrowhead Trail and Cal Pac Avenue

Mr. Anderson explained that the proposal was a Subdivision Waiver and not a Preliminary Plat and that Subdivision Waivers differed from Preliminary Plats in that the Planning Commission is the Land Use Authority and that they would be taking action on the proposal. He further explained that the subdivision was to create two lots, one of which had housed uses such as a warehousing and a

46 cannery. He said that the subdivision allowed the City to approve a Site Plan for
47 the portion of the property that the existing building is on without requiring
48 improvements on what would be the second lot.

49

50 Chairman Christianson asked if the zoning would change. Mr. Anderson said no
51 and explained the phasing as outlined in the Development Agreement for the Fritzi
52 building.

53

54 ***Commissioner Cope arrived at 6:10 p.m.*

55

56 Commissioner Gonzales asked if it was common to subdivide area inside buildings.
57 Mr. Anderson said that, in this case, the subdivision was limited to subdividing the
58 parcel.

59

60 Commissioner Gonzales asked what security measures the City had to ensure that
61 the improvements are met. Mr. Anderson explained that Business Licenses could
62 be with held as well as Certificate of Occupancy.

63

64 Discussion was held regarding the masonry wall between the industrial and
65 residential uses and when the phases would be triggered on the improvements.

66

67 Chairman Christianson explained what he felt the property owner, Mr. Tandler, had
68 previously promised the City, that if he were to be awarded the higher density
69 zoning, he agreed that the building would be removed. Mr. Anderson agreed that
70 there were some things discussed in previous meetings but that he believed the
71 property owner had changed his development plans. He would like to put the
72 building back into industrial service. Mr. Anderson gave some background on a
73 previous proposal that had been discussed back in 2006. Chairman Christianson
74 explained that the applicant promised the neighbors along Cal Pac Avenue that the
75 property would not all be high density. Mr. Anderson said that the General Plan
76 would not permit lots to be any less than 12,000 square feet.

77

78 Discussion was held regarding a previous proposal for the property regarding
79 residential uses and the difference between a Preliminary Plat versus a Subdivision
80 Waiver.

81

82 Commissioner Marshall **moved** to **approve** the Fritzi Subdivision Waiver.
83 Commissioner Evans **seconded** and the motion **passed** all in favor by a roll call
84 vote.

85

86 Skyline

87 Applicant: Skyline Development

88 General Plan: Light Industrial

89 Zoning: Industrial

90 Location: 3450 North Main Street

91
92 Mr. Anderson explained where the proposal was located within the City and that
93 the site was approximately 33 acres in size and that the applicant was sub-dividing
94 it into 14 lots. The current zone is Industrial 1. He explained that before a Final
95 Plat is approved master plans for storm drain, water and sewer would need to be
96 finished. Consultants have been hired and the Engineering Department had
97 committed to have them done in February of 2011. The only portion of the
98 proposal that could be approved for development before the master plans are
99 finished was the lot that is along Main Street. He explained that the Trails Master
100 Plan called for a trail to parallel dry creek which runs through the subject property.
101 The City's Parks and Recreation Department had looked at the proposal and
102 decided that it would not matter what side of the creek that the trail is on but that
103 a 16-foot easement would be needed on one side of Dry Creek.

104
105 Chairman Christianson said he did not see a FEMA map amendment and asked if
106 there was one. Mr. Anderson said that the City was more concerned with wetland
107 issues. Mr. Burdick explained that the City had looked at Dry Creek and explained
108 that they were making sure that there was not too much water discharged into Dry
109 Creek.

110
111 Discussion was held regarding Dry Creek, discharge and the flood plain. Mr.
112 Anderson explained that the applicant would be responsible to look into flooding
113 issues.

114
115 Terry Ehlers

116
117 Mr. Ehlers said that his surveyors were confident that wetlands were not an issue.
118 He explained a lot that should be included that was not shown on the overhead
119 projector. He displayed (on the white board) a rendering of what the structure
120 they were proposing might look like. Commissioner Marshall asked if the applicant
121 was aware of the DRC conditions. The applicant said that he was and was fine
122 with them.

123
124 Chairman Christianson asked what type of business they were catering too. Mr.
125 Ehlers explained the building would be a Class A office building with possibility of
126 industrial uses.

127
128 Commissioner Evans **moved to approve** the Skyline Preliminary Plat subject to the
129 following conditions:

130
131 **Conditions**

- 132
133 1. That the applicant increases the storm water lines to 18 inches.
134 2. That the applicant meets the Engineering Department conditions.

- 135 3. That the applicant cannot proceed to record anymore than the single lot on
136 Main Street until the master utility plans are complete on storm drain and
137 sewer.
138 4. That the applicant address any wetland issues.
139 5. That the applicant meets the City's Construction and Development
140 Standards.
141 6. That the applicant meets the Power Department conditions.
142 7. That the required trail easement be shown on the plat.
143 8. That the applicant works with FEMA on any flood plain issues.
144

145 Commissioner Marshall **seconded** and the motion **passed** by a unanimous roll call
146 vote.
147

148
149 **DISCUSSION**

150
151 **Discussion on the General Plan Update**

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153 Mr. Anderson explained the changes that he had made (page by page) and
154 discussion ensued regarding changes to the General Plan.
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157 **ADJOURNMENT**

158
159 The meeting **adjourned** at 8:30 p.m.
160

161
162 **Adopted:**

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164
165

Shelley Hendrickson, Planning Secretary



TO: Spanish Fork City Planning Commission
FROM: Dave Anderson, Community Development Director
DATE: January 27, 2011
RE: Bella Vista Reapproval

Accompanying this memorandum is a copy of the staff report that was presented to the City Council when the Bella Vista development was approved in 2009. At this time, the Commission is only being asked to act on the proposed Preliminary Plat. The attached staff report was presented when both Zone Change and Preliminary Plat approvals were sought. Obviously, the zoning was changed in 2009 making that a moot issue relative to the project today.

In short, the developer failed to maintain the Preliminary Plat approval by recording a plat within a year of the original November 4, 2009 approval date. The applicant has applied to have the project reapproved with the same lot configuration and street layout – in the same form as the original approval.

The DRC reviewed this proposal on January 26 and recommended that it be approved. The DRC recommended that it be approved with the original conditions and one new condition. The additional condition pertains to a park that is planned for the north end of the development. The City has recently changed its approach to designing parks in new developments. In the past, parks have typically been designed by developers. The City has now contracted with a park designer to design City parks, including parks that are to be constructed by private developers. City staff has recommended that the City's consultant redesign the improvements in the park that is planned for this development.

Staff therefore recommends that the proposed Preliminary Plat be approved based on the following finding and subject to the following conditions:

Finding

1. That the proposed Preliminary Plat conforms to the City's requirements for Master Planned Developments in the R-1-6 zone.

Conditions

1. That a design of the park be completed as part of the final plat review process on the project's first phase.
2. That the applicant dedicate the park land with the first phase.
3. That the applicant bond for a proportionate share of the park construction with the second and third phases.
4. That the park be constructed with the public improvements in the third phase.
5. That all of the landscaping that is visible from a public right-of-way be installed at the time of development or when the time homes are constructed.
6. That the City redesign the proposed park improvements and that the improvements be constructed according to the City's approved plan.



PRELIMINARY PLAT

REPORT TO THE CITY COUNCIL BELLA VISTA ZONE CHANGE AND PRELIMINARY PLAT

Agenda Date: November 4, 2009

Staff Contacts: Dave Anderson, Community Development Director

Reviewed By: Development Review Committee

Request: Steve Maddox is requesting a Zone Change and Preliminary Plat approval for a 100-lot Master Planned Development.

Zoning: R-1-6

General Plan: Residential 5.5 to 8 units per acre

Project Size: 26.14 acres

Number of lots: N/A

Location: approximately 900 North State Road 51

Background Discussion

The City has fielded a number of development proposals in recent years for the properties that are now included in the proposed Bella Vista Preliminary Plat. The current proposal involves the development of single-family homes whereas other submitted versions have included townhomes.

Three different zoning districts are found within the proposed development area. R-3, Rural Residential and R-1-6 zoning currently exist. R-1-6 zoning is proposed for the entire development. The proposed R-1-6 zone is consistent with the Residential 5.5 to 8 units per acre General Plan designation. The proposed development is presented as a Master Planned Development with a total of 100 building lots. One of the building lots, lot 100, currently houses a Residential Treatment Facility. The other 99 lots are designed to accommodate single-family dwellings.

One of the more unique factors of the proposal is the inclusion of lots that have as little as 40 feet of frontage and 4,000 square feet in area. The Master Planned Development section of Title 15 permits lots of this nature so long as the City Council makes specific findings relative to such lots being an enhancement from other development types. The specific language from Title 15 reads as follows:

Single family lots shall be a minimum of 6,000 square feet, with a minimum of 50 feet of frontage; twin home lots shall be a minimum of 4,000 square feet each, with a minimum of 40 feet of frontage each. The Council may grant a waiver of this requirement based on superior design. The Council has the absolute discretion in approving a request for such a waiver. In this case, this City Council entertained the concept of granting this waiver in a meeting last month. In that meeting, the City Council indicated a willingness to approve the development with lots that may be as small as 4,000 square feet as long as no other issues surface as concerns relative to the proposed development.



Staff's main concerns with the proposal have involved the quality of construction and the functionality of providing basic utility services to lots with 40 feet of frontage. Accompanying this report is a package of information for the development that identifies what the elevation of homes constructed in the project are proposed to be. Additionally, the applicant has proffered the following standards relative to homes that would be constructed:

Home Size

R-1-6 Zone – Home size shall be no less than 1,550 finished square feet. Developer is proposing homes ranging from 1,700-2,400 square feet with many of the homes having basements.

Exterior Materials

Exterior material types – Exteriors shall be limited to brick, stone, hard board siding or stucco. A minimum of 50% of the homes constructed on project shall include a brick and / or stone architectural element on a portion of the front elevation of the home.

Home Plotting Restriction

Home plotting criteria – no identical home (i.e. the same floor plan and exterior elevation) shall be plotted within 200 feet of each other.

Exterior color schemes – no exterior color schemes may be plotted next to a home with the same scheme.

A schematic of homes will be on the final plat showing drive approaches / utility crossing to allow utilities / livability.

Home Design Elements

Garages – each home will have a minimum two (2) car garage and a three (3) car garage offered where lot permits.

Exterior Elevation – a minimum of three (3) exterior elevations per plan shall be provided.

Variation in window, roof design, exterior relief and window treatments will be provided

Roof Pitch – a minimum roof pitch of 6:12 will be constructed.

Subdivision Facts

Each home will have full front yard landscaping provided by developer. (See CC&R's section 10.09)

A 3+ acre "Public" park will be provided as open space providing entertainment and enjoyment of community.

Each yard will be fenced for the privacy and livability for all. Restrictive CC&R's will be recorded and enforced.

Relative to the provision of utilities to each lot, the proposed solution for staff's concerns is to design the location of each driveway and all lateral locations with the construction plans that are submitted with Final Plat applications. Our staff seems to agree that by designing to this higher level of detail we can avoid problems that have been experienced in other projects where space is limited. A three-acre park is proposed as part of this development. The applicant has offered to improve the park as part of the amenity package for the overall project. In fact, the applicant has provided conceptual renditions to illustrate the types of improvements that they propose to make in the park.

Relative to a design for the park and the improvements that would be constructed therein, staff feels strongly that, as this would be a City park, City staff should be very involved in the design of the park. To that end, City staff met earlier this week with the applicant to discuss the basic design philosophy and level of improvement that the City expects to see within the park. The applicant has agreed to prepare a final design for the park that will be approved by the City with the approval of the Final Plat for the first phase of the development.

Also related to the design of the park are several images that the applicant included in the accompanying package of information that pertains to park improvements. Staff wishes to make clear that the examples of benches, playground equipment and other exhibited items do not necessarily conform to the City's expectations for that type of equipment in City parks. The applicant has been advised that different items will likely be required for the park and they have offered to work with staff to make sure that improvements designed for the park meet the City's standards.

The last park related issue involves the timing of its construction. City staff is very concerned about making sure that any facility proffered at the time that a development is approved is ultimately constructed in the manner described. Staff also understands some of the basic realities of financing a development and how potentially impractical it might be to require all amenities with a development's initial phase. In the hope of balancing the City's needs and the developer's ability, staff has proposed that the land for the park be dedicated with the initial phase, that the applicant bond for 50% of the cost to construct the park with the second phase and that the applicant bond for the remaining cost to construct the park

and then construct the park with the other public improvements in the third phase. Staff believes that this program ensures that the park will be constructed as approved.

Development Review Committee

The Development Review Committee reviewed this request in their October 21, 2009 meeting and recommended that it be approved. Minutes from that meeting read as follows:

Bella Vista

Applicant: Steve Maddox

General: Residential 5.5 to 8 units per acre

Zoning: Rural Residential, R-3 and R-1-6 existing, R-1-6 requested

Location: approximately 900 North State Road 51

Discussion was held between the Committee and the applicant regarding the size of the park, access through the park for farm equipment, trails, stubbing utilities to the east boundary, table on the cover sheet of the Preliminary Plat needing to be updated, phasing and improving the park, the park being constructed with the public utilities in the third phase, that before the final plat is approved the park will need to be designed, meandering the sidewalk on the side of the park, specific language that refers to exterior materials, power and storm drain.

Mr. Anderson **moved** to recommend to the City Council **approval** of the Bella Vista Zone change from Rural Residential, R-2 and R-1-6 to all R-1-6, based on the following findings:

Findings

1. That the proposed zone is consistent with the General Plan.
2. That the zone would accommodate the proposed Bella Vista development which appears to conform to the City's requirements for Master Planned Developments.

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

Mr. Anderson **moved** to recommend to the City Council **approval** of the Bella Vista Preliminary Plat located at approximately 900 North State Road 51 with 100 building lots subject to the following conditions:

Conditions

1. That the applicant update the supportive materials prior to the project being presented to the Planning Commission.
2. That the applicant make any necessary corrections to the plat itself and receive approval from the City's Engineering Department prior to the project being presented to the Planning Commission.
3. That a design of the park be completed as part of the final plat review process on the project's first phase.
4. That the applicant dedicate the park land with the first phase.
5. That the applicant bond for a proportionate share of the park construction with the second and third phases.
6. That the park be constructed with the public improvements in the third phase.
7. That all of the landscaping that is visible from a public right-of-way be installed at the time of development or when the time homes are constructed.

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

Planning Commission

The Planning Commission reviewed this request in their November 4, 2009 meeting and recommended that it be approved. The following are draft minutes from that meeting:

Bella Vista Zone Change

Applicant: Steve Maddox

General Plan: Residential 5.5 to 8 units per acre

Zoning: R-3, R-1-6 and Rural Residential

Location: approximately 900 North State Road 51

Mr. Anderson said he would be discussing both the Zone Change and the Preliminary Plat in tandem. He explained the current zoning of the property was R-3, R-1-6 and Rural Residential and the General Plan designation was 5.5-8 units per acre. He said that the applicant was requesting R-1-6 zoning, and that this proposed density was at the low end of what the General Plan allowed and that due to the unique characteristics of the property (the presence of a substantial gas line, railroad tracks and highway) City staff felt comfortable approving the R-1-6 zoning. Mr. Anderson explained the proposed Preliminary Plat was a Master Planned Development. The proposed Master Planned Development would be exclusively single-family

detached homes and that there would be 100 building lots in all but one lot which already exists with a residential treatment center. Mr. Anderson explained that some of the lots would be as little as 4,000 square feet with other lots being much larger than that. He said that under the Master Planned Development section of the Municipal Code that a waiver could be granted for the smaller lot size and that the City Council would need to approve the waiver in order for this development to be approved. Mr. Anderson said he felt that in canvassing Utah County, you would not find many developments of this type, but in other states single family detached homes on smaller lots are very common. He said he felt that the key to success for this type of development was the quality of construction and provisions to ensure that proper maintenance of landscaping and fencing occurred. He said City staff's greatest concerns were related to maintenance and felt the applicant had addressed the concerns head on. He said the exterior product of the homes would be all masonry and that the applicant was proffering a three-acre parcel of land to be dedicated to the City for a park. He said that the applicant would be required to construct the park to the City's park standards and that the applicant had met with the City's Parks and Recreation Department. He explained the phasing plan of the development and how it would affect the construction of the park.

Commissioner Marshall asked how enforceable CC & R's were and if the City was involved in CC & R's. Mr. Anderson explained how CC & R's work, that they were a civil issue and that the City did not get involved in the enforcement of CC & R's.

Chairman Christianson asked what the City was agreeing to pay for the park. Mr. Anderson said that the applicant was going to pay for 100 percent of the construction of the park. He said that City staff understood that there was not a final design for the park that was acceptable to the City but that there would need to be a final design before a Final Plat is approved.

Chairman Christianson asked about the three detention basins and asked if the maintenance of the basins would be the City's responsibility or common space that would be the responsibility of the Homeowner's Association (HOA). Mr. Anderson said it was his understanding that it would be both. The HOA would maintain the turf but the City would maintain the storm drain portion of the retention basin.

Chairman Christianson asked what the City's setbacks were between the lot that already existed that the residential treatment center was located on and the proposed lot that would abut it. Mr. Maddox said that it was his understanding that the lots met the City's setback requirements but that if for some reason they did not he would rectify the issue.

Chairman Christianson invited the applicant to speak.

Steve Maddox

Mr. Maddox said he would address the park portion of the development and explained that he had met with the City Parks and Recreation Department. Mr. Maddox explained what they had agreed upon. He said they were still in the stages of designing a fence because he wanted a more open feel but was met with opposition from City staff who felt that people want privacy and did not want an entourage of fencing. He then explained how he felt about CC&R's are that the keys to CC & R's were setting the bar high at the beginning, education and enforcement.

Commissioner Robins asked Mr. Maddox if, in his experience, maintaining CC&R's had to be pushed to the legal limit. Mr. Maddox said he had not had to go that far. He said that education was key.

Discussion was held regarding HOA's, how they work and enforcement of CC&R's .

Commissioner Robins asked about wetlands. Mr. Maddox said he will leave it in its natural vegetation.

Mr. Maddox explained the gas line easement.

Chairman Christianson asked about Residential Treatment Center and whether it is legal conforming or non-conforming use. Mr. Anderson said that the treatment center was already zoned R-1-6 and was a non-conforming use and the vested status would not change.

Commissioner Evans asked Mr. Maddox if he was comfortable with agreeing to construct a park to the City's standards without a final design. Mr. Maddox said that he was because he had met with the Parks Department. He said the price point was the playground equipment but felt he was in a comfort zone. Mr. Maddox asked if he could construct the park along with the third phase of the development and not be allowed to pull a building permit on the fourth phase until the park was

finished instead of constructing the park before building permits are issued on the third phase.

Mr. Anderson said that the City would like a clear trigger for when the park would be constructed and that was the reason for the condition that the park be constructed along with the public utilities.

Discussion was held regarding the phasing plan, the park and whether or not the applicant could take more time to construct it.

Commissioner Marshall asked about road width and when the City uses the different widths. Mr. Anderson explained the streets in the project that would qualify for certain widths.

Chairman Christianson invited public comment.

Avante Custio

Ms. Custio expressed concern with the lot size. She said she feels it is too small. She also expressed concern with maintenance and wetlands.

Commissioner Robins explained the history on the project.

Mr. Maddox said he had met on site with the Army Corps of Engineers and that they had discovered four illegal wells that have since been capped and the ground is now dry. He then explained that he had the ability to maintain the project through an HOA and, if it was done correctly and enforced, he said it would look better than the traditional subdivision.

Robert Gowan

Mr. Gowan requested to see the park plans. He expressed concern with the north edge and the drop in topography. He asked how it would be addressed. Chairman Christianson explained that a survey would be done to know what level of fill would need to be addressed. Mr. Maddox said that a six-foot vinyl fence would be installed on the north end of the project.

Commissioner Robins **moved** to recommend to the City Council **approval** of the R-1-6 Zone Change based on the following finding:

Finding

1. That the proposed zoning is consistent with the General Plan.

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

Commissioner Marshall **moved** to **close** public hearing. Commissioner Evans **seconded** and the motion **passed** all in favor at 7:01 p.m.

Commissioner Robins **moved** to recommend to the City Council **approval** of the Bella Vista Preliminary Plat based on the following finding and subject to the following conditions:

Finding

1. That the proposed Preliminary Plat conforms to the City's requirements for Master Planned Developments in the R-1-6 zone.

Conditions

1. That a design of the park be completed as part of the Final Plat review process on the project's first phase.
2. That the applicant dedicate the park land with the first phase.
3. That the applicant bond for a proportionate share of the park construction with the second and third phases.
4. That the park be constructed as part of the third phase.
5. That all of the landscaping that is visible from a public right-of-way be installed at the time of development or at the time homes are constructed.

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

Budgetary Impact

There is no immediate budgetary impact anticipated with the approval of this plat.

Zone Change Recommendation

Staff recommends that the proposed Zone Change, changing the zoning from R-3, R-1-6 and Rural Residential to R-1-6 be approved based on the following finding:

Finding

1. That the proposed zoning is consistent with the General Plan.

Preliminary Plat Recommendation

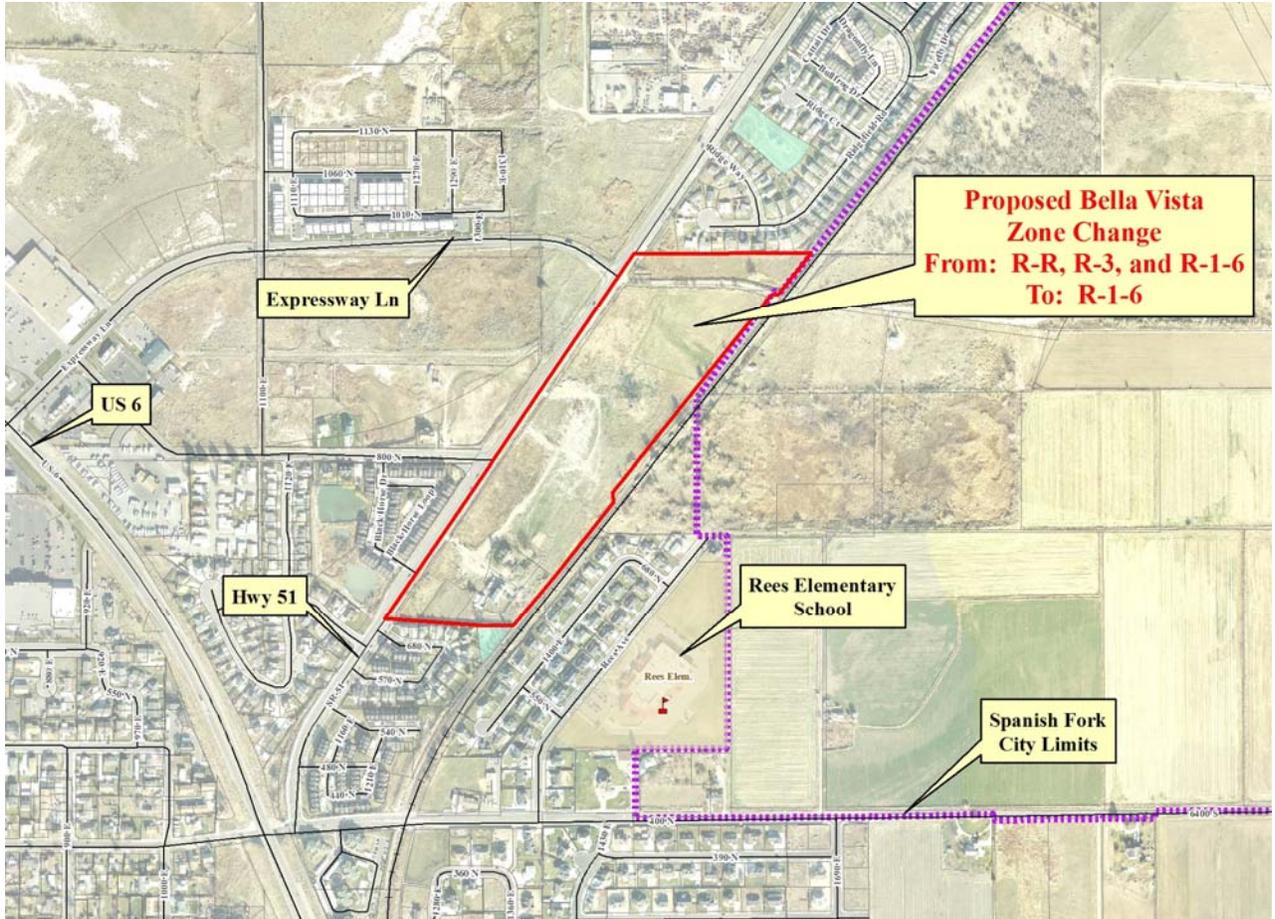
Staff recommends that the proposed Preliminary Plat be approved based on the following finding and subject to the following conditions:

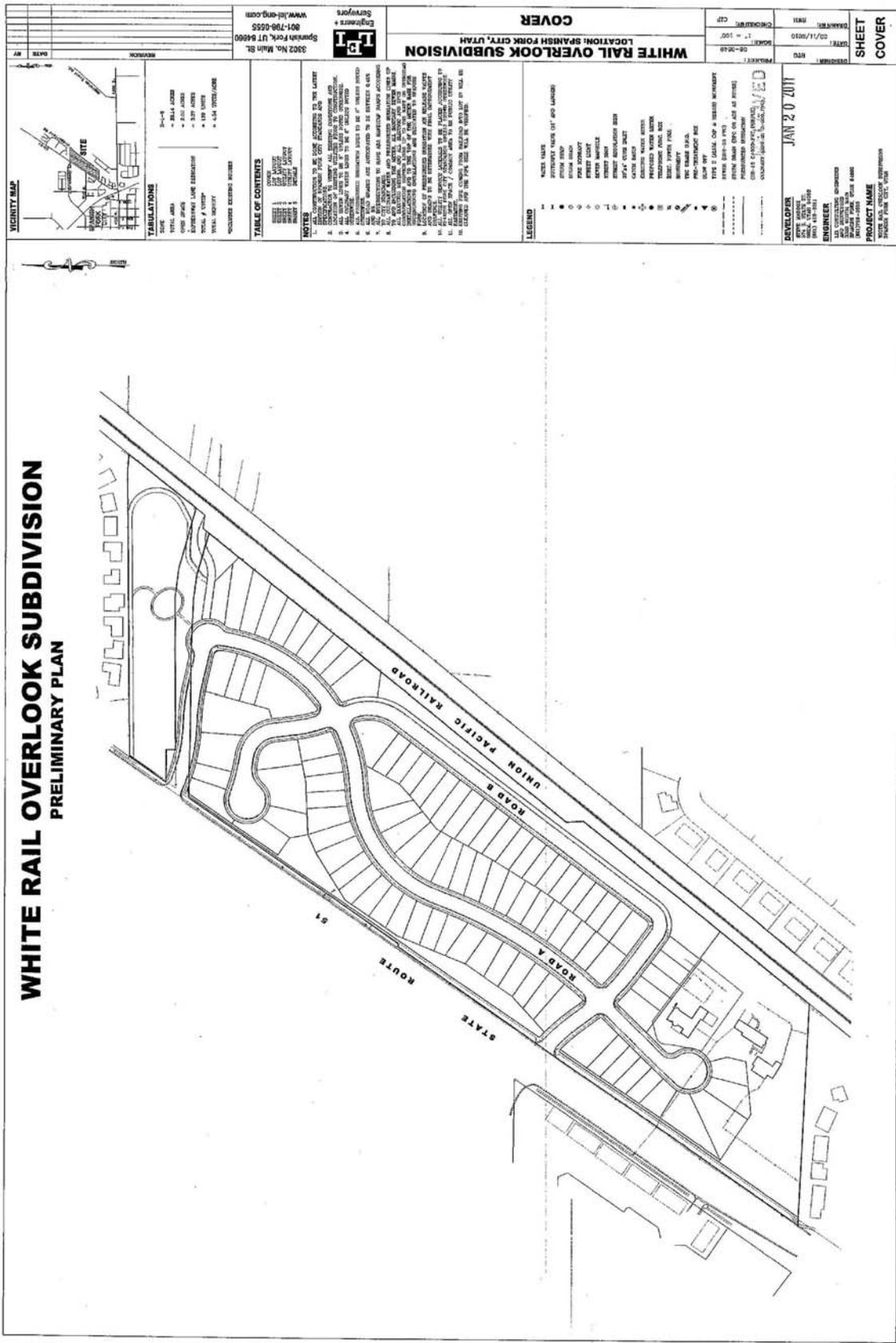
Finding

1. That the proposed Preliminary Plat conforms to the City's requirements for Master Planned Developments in the R-1-6 zone.

Conditions

1. That a design of the park be completed as part of the final plat review process on the project's first phase.
2. That the applicant dedicate the park land with the first phase.
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4. That the park be constructed with the public improvements in the third phase.
5. That all of the landscaping that is visible from a public right-of-way be installed at the time of development or when the time homes are constructed.





WHITE RAIL OVERLOOK SUBDIVISION
LOCATION: SPANISH FORK CITY, UTAH

COVER

DATE: 01/20/11
SCALE: 1" = 100'
PROJECT: 08-2518
CHECKED BY: CJP
DATE: 01/20/11

DESIGNER: HNTB
DATE: 02/11/2010
SCALE: 1" = 100'

SHEET COVER

DEVELOPER: HNTB
1000 N. 1000 E.
SPANISH FORK, UT 84601
PH: 435-438-1841

ENGINEER: HNTB
1000 N. 1000 E.
SPANISH FORK, UT 84601
PH: 435-438-1841

PROJECT NAME: WHITE RAIL OVERLOOK SUBDIVISION
SPANISH FORK, UT 84601

DATE: JAN 20 2011

NOTES:
1. THIS PLAN IS A PRELIMINARY PLAN AND IS NOT TO BE USED FOR CONSTRUCTION.
2. THE CITY ENGINEER SHALL REVIEW THIS PLAN AND APPROVE IT FOR RECORDING.
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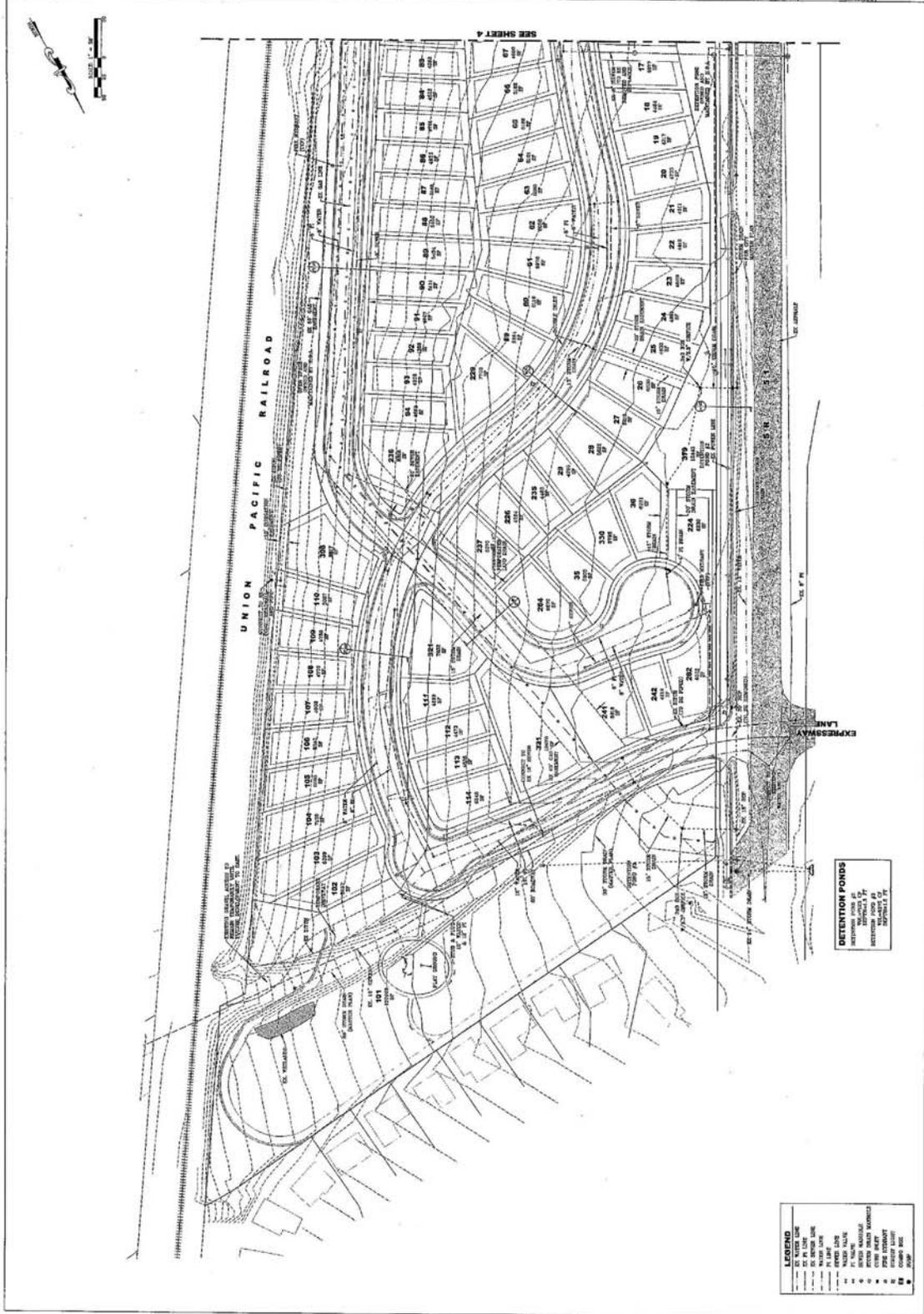
LEGEND

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LEGEND

NOTES:
1. THIS PLAN IS A PRELIMINARY PLAN AND IS NOT TO BE USED FOR CONSTRUCTION.
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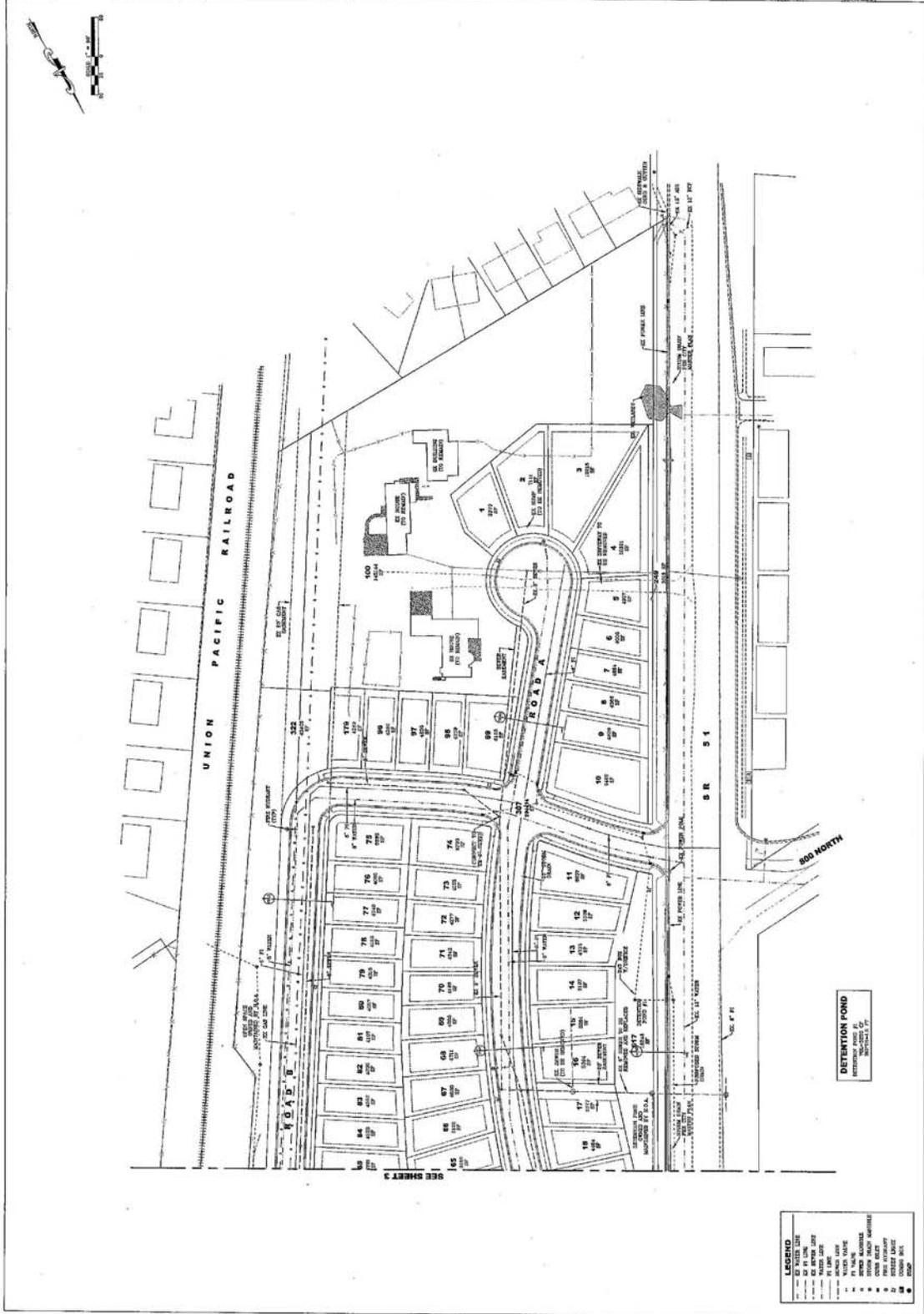


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- PROPOSED UTILITY
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- PROPOSED EASEMENT
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- EXISTING SIDEWALK
- PROPOSED SIDEWALK
- EXISTING WALKWAY
- PROPOSED WALKWAY
- EXISTING BIKEWAY
- PROPOSED BIKEWAY
- EXISTING FENCE
- PROPOSED FENCE
- EXISTING LIGHT
- PROPOSED LIGHT
- EXISTING SIGN
- PROPOSED SIGN

DETENTION PONDS

- EXISTING DETENTION POND
- PROPOSED DETENTION POND
- EXISTING DETENTION POND WITH IMPROVEMENTS
- PROPOSED DETENTION POND WITH IMPROVEMENTS





PRELIMINARY PLAT

REPORT TO THE PLANNING COMMISSION KIRBY LANE BUSINESS COMPLEX PRELIMINARY PLAT

Agenda Date: February 2, 2011.

Staff Contacts: Dave Anderson, Community Development Director.

Reviewed By: To be reviewed by the Development Review Committee on the morning of February 2, 2011.

Request: Duane Koyle is requesting Preliminary Plat approval to subdivide an existing building into three separate units that could then be individually conveyed.

Zoning: Commercial 2.

General Plan: General Commercial.

Project Size: Approximately 32,000 square feet.

Number of lots: 3.

Location: Approximately 600 East Kirby Lane.

Background Discussion

At present, Mr. Duane Koyle owns a building that is situated between the Wingers building and Kirby Lane. The building has three separate units that house three separate businesses. At present, the building and all of the improvements on the 32,000 square-foot property constitute one lot. As such, that lot can only be bought and sold in mass, it cannot be parceled out in any fashion.

Mr. Koyle has proposed to file a condominium plat that would allow each of the three units to be conveyed individually. The parking area would be owned by an owners association and would be maintained jointly by owners of the three individual units. The initial step in this process is to have a Preliminary Plat approved. The applicant would then need to have a Final Plat approved before being able to have a plat recorded.

The City's standards with respect to applications of this nature are limited to provisions in the City's Construction and Development Standards and the Condominium Act as found in the Utah State Code. Given the technical nature of this review, and the fact that this approval will not result in any change of use, or visible changes to the building or property itself, staff felt comfortable adding this item to your agenda before the DRC has made a recommendation.

The issues that will be discussed in the DRC meeting will likely be limited to utilities on the property. For example, staff will discuss the potential need for Mr. Koyle to install separate water and power meters to each unit. Staff may also discuss the details of any modifications that may need to be made to firewalls or other aspects of the building to conform to current Building Code requirements.



Development Review Committee

The Development Review Committee will review this request on February 2, 2011. It is anticipated that draft minutes from that meeting will be available in the Commission's meeting.

Budgetary Impact

There is no anticipated budget impact with this proposed subdivision.

Recommendation

Staff recommends that the proposed Preliminary Plat be approved.



