



Planning Commission Agenda May 4, 2011

- Planning Commissioners** 6:00 P.M.
1. Preliminary Activities
 - a. Pledge of Allegiance
 - b. Approval of Minutes: March 16, 2011
 2. Preliminary Plats
 - a. **West Gate Manor**
Applicant: Jed Mitchell
General Plan: Low Density Residential
Zoning: R-1-8
Location: 310 North 450 West
 - b. **R and C Supply**
Applicant: Chet Olsen
General Plan: Industrial
Zoning: Industrial 1
Location: 700 West 1000 North
 3. Annexations
 - a. **Lindbergh**
Applicant: Spanish Fork City
General Plan: Public Facilities, Agricultural, Industrial
Zoning: Agricultural, Industrial
Location: 3300 North 800 West
 4. Ordinance Amendments (Public Hearing)
 - a. **Public Safety Impact Fee Authorization**
Applicant: Spanish Fork City
General Plan: City wide
Zoning: City wide
Location: City wide
 5. General Plan Update review

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
March 16, 2011

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

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

Citizens Present: Citizens were present. No one signed in.

Mr. Anderson called the meeting to order at 5:38 p.m.

Discussion was held regarding outdoor display/outdoor seating within the public right-of-way and the amendments to the Land Use Element of the General Plan.

Chairman Christianson welcomed everyone to the meeting at 6:05 p.m.

PRELIMINARY ACTIVITIES

Pledge

Scout Dallin Smith led the Pledge of Allegiance.

MINUTES

February 2, 2011

Commissioner Evans **moved** to **approve** the minutes of February 2, 2011.
Commissioner Marshall **seconded** and the motion **passed** all in favor.

PUBLIC HEARING – ORDINANCE AMENDMENTS

Haven Home for Girls

Applicant: Myrna Dalton

General Plan: City Wide

Zoning: City Wide

Location: City Wide

46 Chairman Christianson said that the applicant requested their proposal be
47 continued.

48

49 **Outdoor Display, Outdoor Seating**

50 Applicant: Spanish Fork City

51 General Plan: City Wide

52 Zoning: City Wide

53 Location: City Wide

54

55 Mr. Anderson explained the first amendment, Outdoor Display, which involves
56 allowing businesses to display merchandise outside. With this change, businesses
57 between 100 North to 400 North would be allowed to display merchandise outside
58 between the hours of 7 a.m. to 9 p.m. At present, the current zone does not allow
59 for the outdoor display of merchandise. He then explained the second amendment,
60 Outdoor Seating, which involves creating the opportunity for outdoor seating to be
61 placed in public rights-of-way throughout the City. Currently, the City does not
62 allow anything to be placed or stored within any public-right-of-way. The real
63 intent of the change is to permit the City, or a business, to have a table and some
64 chairs out in front of their business. Mr. Anderson expressed his concern
65 regarding who would own the tables and chairs, who would maintain them and
66 what specific types of furniture would be permitted but explained that City staff
67 would create an ordinance with regard to his concerns.

68

69 Mr. Anderson explained that the Chamber of Commerce had submitted a letter
70 requesting an ordinance change that would allow businesses to hold sidewalk
71 sales. Businesses in the downtown district were requesting to hold a sidewalk sale
72 once-a-month during the Spring, Summer and Fall months. Mr. Anderson
73 explained to the Commission that if they were in support of the change that they
74 would need to recommend to the City Council that they amend the City
75 Ordinance.

76

77 Commissioner Evans asked if a permit would need to be obtained every time that a
78 sidewalk sale was held because he felt it was not necessary.

79

80 Mr. Anderson explained that the sidewalk sale would be designated to one
81 weekend a month and businesses could choose to participate or not participate.
82 He clarified that the direction was not for the businesses to be holding sidewalk
83 sales on separate weekends but all on the same weekend.

84

85 The Chamber of Commerce President, Mike Mendenhall, explained that the
86 impetus for the change was so that businesses could correlate sidewalk sales with
87 other community events.

88

89 Discussion was held regarding the events that draw people into our town and
90 capitalizing on the events with regard to business.

91

92 Discussion was held regarding separation between the travel lanes on Main Street
93 and where outdoor seating is placed.

94

95 Discussion was held regarding the impact whether negative or positive relative to
96 having a permanent weekend every month for the downtown businesses to have a
97 sidewalk sale and whether or not to limit the sales to the Spring, Summer and Fall
98 months or to just allow it year round.

99

100 Discussion was held regarding the liability in having outdoor display or seating
101 within the public right of way and whether or not the City would need to obtain
102 permits from the Utah Department of Transportation since Main Street is not a
103 City street.

104

105 Chairman Christensen invited public comment. There was none.

106

107 Commissioner Evans asked the Chamber of Commerce President what his
108 preference would be regarding sidewalk sales.

109

110 Mr. Mendenhall said he was open to whatever the Commission would grant but
111 that he did not want to see the sales get watered down by allowing them to be all
112 of the time. He said that the businesses requested to be allowed to hold sidewalk
113 sales once a month.

114

115 Commissioner Cope expressed that he was fine with the amendments and **moved**
116 to recommend that the City Council **approve** a three part text amendment. First,
117 permit the outdoor display of merchandise in the Commercial Downtown Zone.
118 Second, permit outdoor seating within public-rights-of-way and third, permit
119 sidewalk sales to be held every weekend beginning Friday and ending Sunday.
120 Commissioner Evans **seconded** and the motion **passed** all in favor by a roll call
121 vote. Discussion was held regarding displaying merchandise on privately owned
122 property. The sidewalk sale would be for displaying merchandise within the public
123 right-of-way, for commerce.

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126 **PUBLIC HEARING – GENERAL PLAN REVISION**

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128 **2011 General Plan Update**

129 Applicant: Spanish Fork City'

130 General Plan: City Wide

131 Zoning: City Wide

132 Location: City Wide

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134 Mr. Anderson explained that a General Plan was a State mandated document that
135 represents the long range vision for the development of a City. He said that they

136 were not talking about zoning or changing the zoning ordinance but were talking
137 about a document that was more of a broad concept plan. He further explained
138 that the proposed document was quite a bit different than previous General Plan.
139 The proposed General Plan Map does not follow property lines expressly and has a
140 limited palette of designations. He said that City staff was ready to recommend
141 that the document be approved.

142
143 Discussion was held regarding the section of the City behind the Wendy's Fast
144 Food Restaurant (about 2.5 acres), James Biesenger's property and changing it
145 from mixed use to straight commercial, Woodland Hills Drive and Main street
146 being commercial on both sides of Main Street, whether or not more than one
147 agricultural designation was needed, adding more commercial designations on
148 South Main Street around Volunteer Drive, mid block designations instead of
149 transitions, more Mixed Use and Commercial along Center Street and I-15 and the
150 Floodway designation.

151
152 Chairman Christensen invited public comment. There was none.

153
154 Commissioner Marshall **moved** to **approve** the Land Use Element of the General
155 Plan with the discussed changes. Commissioner Stroud **seconded** and the motion
156 **passed** all in favor by a roll call vote.

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159 **DISCUSSION**

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161 There was none.

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164 **ADJOURNMENT**

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166 The meeting **adjourned** at 7:35 p.m.

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169 **Adopted:**

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Shelley Hendrickson, Planning Secretary



PRELIMINARY PLAT

REPORT TO THE PLANNING COMMISSION WEST GATE MANOR PRELIMINARY PLAT

Agenda Date: May 4, 2011.

Staff Contacts: Dave Anderson, Community Development Director.

Reviewed By: Development Review Committee.

Request: Jed Mitchell is requesting Preliminary Plat approval (reapproval) for a subdivision that was originally approved in August of 2004.

Zoning: R-1-8.

General Plan: Low Density Residential.

Project Size: 13.94 acres.

Number of lots: 45.

Location: 310 North 450 West.

Background Discussion

A Preliminary Plat for this development was approved in August of 2004. As the last Final Plat in the development was recorded in September of 2006, more than 1 year ago, the Preliminary Plat must be reapproved before additional phases can be constructed.

No changes have been made to the street layout and no significant changes have been made to the lot layout from the previously approved Plat.

The proposed development is a standard subdivision and all lots in the development conform to the City's requirements for developments in the R-1-8 zone.

Development Review Committee

The Development Review Committee reviewed this plat on April 20 and recommended that it be approved. Minutes from that meeting read as follows:

West Gate Manor

Applicant: Jed Mitchell
General Plan: Low Density Residential
Zoning: R-1-8
Location: 450 West 400 North

Mr. Anderson explained that the proposal was originally approved in 2006. He further explained that the proposal was exactly the same and that the applicant was simply asking for it to be re-approved.

Mr. Johnson explained the following Engineering redlines:

1. Lots 11, 12 & 13 were redesigned into two lots. Adjust Preliminary Plat to show the changes.



2. Relocate fire hydrant from the Southeast corner of Lot 45 to the Southwest corner of Lot 45.
3. Soils Report.
4. Storm Drainage Report as per Spanish Fork City Storm Water Drainage Design Manual.
5. Manhole collars shall be improved with future phases, Plat's B & C.

Mr. Peterson explained that the power had already been designed and would need to be followed; per the design.

Mr. Baker **moved** to **approve** the West Gate Manor Preliminary Plat for Jed Mitchell located at 450 West 400 North subject to the following conditions:

Conditions

1. That the applicant meets the Engineering Department redlines.
2. That the applicant meets the City Development Standards.

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

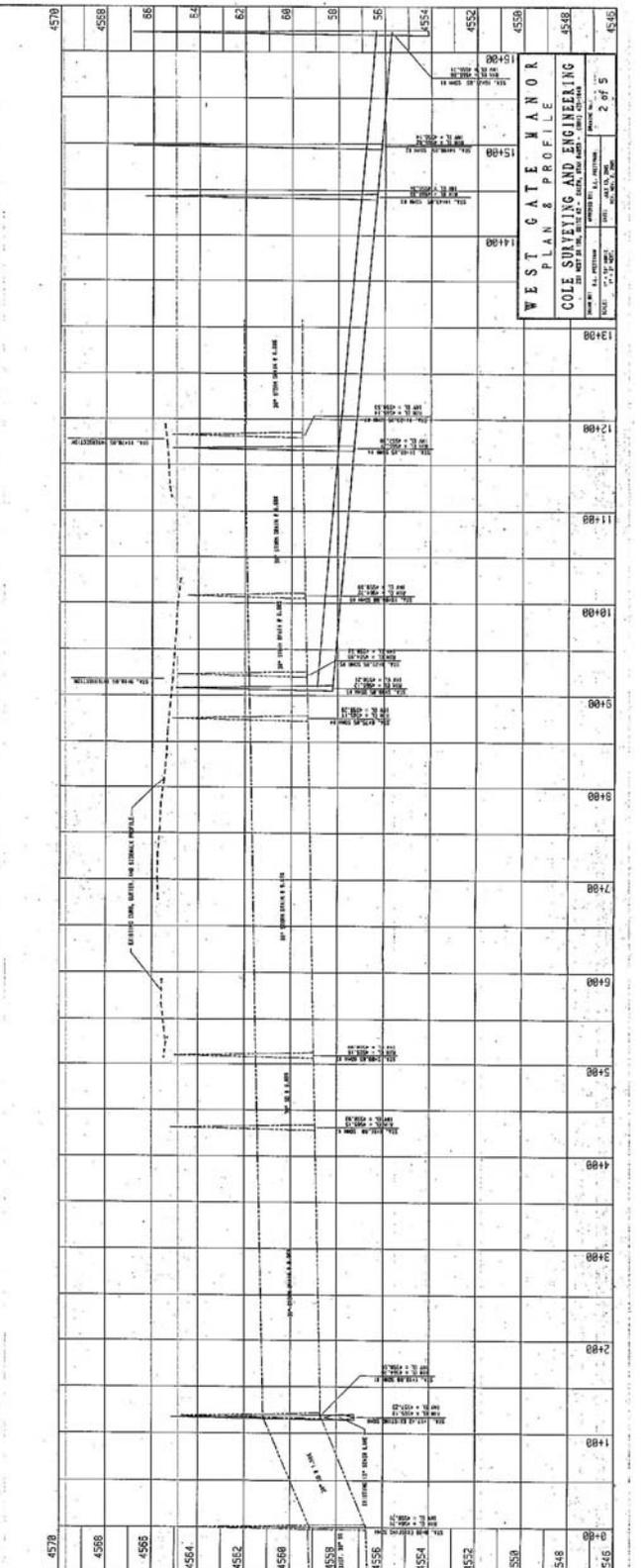
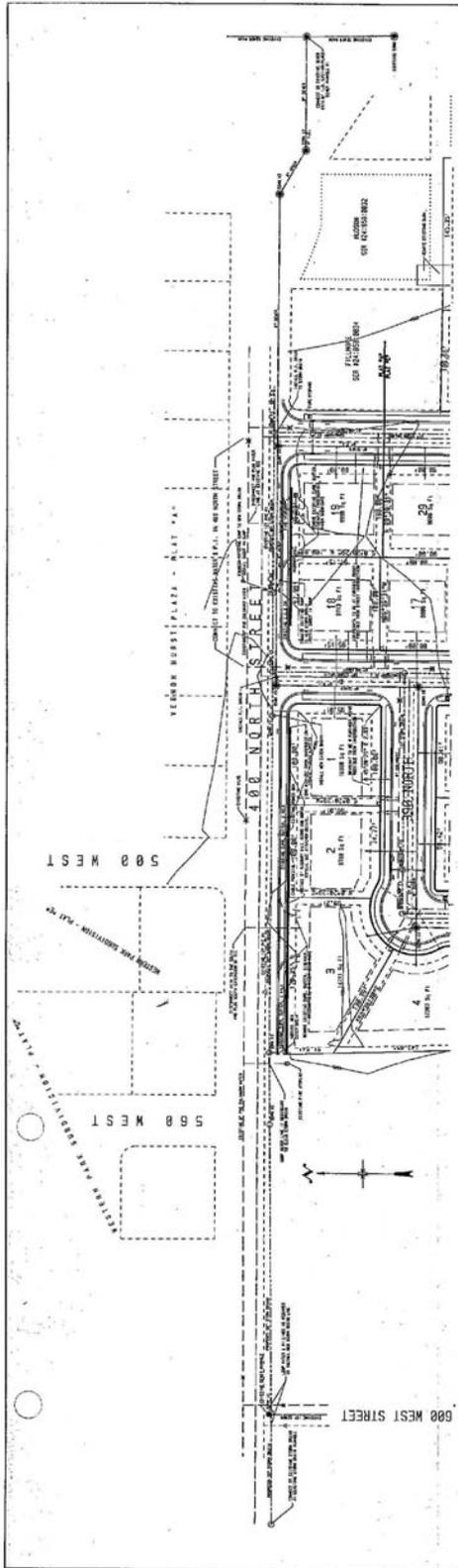
Budgetary Impact

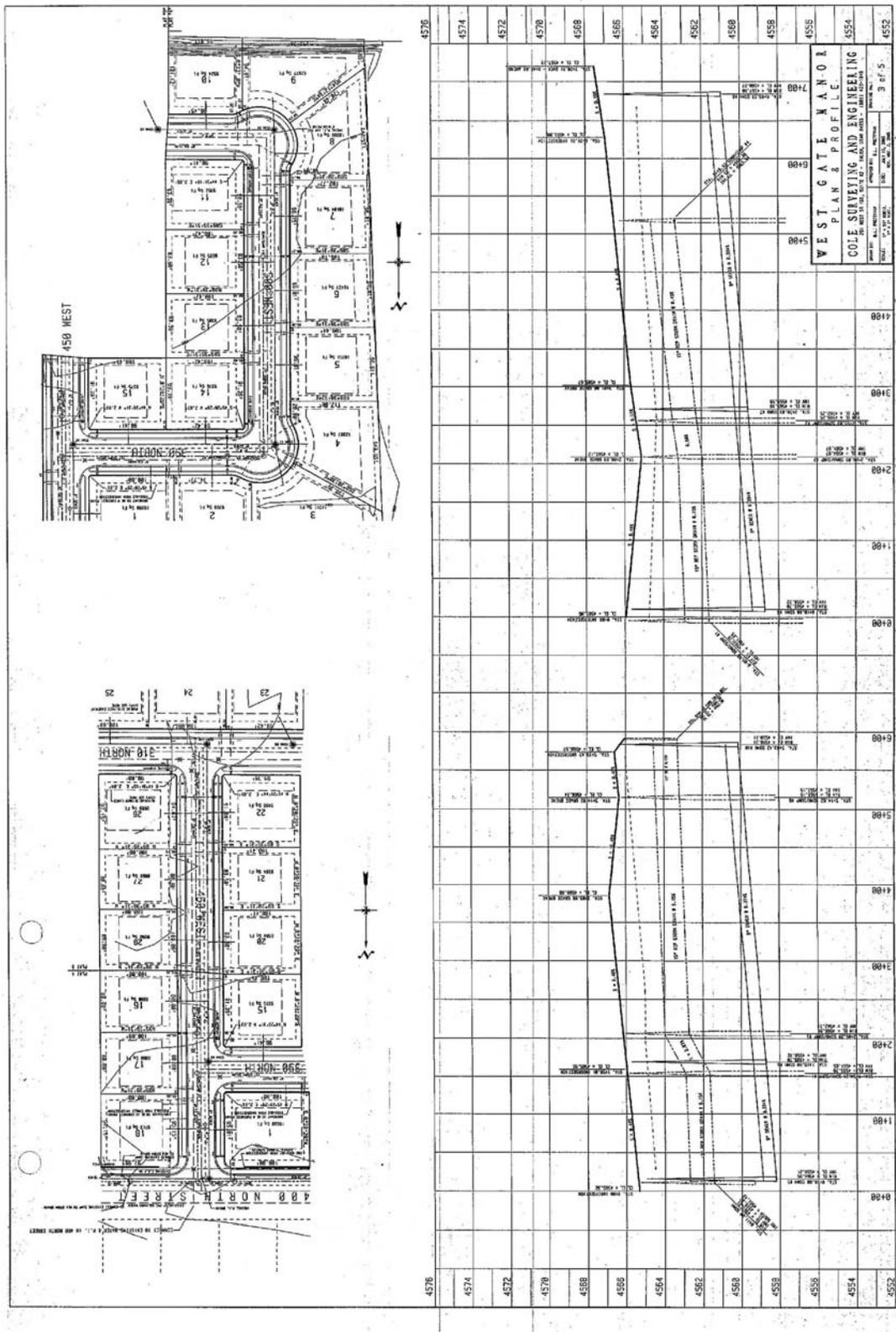
There is no anticipated budget impact with this proposed subdivision.

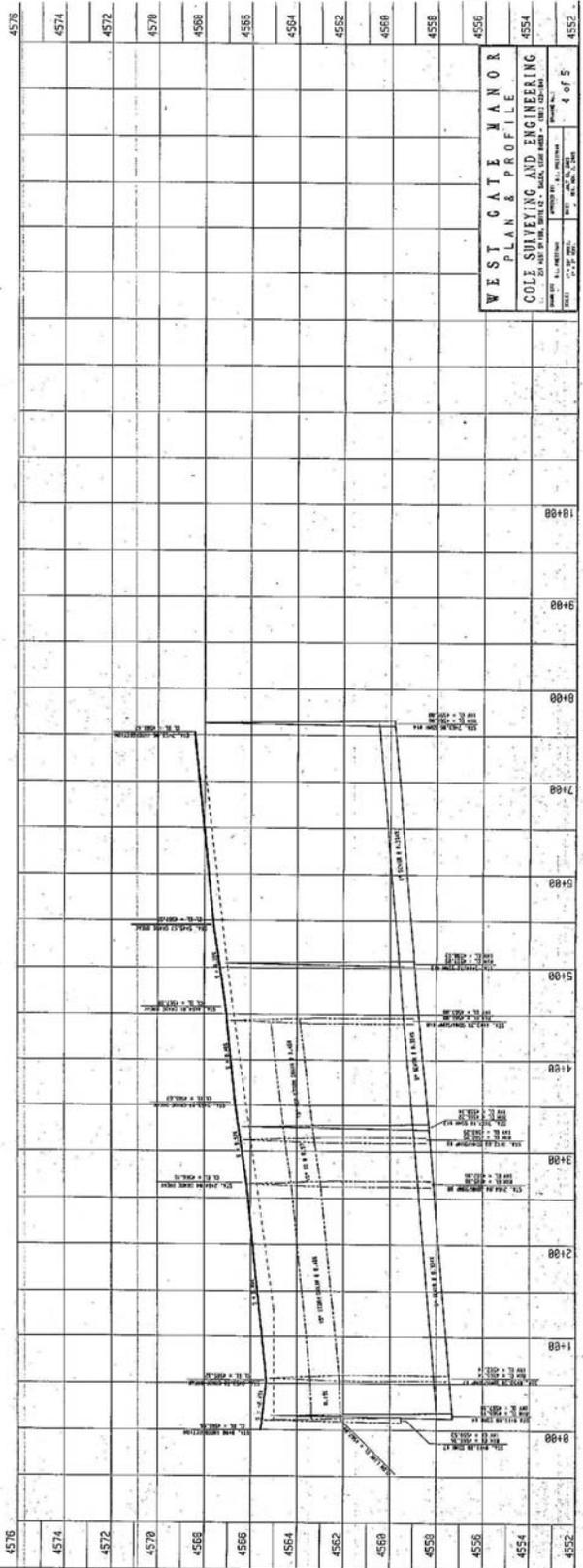
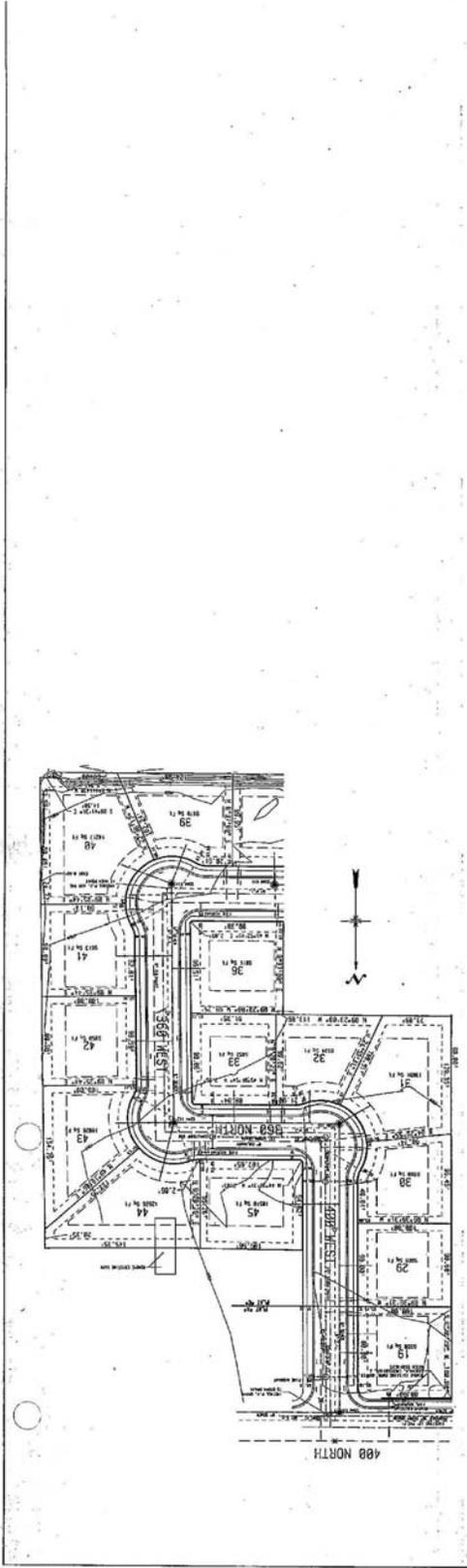
Recommendation

Staff recommends that the proposed Preliminary Plat be approved.

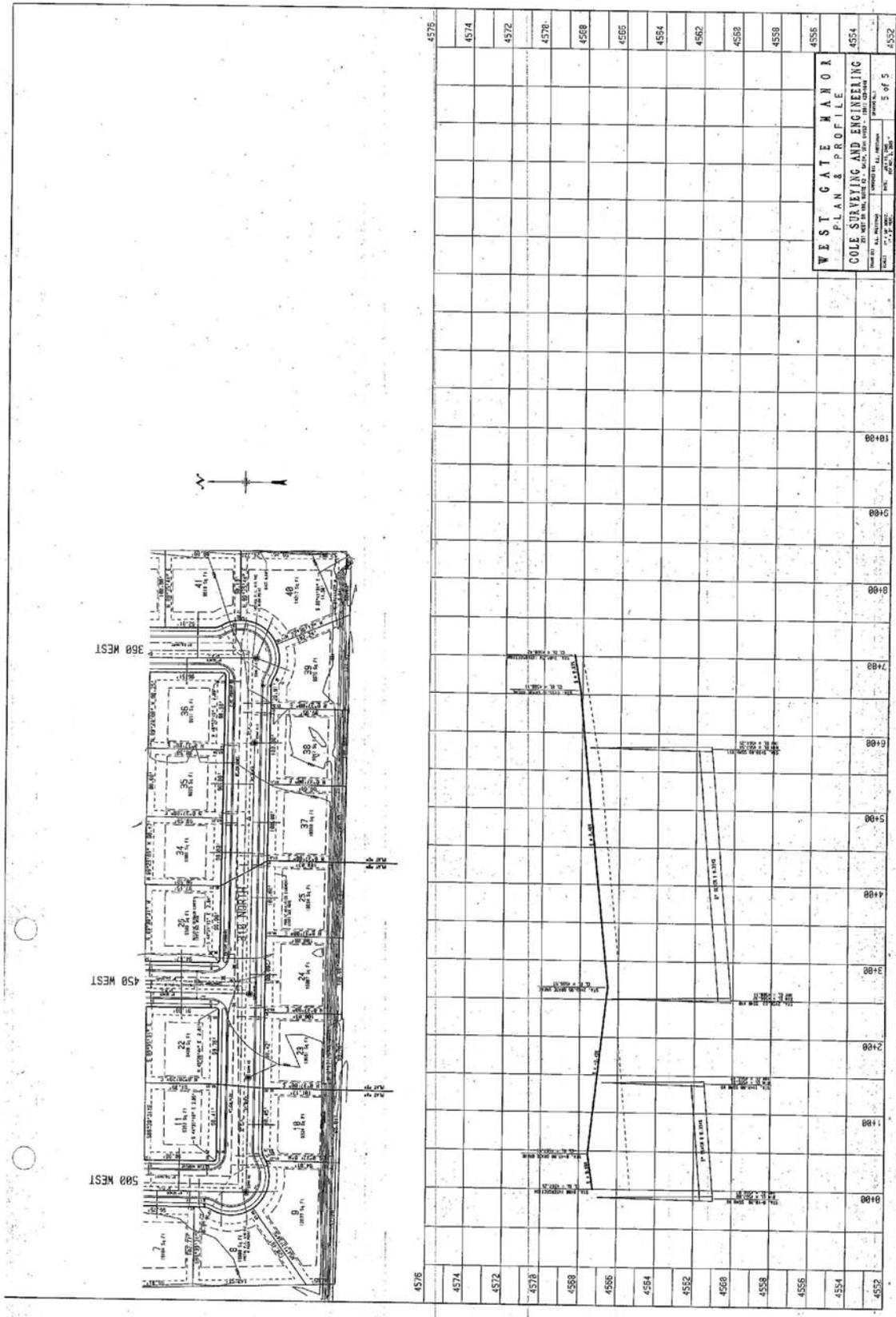


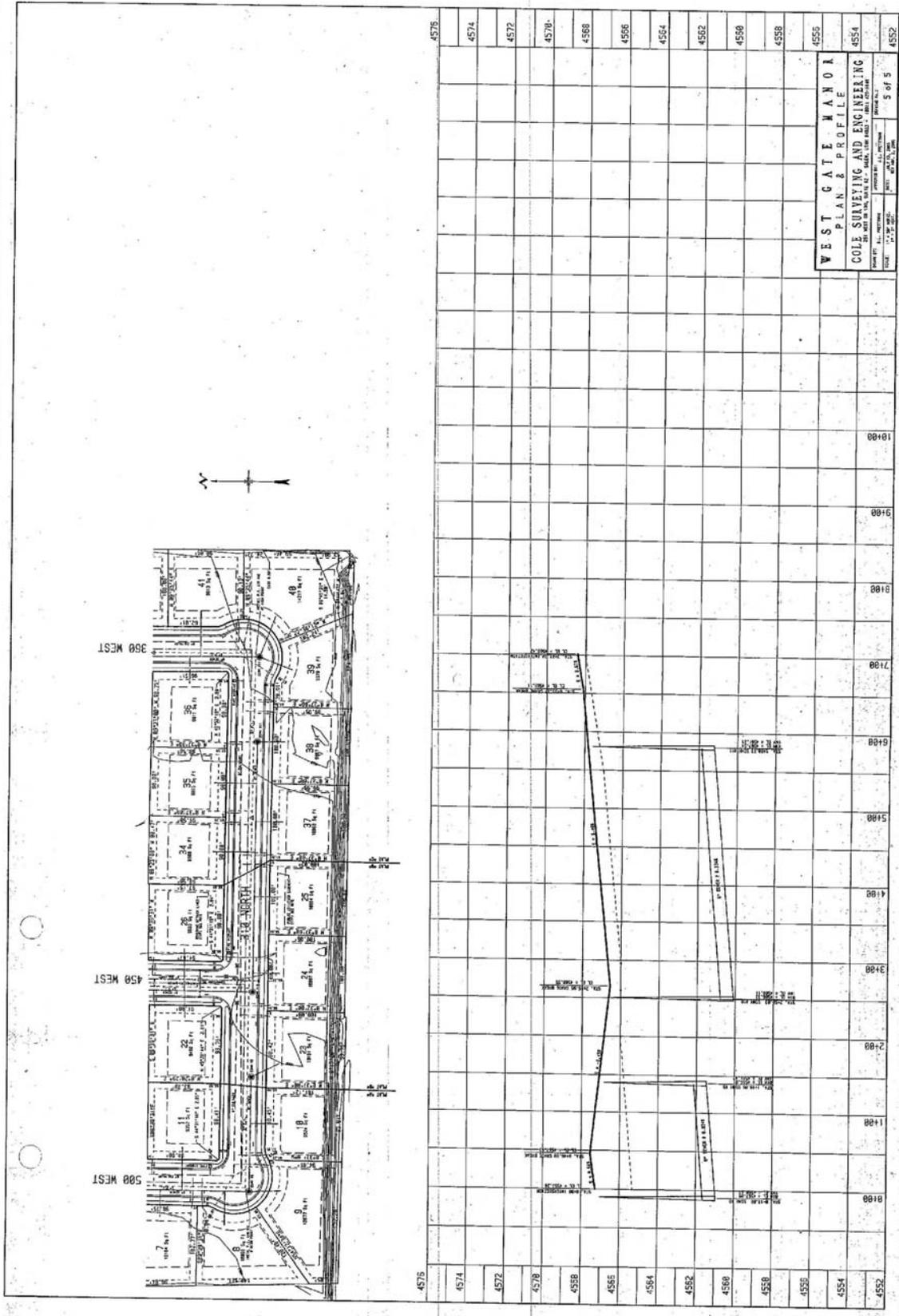






WEST GATE MANOR
PLAN & PROFILE
COLE SURVEYING AND ENGINEERING
 222 AND 224 W. 10th St., Des Moines, Iowa 50319
 PHONE: 281-1111 FAX: 281-1112
 SHEET NO. 4 OF 5







PRELIMINARY PLAT

REPORT TO THE PLANNING COMMISSION R AND C SUPPLY PRELIMINARY PLAT

Agenda Date: May 4, 2011.

Staff Contacts: Dave Anderson, Community Development Director.

Reviewed By: Development Review Committee.

Request: Chet Olsen is requesting Preliminary Plat approval for a two lot subdivision. The proposed subdivision would facilitate the development of a site for a fertilizer production company.

Zoning: Industrial 1.

General Plan: Industrial.

Project Size: 5.45 acres.

Number of lots: 2.

Location: 700 West 1000 North.

Background Discussion

Chet Olsen proposes to subdivide a five-acre site into two lots. Mr. Olsen's objective is to eventually develop one of the two lots to accommodate a fertilizer manufacturing facility.

The proposed subdivision is a relatively simple matter. It becomes somewhat more complicated because an Annexation Agreement for this property requires that certain improvements be made when the property develops. In short, the applicant does not want to construct improvements in accordance with the agreement and City staff believes there is good reason to delay the construction of certain improvements. Therefore, the Development Review Committee has recommended that the Annexation Agreement be amended to allow for the development of improvements that will accommodate the development of the site for the fertilizer company without installing all of the master planned infrastructure at this time. In any event, it is anticipated that the master planned infrastructure will eventually be installed and that this property owner will be responsible to construct his share of the required, master planned, improvements.

Mr. Burdick will be on hand in your meeting to provide a more specific description of the Agreement and the improvements that staff believes should be constructed with this subdivision.

Development Review Committee

The Development Review Committee reviewed this plat on April 27 and recommended that it be approved. Minutes from that meeting read as follows:

R & C Supply

Applicant: Chet Olsen



General Plan: Industrial
Zoning: Industrial 1
Location: 700 West 1000 North

Mr. Peterson explained the Electric Department redlines and that he needed a load sheet. He also said that if the applicant was going to be required to install the improvements along 1000 North, then he would like conduit installed.

Mr. Johnson explained that instead of putting in the improvements he would prefer to have the applicant pay in lieu and have the City put them in at a later time. He further explained the Engineering Department's recommendation as to why they feel the applicant should pay in lieu; as not to have them out in the middle of an otherwise undeveloped area.

Mr. Anderson read the Kelly Annexation Agreement relative to improvements.

Mr. Oyler asked Mr. Baker if the DRC had the ability to change the Annexation Agreement. Mr. Baker said it was the City Council not the DRC.

Discussion was held regarding the on-site septic and the location of the City sewer.

Mr. Johnson explained that if the applicant were to pay in lieu of installing the improvements, they would be required to pay for all required improvements.

Discussion was held regarding pressurized irrigation.

Mr. Oyler said that he agreed with the applicant paying the money now instead of installing the utilities.

Discussion was held regarding connector's agreements and fire protection.

Mr. Baker asked Mr. Burdick to check into the sewer requirement for subdivisions.

Mr. Jarvis explained that all portions of structures would need to be within 150 feet from where a fire truck could drive to. He also said that he would need MSDS on all of the product the applicant would have on-site.

Mr. Johnson explained that the applicant had proposed to upgrade the driveway.

Discussion was held regarding the private driveway, storm water, irrigation ditches and bonding for landscape.

Mr. Anderson **moved** to recommend that the City Council **approve** the R & C Supply Preliminary Plat located at 700 West 1000 North subject to the following conditions:

Conditions

1. That Spanish Fork City's Engineering Department review the Construction and Development Standards to make sure that the proposal to operate with a septic tank meets the City standard for subdivisions.
2. That the applicant either pay the City for future improvements in the 1000 North right-of-way or install improvements in accordance with the City's master plans.
3. That the City Council amend the Kelly Annexation agreement to allow for the delay of infrastructure improvements.
4. That the applicant meet any other conditions provided by the Engineering Department.

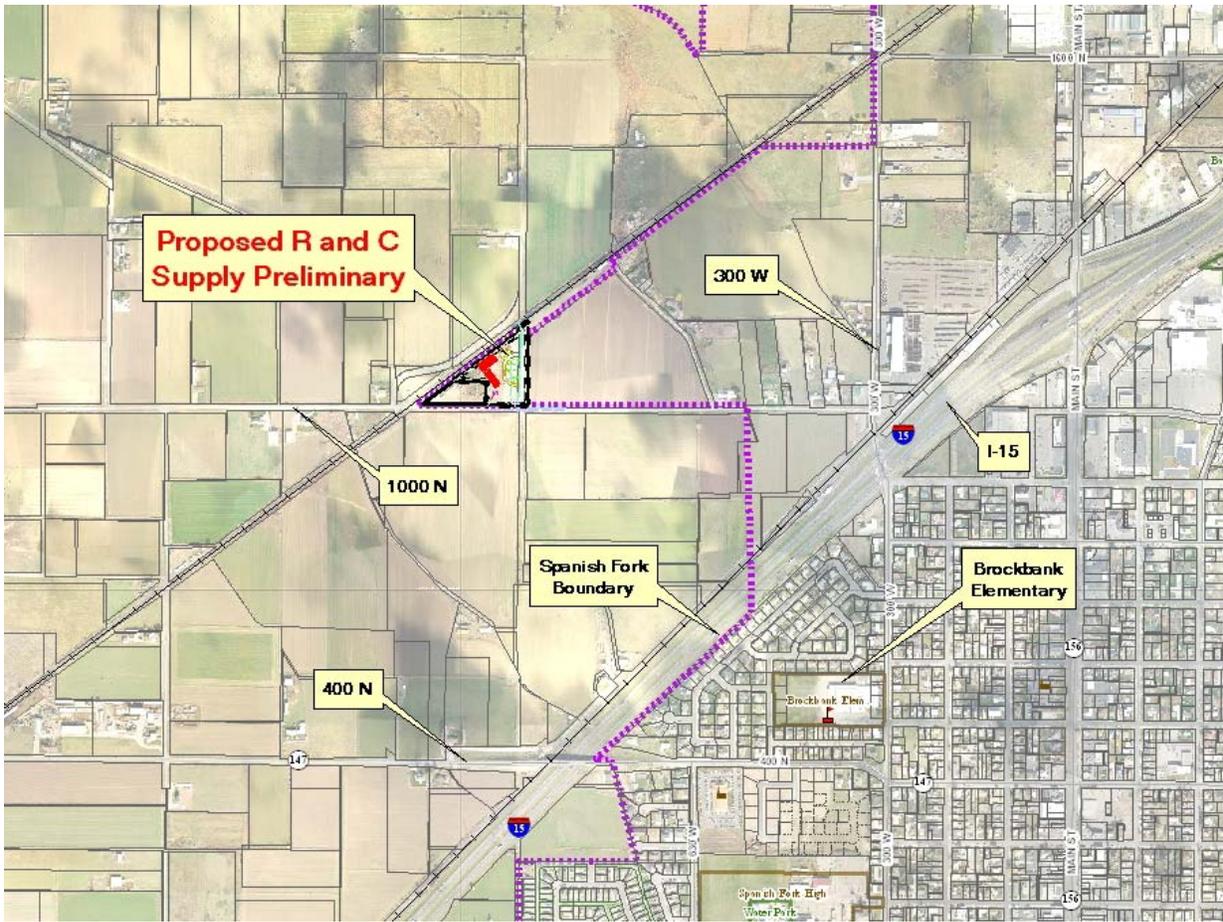
Mr. Burdick **seconded** and the motion **passed** all in favor.

Budgetary Impact

There is no anticipated budget impact with this proposed subdivision.

Recommendation

Staff recommends that the proposed Preliminary Plat be approved.





ANNEXATION

REPORT TO THE PLANNING COMMISSION LINDBERGH ANNEXATION

- Agenda Date:** May 4, 2011.
- Staff Contacts:** Dave Anderson, Community Development Director.
- Reviewed By:** Development Review Committee.
- Request:** Spanish Fork City proposes to annex some acres 140.
- General Plan:** Industrial, Public Facilities and Agricultural.
- Project Size:** 142.47 acres.
- Number of lots:** Not applicable.
- Location:** 3300 North 800 West.

Background Discussion

This proposed annexation involves approximately 140 acres located on both sides of 800 West along the northwest boundary of the Spanish Fork/Springville Airport.

The proposed lands are within the City's Growth Boundary and Annexation Declaration. Spanish Fork's primary interest in annexing these lands is providing for future expansion of the Airport. It is proposed that the lands on the east side of 800 West be zoned Industrial and that the lands on the west side of 800 West be zoned Exclusive Agricultural.

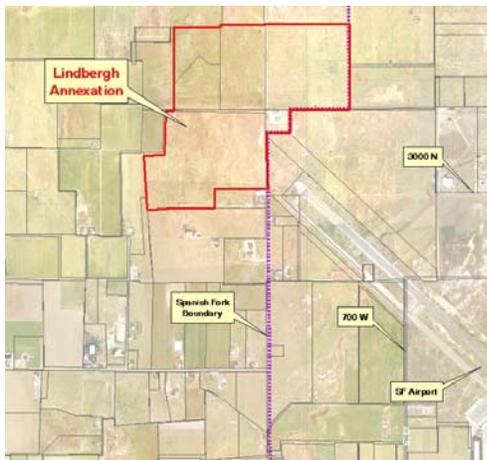
Staff will make a brief presentation in your meeting relative to these properties, the Airport Master Plan and eminent improvement projects at the Airport. Staff also anticipates presenting the Lindbergh Annexation Feasibility Report in your meeting.

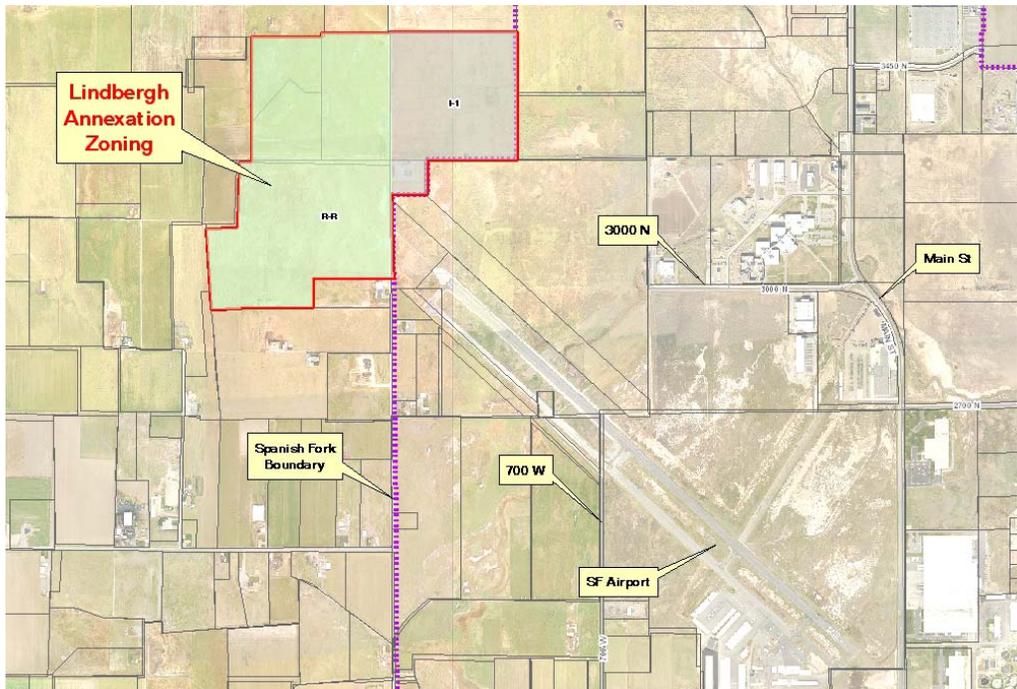
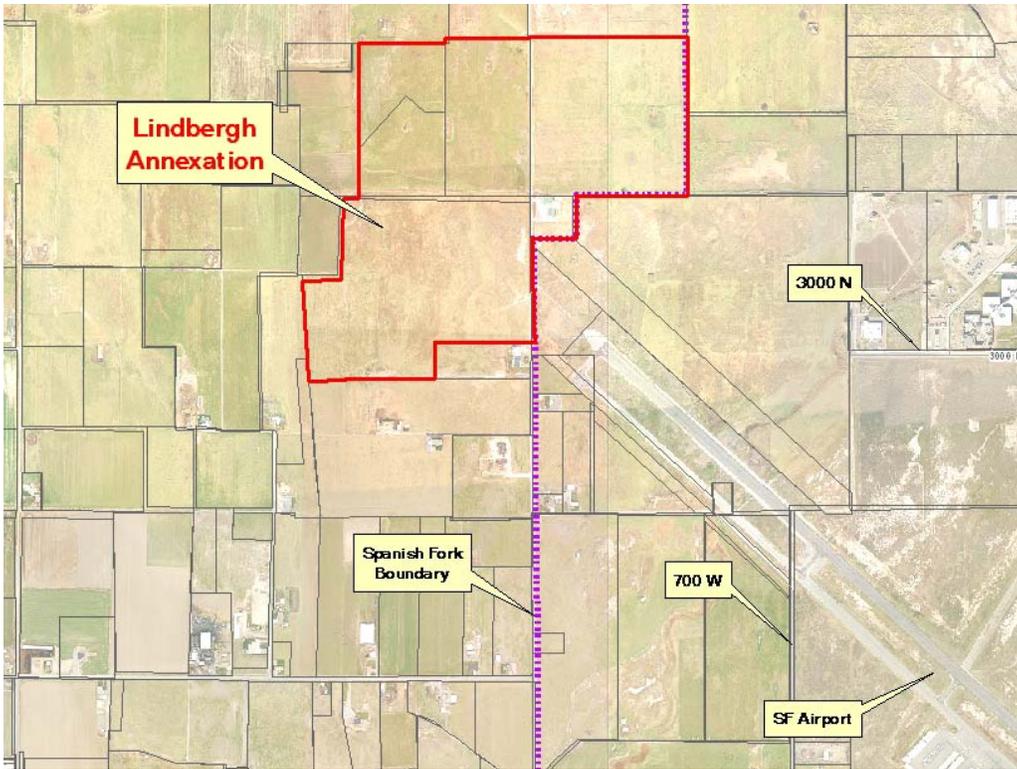
Development Review Committee

The Development Review Committee reviewed this proposal on April 21, 2011 and recommended that it be approved.

Recommendation

Staff recommends that the proposed Lindbergh Annexation be approved.







TO: Spanish Fork City Planning Commission
FROM: Dave Anderson, Community Development Director
DATE: May 4, 2011
RE: Public Safety Text Amendment

Accompanying this memorandum is a proposed ordinance the would enable the City to adopt a Public Safety Impact Fee.

Staff recommends that the proposed ordinance be approved.



ORDINANCE NO. _____

ROLL CALL

VOTING	YES	NO
G. WAYNE ANDERSEN <i>Mayor (votes only in case of tie)</i>		
ROD DART <i>Council member</i>		
RICHARD M. DAVIS <i>Council member</i>		
STEVE LEIFSON <i>Council member</i>		
JENS P. NIELSON <i>Council member</i>		
KEIR A. SCUBES <i>Council member</i>		

I MOVE this ordinance be adopted: Councilman _____

I SECOND the foregoing motion Councilman _____

ORDINANCE No. _____

**AN ORDINANCE AUTHORIZING THE COLLECTION
OF IMPACT FEES FOR PUBLIC SAFETY**

WHEREAS, Spanish Fork City has adopted an ordinance which authorizes it to collect impact fees in accordance with State law; and

WHEREAS, the ordinance does not authorize the City to collect impact fees for public safety; and

WHEREAS, State law now allows impact fees to be collected for public safety; and

WHEREAS, the growth of the City has caused the City to build a new police building with capacity for that growth; and

WHEREAS, the growth of the City is creating a need for satellite fire stations on both the east and west sides of the City in order to maintain attractive ISO ratings, which are necessary to keep homeowners insurance premiums as low as possible for the residents of the City; and

WHEREAS, a public hearing was held before the Planning Commission on Wednesday the 4th day of May, 2011, where public comment was received; and

WHEREAS, a public hearing was held before the Spanish Fork City Council on Tuesday the 18th day of May 2011, where additional public comment was received;

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

I.

Spanish Fork City Municipal Code Section 15.4.12.020 "Purpose of Impact Fees, Limitations" is hereby amended as follows:

15.4.12.020. Purpose of Impact Fees, Limitations.

The purpose of impact fees is to provide necessary funding for capital improvements to public facilities incurred due to new development. Impact fees may be assessed for water, sewer, pressurized irrigation, electric power, storm drainage, streets and roads, recreation, and public safety.

II.

This ordinance shall be effective twenty days after passage and publication.

PASSED AND ORDERED PUBLISHED BY THE CITY COUNCIL OF SPANISH FORK, UTAH, this 18th day of May, 2011.

G. WAYNE ANDERSEN, Mayor

Attest:

Kent C. Clark, City Recorder