



## Amended Planning Commission Agenda June 8, 2011

### Planning Commissioners

Michael Christianson  
Chairman

David Stroud

Rick Evans

Tyler Cope

Brad Gonzales

Seth Sorenson

- 6:00 P.M.
1. Preliminary Activities
    - a. Approval of Minutes: May 4, 2011
    - b. Pledge of Allegiance
  2. Preliminary Plats
    - a. **Old Mill Estates**  
Applicant: Wayne Niederhauser  
General Plan: Low Density Residential  
Zoning: R-1-15  
Location: 775 West Mill Road
    - b. **Spanish Trails**  
Applicant: SF West Land, LLC  
General Plan: Medium Density Residential  
Zoning: R-1-8  
Location: 430 South Spanish Trails Boulevard
    - c. **Legacy House at Spanish Fork**  
Applicant: Steve Broadbent  
General Plan: Mixed Use  
Zoning: R-1-8  
Location: 1450 East 100 South
  3. Conditional Use (Public Hearing)
    - a. **Legacy House at Spanish Fork**  
Applicant: Steve Broadbent  
General Plan: Mixed Use  
Zoning: R-1-8  
Location: 1450 East 100 South
    - b. **Digis**  
Applicant: Digis, LLC  
General Plan: Public Facilities  
Zoning: Public Facilities  
Location: 500 South 300 West
  4. Ordinance Amendments (Public Hearing)
    - a. **Title 15 Landscape Requirement Modification**  
Applicant: Spanish Fork City  
General Plan: City wide  
Zoning: City wide  
Location: City wide

5. Other Business

**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**  
**May 4, 2011**

**Commission Members Present:** Rick Evans, Tyler Cope, Seth Sorensen, Michael Christianson.

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

**Citizens Present:** Chet Olsen

Chairman Christianson welcomed everyone to the meeting at 6:03 p.m.

Chairman Christianson introduced Seth Sorenson as the new Commissioner. Seth Sorenson is taking the place of Shane Marshall.

**MINUTES**

**March 16, 2011**

Commissioner Evans **moved** to **approve** the minutes of March 4, 2011. Commissioner Sorenson **seconded** and the motion **passed** all in favor.

**PRELIMINARY ACTIVITIES**

**Pledge**

Commissioner Sorenson led the pledge.

**PRELIMINARY PLATS**

**West Gate Manor**

Applicant: Jed Mitchell

General Plan: Low Density Residential

Zoning: R-1-8

Location: 310 North 450 West

Mr. Anderson explained the proposed plat had been approved several years ago. He further explained that once a Preliminary Plat is approved, a Final Plat must be recorded within the development, with in one year, or the Preliminary Plat approval

46 expires. That is what has happened with this proposal and the applicant is  
47 requesting to have the Preliminary Plat re-approved. He said that all of the lots did  
48 conform to the R-1-8 zoning provisions and that the City's Engineering  
49 Department requested a few modifications to the construction plans so as to meet  
50 the current City construction standards.

51

52 *\*\*Tyler cope arrived at 6:08 p.m.*

53

54 Discussion was held regarding the homes that had previously been constructed,  
55 location of the utilities, the phasing plan and performance bonds being updated.

56

57 Jed Mitchell

58 Mr. Mitchell asked what the process would be for a current lot owner to purchase  
59 an adjacent lot to make his back yard bigger. Discussion was held regarding the  
60 process.

61

62 Commissioner Sorenson **moved** to recommend that the City Council **approve** the  
63 Preliminary Plat for West Gate Manor located at 310 North 450 West.

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

66

#### 67 **R & C Supply**

68 Applicant: Chet Olsen

69 General Plan: Industrial

70 Zoning: Industrial 1

71 Location: 700 West 1000 North

72

73 Mr. Anderson explained that the property included in this proposal was part of the  
74 Kelly Annexation that was approved three years ago. The property is vacant today  
75 and the proposal meets the City's zoning provisions for lots in the Industrial Zone.  
76 He further explained that when the property was annexed, a well defined  
77 development agreement was drafted that the petitioners entered into. The  
78 agreement involves bringing all the improvements to and through the property  
79 along either 1000 North or along the railroad tracks. When the petitioners agreed  
80 to the improvements they had anticipated that the property to the East would  
81 develop first. That development is now gone and the applicant has purchased the  
82 property from the petitioners who signed the agreement. City staff acknowledges  
83 the agreement that the City Council entered into and that it needs to be  
84 addressed. City staff does see some reason in not requiring that all of the  
85 customary improvements be brought to the property today. Staff recommended  
86 that the subdivision be approved with the applicant paying for the improvements  
87 along his frontage with the understanding that the City will hold those funds and  
88 be responsible to bring those utilities in at a later date.

89

90 Commissioner Christianson asked if 650 West would be improved. Mr. Anderson  
91 said that 650 West had been vacated.

92  
93 Mr. Burdick explained that the only main utility that would be brought to the  
94 property was water for fire protection. The pressurized irrigation is not under I-15  
95 so the report from Engineering explains that they would do payment in lieu of  
96 installation because they did not want dry utilities if it was going to be ten or more  
97 years before utilities are installed. They would also like to design the storm drain,  
98 curb, gutter and sidewalk as one big project. It would be in the best interest of the  
99 City to have the applicant pay in lieu instead of install the utilities.

100

101 Discussion was held regarding the sewer and a septic tank.

102

103 Chairman Christianson asked Mr. Anderson if the City would be setting  
104 precedence by allowing this applicant to pay in lieu instead of installing the utilities.

105

106 Mr. Anderson explained that he felt that a lot of the decisions that City staff made  
107 where precedence setting. He further explained that City staff tries to be as  
108 reasonable as they can to help facilitate development and that if another proposal  
109 were to come before the City, under similar circumstances, that City staff's  
110 recommendation would be the same.

111

112 Commissioner Evans expressed that he felt the reality of growth drags  
113 infrastructure into the game. That it is the way cities develop.

114

115 Discussion was held regarding the cost of utilities.

116

117 Commissioner Sorenson **moved** to recommend that the City Council **approve** the  
118 Preliminary Plat for R & C Supply located at 700 West 1000 North subject to the  
119 following conditions:

120

### 121 **Conditions**

122

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

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

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**ANNEXATIONS**

**Lindbergh**

Applicant: Spanish Fork City  
General Plan: Public Facilities, Agricultural, Industrial  
Zoning: Agricultural, Industrial  
Location: 3300 North 800 West

Mr. Anderson said that the City was the sponsor of this annexation and explained the reasons for the annexation.

Discussion was held regarding the property owners included in the annexation and what their stand was on the annexation.

Commissioner Evans **moved** to recommend that the City Council **approve** the Lindbergh Annexation provided that all land owners are notified and aware of the City Council meeting. Commissioner Sorenson **seconded** and the motion **passed** all in favor.

**ORDINANCE AMENDMENTS (PUBLIC HEARING)**

**Public Safety Impact Fee Authorization**

Applicant: Spanish Fork City  
General Plan: City Wide  
Zoning: City Wide  
Location: City Wide

Mr. Anderson explained that we have a need for two fire stations: one on 2550 East and one in the Leland area on 900 South. He explained that Title 15 defines what the City can charge impact fees for. He said this was not State mandated but since we have the verbiage in our code that the language needs to be modified.

Commissioner Cope asked if anyone knew how much the new fee might be. Mr. Anderson said that he did not know for sure.

Discussion was held regarding impact fees.

Commissioner Evans **moved** to recommend that the City Council **approve** the Public Safety Impact Fee Authorization. Commissioner Cope **seconded** and the motion **passed** all in favor.

**DISCUSSION**

180 General Plan Update review

181

182 No Discussion.

183

184 Mr. Burdick presented a presentation on the Spanish Fork River.

185

186 Commissioner Christianson asked for a nomination for Vice Chairperson.

187 Commissioner Cope nominated Dave Stroud. Commissioner Sorenson seconded.

188

189 **ADJOURNMENT**

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191 The meeting **adjourned** at 8:38 p.m.

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193

194 **Adopted:**

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Shelley Hendrickson, Planning Secretary



# PRELIMINARY PLAT

## REPORT TO THE PLANNING COMMISSION OLD MILL ESTATES PRELIMINARY PLAT

**Agenda Date:** June 8, 2011.

**Staff Contacts:** Dave Anderson, Community Development Director.

**Reviewed By:** Development Review Committee.

**Request:** Wayne Niederhauser is requesting reapproval of a Preliminary Plat for the Old Mill Estates subdivision.

**Zoning:** R-1-15.

**General Plan:** Low Density Residential.

**Project Size:** 29.51 acres.

**Number of lots:** 57.

**Location:** 775 West Mill Road.

As some of the City's plans for infrastructure in the area have changed, the applicant has made some slight adjustments to the design in order to conform to the City's requirements.

### Development Review Committee

The Development Review Committee reviewed this plat on May 18, 2011 and recommended that it be approved. Minutes from that meeting read as follows:

#### Old Mill Estates

Applicant: Wayne Niederhauser  
 General Plan: High Density Residential  
 Zoning: R-1-15  
 Location: 775 West Mill Road

Mr. Anderson explained that as he understood it the plat had not changed since the previous approval over two years ago. It was approved as a Master Planned Development not necessarily for density but to give the applicant flexibility with some lot width and depth. In order to re-approve the Plat the DRC would need to recommend that it be approved as a Master Planned Development with the appropriate changes to Mill Road.

Mr. Johnson said that design of Mill Road had changed to a collector road and would need 85 feet of right-of-way. The following are the Engineering redlines:

1. Submit phasing plan.
2. Change note #2 to read: All ADA Pedestrian Ramps shall meet Spanish Fork City current standards and shall comply with Spanish Fork City Transportation Master Plan.
3. Mill Road is required to be an 85' Collector Road. Mill Road shall comply with the Spanish Fork City Transportation Master Plan. Update detail sheet 5.



### Background Discussion

A Preliminary Plat for this development was approved in 2008. One year has passed since the last plat was recorded. As such the Preliminary Plat for Old Mill Estates lost its approval and needs to be reapproved before development in the project can commence.

4. Note: All driveway access locations for corner lots shall meet Spanish Fork City Standards and comply with the Spanish Fork City Transportation Master Plan.
5. Proposed street surface drainage.
6. All proposed storm drainage shall meet the Spanish Fork City Storm Drain Master Plan. Storm Drain Report as per Storm Drain Manual.
7. Minimum 18" RCP required on all storm drain lines.
8. Note: Offsite sewer shall meet Spanish Fork City Sewer Master Plan. Line sizes for offsite sewer shall be determined with final design.
9. Cluster water valves on water tee in intersections.
10. Note: All fire hydrant locations to be approved by the Spanish Fork City Fire Marshall at final design.
11. Remove utility detail from sheet 5. Utility lateral locations required with final design.
12. Geotechnical Soils Report required.
13. Irrigation Company approval required on any improvements to irrigation ditches or any irrigation facilities.

Discussion was held regarding the size of a collector road and how it would affect the residents along Mill Road.

Mr. Niederhauser expressed that he was fine with the 8-foot increase to the road width. He explained a development that he had been a part of 20 years ago where he improved a road and that he felt the improvements were a waste because now, 20 years later, the road was the same. He said that he would hate to see the improvements to Mill Road be a waste. He further explained that they were proposing to not have a Homeowner's Association that would be responsible for the storm water retention. He said he felt it would be better to have an easement on privately owned lots.

Discussion was held regarding storm drain retention and detention.

Mr. Thompson asked the applicant who would be responsible if the retention basin is not maintained and were to back up and flood the lots. Mr. Niederhauser said that under either scenario you would have risks of that.

Mr. Johnson said that he felt an entire lot would need to be used in order to meet the standards for a 100-year storm.

Discussion was held regarding retention versus detention size and what the applicant's options could be.

Mr. Oyler said where it is our system we need to be careful about who would be responsible for maintaining it.

Discussion was held regarding the City and maintaining storm drain facilities.

It was determined that it is better to have the City maintain the retention area either by an easement or ownership.

Mr. Johnson explained that the sewer would be flowing to Salem City.

Mr. Peterson explained the power design and phasing the development to the North.

Mr. Anderson **moved** to recommend that the City Council **approve** the Old Mill Estates Preliminary Plat as a Master Planned Development located at 2250 East 350 South subject to the following conditions:

#### Conditions

1. That the retention basin land is dedicated to the City and the developer will construct the storm water retention.
2. That the applicant bring three phase power to the project.
3. That the applicant meets all of the City's Engineering Department redlines.

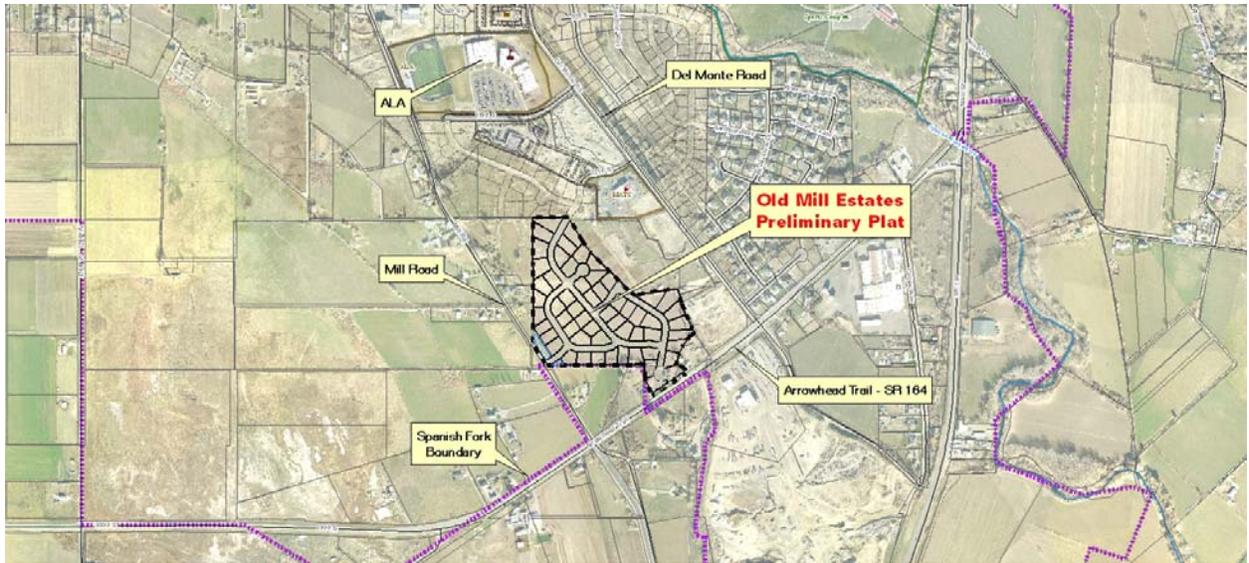
Mr. Baker **seconded** and the motion **passed** all in favor.

#### Budgetary Impact

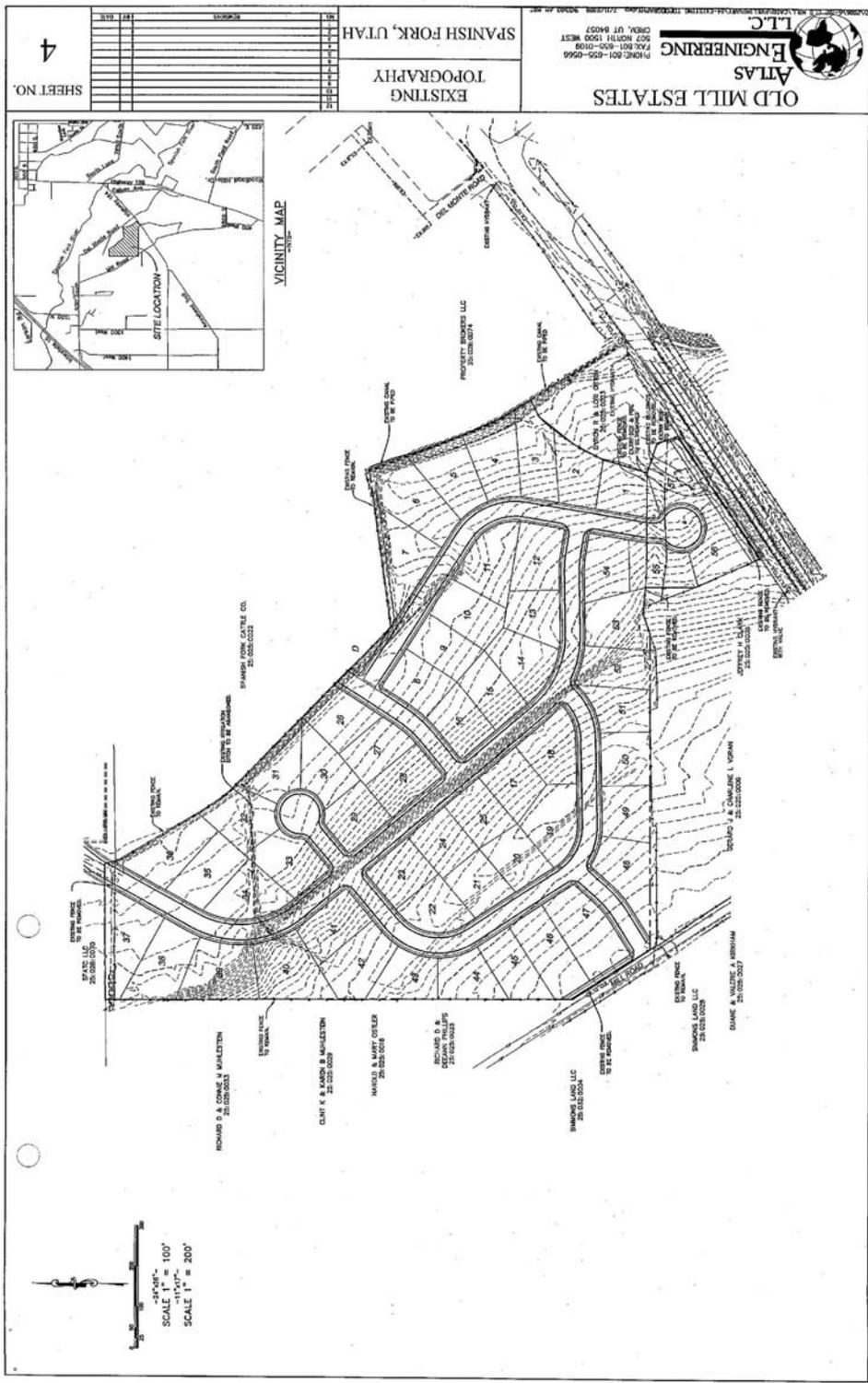
There is no anticipated budget impact with this proposed subdivision.

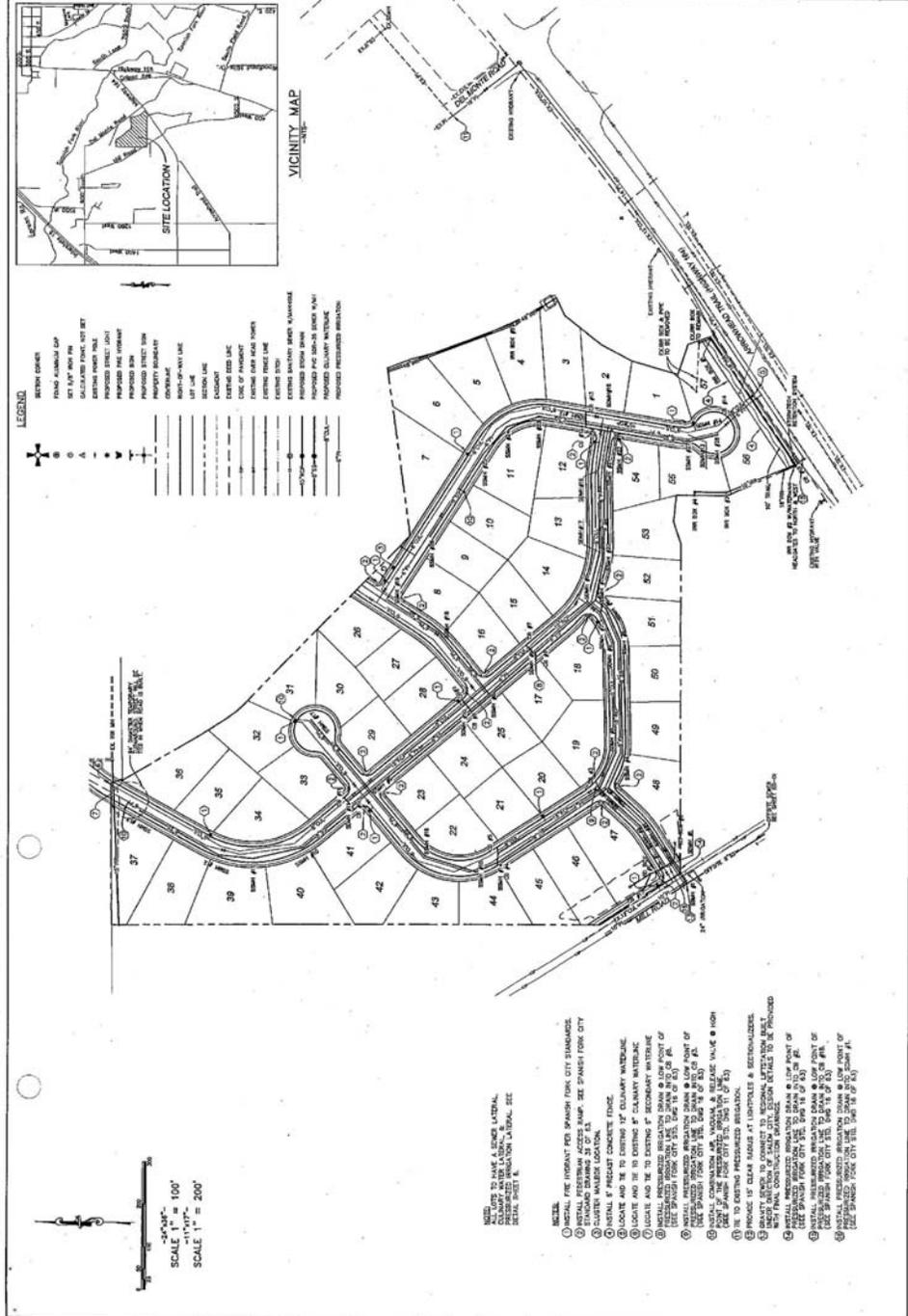
#### Recommendation

Staff recommends that the proposed Preliminary Plat be approved.





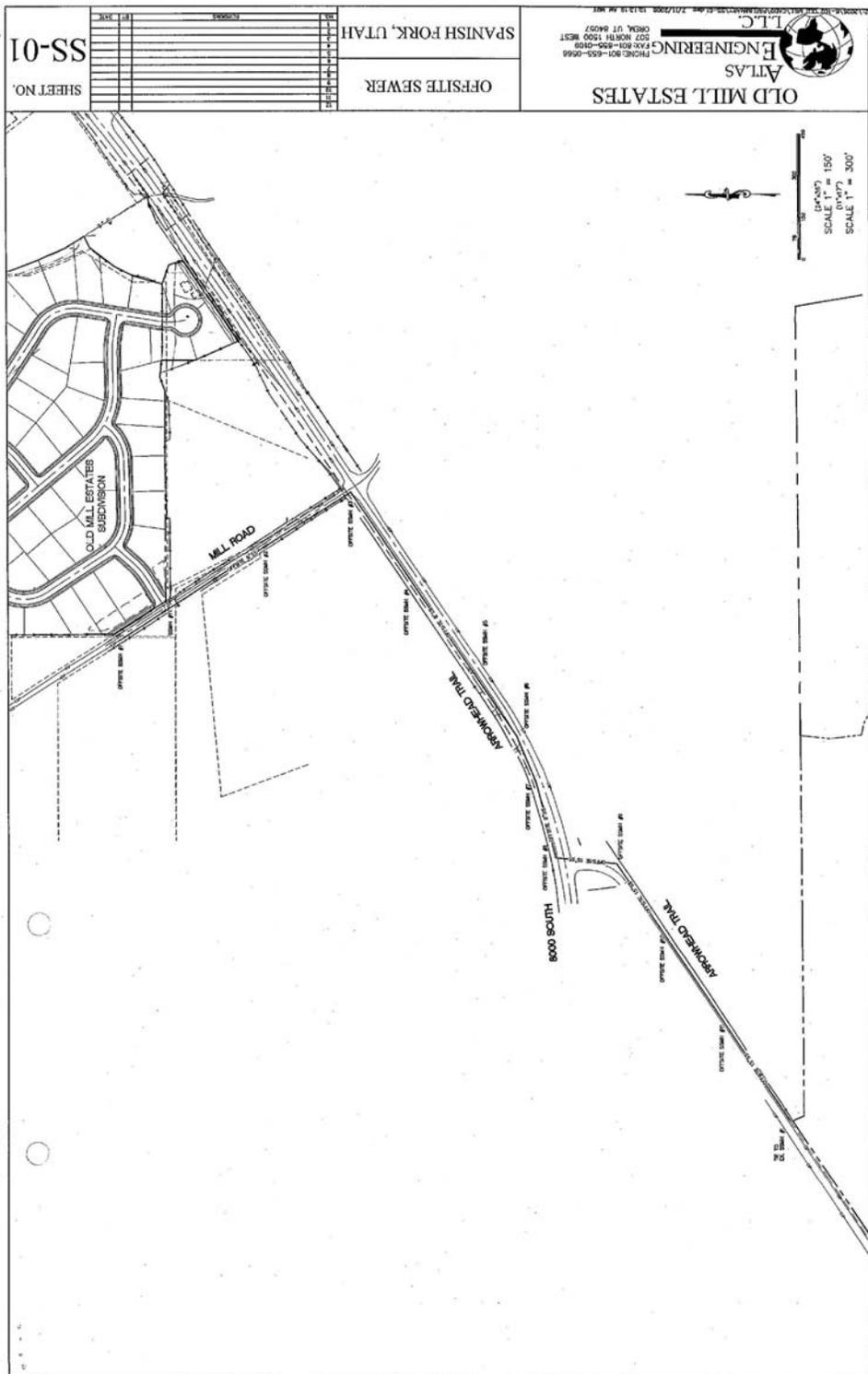




- NOTES:**  
 ALL LOTS TO HAVE A SEWER LATERAL.  
 PREPARED BY: [Name]  
 DATE: [Date]
- SCALE:**  
 SCALE 1" = 100'  
 SCALE 1" = 200'
- MARKERS:**  
 (1) METAL PILE INHIBIT PER SPANISH FORK CITY STAMPADE.  
 (2) STAMPADE DRAWING 21 OF 23.  
 (3) CLUSTER WALKER LOCATION.  
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SS-01 SHEET NO.	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20

**OLD MILL ESTATES**  
**ATLAS**  
**ENGINEERING**  
 LLC  
 PHONE: 801-433-0966  
 FAX: 801-433-0968  
 507 NORTH 1500 WEST  
 SMOKE UT 84057



# PRELIMINARY PLAT

## REPORT TO THE PLANNING COMMISSION SPANISH TRAILS PRELIMINARY PLAT

**Agenda Date:** June 8, 2011.

**Staff Contacts:** Dave Anderson, Community Development Director.

**Reviewed By:** Development Review Committee.

**Request:** SF West Land LLC, is requesting reapproval of a Preliminary Plat for the Spanish Trails subdivision.

**Zoning:** R-1-8.

**General Plan:** Medium Density Residential.

**Project Size:** 21.82 acres.

**Number of lots:** 115 units.

**Location:** 430 South Spanish Trails Boulevard.

approval and needs to be reapproved before development in the project can recommence.

### Development Review Committee

The Development Review Committee reviewed this plat on May 18, 2011 and recommended that it be approved. Minutes from that meeting read as follows:

#### Spanish Trails

Applicant: SF West Land, LLC  
 General Plan: Medium Density Residential  
 Zoning: R-1-8  
 Location: 430 South Spanish Trails Boulevard

Discussion was held regarding what portion of the project was unfinished.

Mr. Baker said he would look at this as built out and that there was not a lot that could be done to change things.

Discussion was held regarding the utilities, vehicles using the trail as a road and landscape on the single-family homes.

Mr. Baker proposed that they meet the landscape standards of the new Master Planned Development ordinance on the single-family lots.

Discussion was held regarding landscape as it pertains to a side yard.

Mr. Baker **moved to approve** the Spanish Trails Preliminary Plat located at 430 South Spanish Trails Boulevard subject to the following conditions:



### Background Discussion

A Preliminary Plat for this development was approved in 2007. One year has passed since the last plat was recorded. As such the Preliminary Plat for Spanish Trails has lost its

### Conditions

1. That the applicant meets the landscape portion of the Master Planned Development ordinance.

2. That the applicant complete the required improvements in accordance with the applicant's agreement with the Recreation Department.

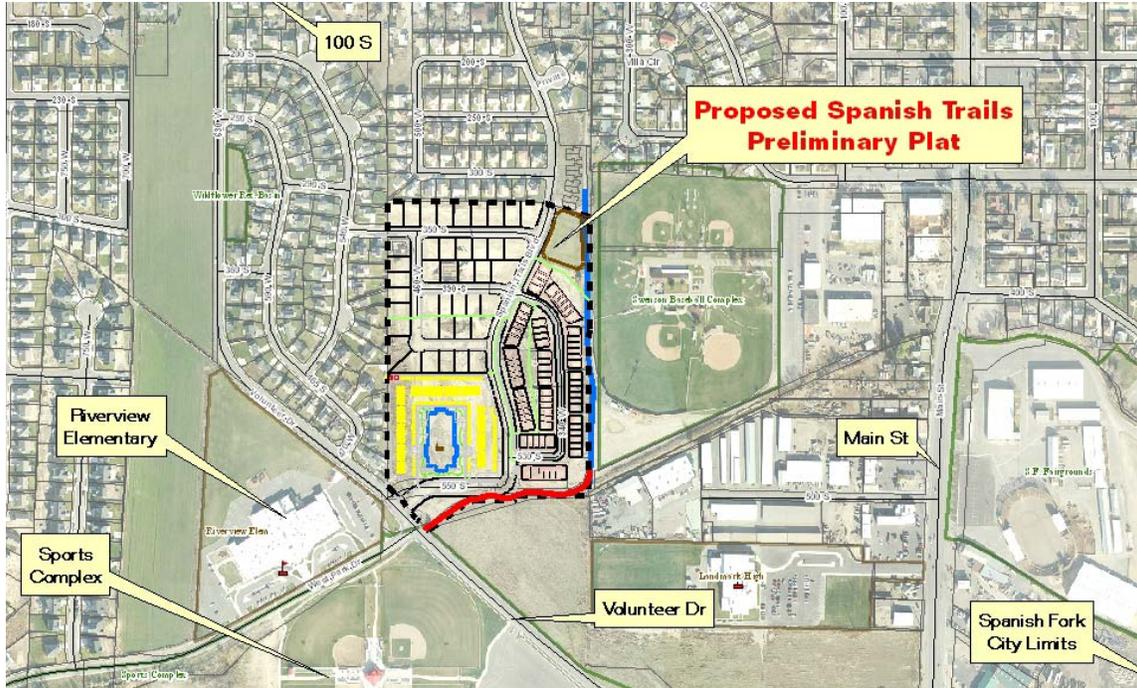
Mr. Burdick **seconded** and the motion **passed** all in favor.

### **Budgetary Impact**

There is no anticipated budget impact with this proposed subdivision.

### **Recommendation**

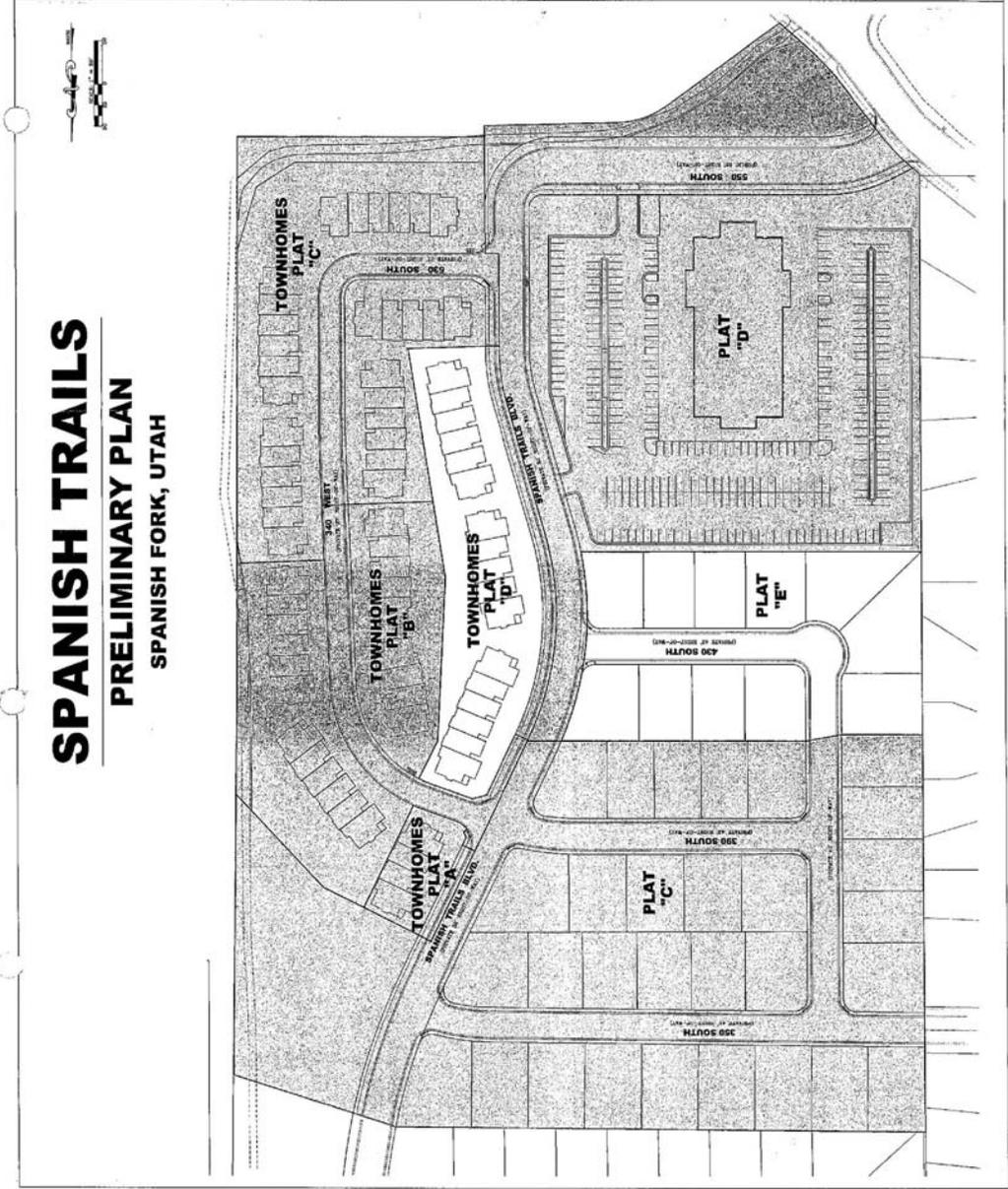
Staff recommends that the proposed Preliminary Plat be approved.



# SPANISH TRAILS

## PRELIMINARY PLAN

### SPANISH FORK, UTAH



<b>SPANISH TRAILS "C"</b> SPANISH FORK, UTAH PRELIMINARY COVER		SHEET COVER SHEET NO. 1 TOTAL SHEETS 1
3302 No. Main St. Spanish Fork, UT 84603 Fax: 801-798-0993		PROJECT NO. 97-0029 SCALE 1" = 60' DATE 12/13/99
<b>NOTES</b> 1. ALL CONSTRUCTION SHALL BE ACCORDING TO THE LATEST EDITIONS OF THE UTAH CONSTRUCTION CODES AND ALL APPLICABLE LOCAL ORDINANCES. 2. ALL UTILITIES SHALL BE DEPTH MARKED AND ALL UTILITIES SHALL BE DEPTH MARKED AND ALL UTILITIES SHALL BE DEPTH MARKED. 3. ALL UTILITIES SHALL BE DEPTH MARKED AND ALL UTILITIES SHALL BE DEPTH MARKED AND ALL UTILITIES SHALL BE DEPTH MARKED. 4. ALL UTILITIES SHALL BE DEPTH MARKED AND ALL UTILITIES SHALL BE DEPTH MARKED AND ALL UTILITIES SHALL BE DEPTH MARKED. 5. ALL UTILITIES SHALL BE DEPTH MARKED AND ALL UTILITIES SHALL BE DEPTH MARKED AND ALL UTILITIES SHALL BE DEPTH MARKED. 6. ALL UTILITIES SHALL BE DEPTH MARKED AND ALL UTILITIES SHALL BE DEPTH MARKED AND ALL UTILITIES SHALL BE DEPTH MARKED. 7. ALL UTILITIES SHALL BE DEPTH MARKED AND ALL UTILITIES SHALL BE DEPTH MARKED AND ALL UTILITIES SHALL BE DEPTH MARKED. 8. ALL UTILITIES SHALL BE DEPTH MARKED AND ALL UTILITIES SHALL BE DEPTH MARKED AND ALL UTILITIES SHALL BE DEPTH MARKED. 9. ALL UTILITIES SHALL BE DEPTH MARKED AND ALL UTILITIES SHALL BE DEPTH MARKED AND ALL UTILITIES SHALL BE DEPTH MARKED. 10. ALL UTILITIES SHALL BE DEPTH MARKED AND ALL UTILITIES SHALL BE DEPTH MARKED AND ALL UTILITIES SHALL BE DEPTH MARKED. 11. ALL UTILITIES SHALL BE DEPTH MARKED AND ALL UTILITIES SHALL BE DEPTH MARKED AND ALL UTILITIES SHALL BE DEPTH MARKED. 12. ALL UTILITIES SHALL BE DEPTH MARKED AND ALL UTILITIES SHALL BE DEPTH MARKED AND ALL UTILITIES SHALL BE DEPTH MARKED. 13. ALL UTILITIES SHALL BE DEPTH MARKED AND ALL UTILITIES SHALL BE DEPTH MARKED AND ALL UTILITIES SHALL BE DEPTH MARKED. 14. ALL UTILITIES SHALL BE DEPTH MARKED AND ALL UTILITIES SHALL BE DEPTH MARKED AND ALL UTILITIES SHALL BE DEPTH MARKED. 15. ALL UTILITIES SHALL BE DEPTH MARKED AND ALL UTILITIES SHALL BE DEPTH MARKED AND ALL UTILITIES SHALL BE DEPTH MARKED.		<b>DEVELOPER</b> JAMES W. HARRIS 1000 N. MAIN ST. SPANISH FORK, UT 84603
<b>LEGEND</b> 1. 1" = 1" (SEE PLAN) 2. 1" = 1" (SEE PLAN) 3. 1" = 1" (SEE PLAN) 4. 1" = 1" (SEE PLAN) 5. 1" = 1" (SEE PLAN) 6. 1" = 1" (SEE PLAN) 7. 1" = 1" (SEE PLAN) 8. 1" = 1" (SEE PLAN) 9. 1" = 1" (SEE PLAN) 10. 1" = 1" (SEE PLAN) 11. 1" = 1" (SEE PLAN) 12. 1" = 1" (SEE PLAN) 13. 1" = 1" (SEE PLAN) 14. 1" = 1" (SEE PLAN) 15. 1" = 1" (SEE PLAN)		<b>ENGINEER</b> JAMES W. HARRIS 1000 N. MAIN ST. SPANISH FORK, UT 84603
<b>TABLE OF CONTENTS</b> SHEET NO. 1 SHEET NO. 2 SHEET NO. 3		<b>PROJECT NAME</b> SPANISH TRAILS DEVELOPMENT
<b>TABULATIONS</b> TOTAL AREA TOTAL PERMIT TOTAL PERMIT TOTAL PERMIT		<b>REVISIONS</b> DATE BY REVISION
<b>NEIGHBORHOOD MAP</b> 		<b>DATE</b> 12/13/99





SEE SPANISH FORK CONSTRUCTION SPECIFICATION AND STANDARDS FOR FURTHER UTILITY DETAILS

<p>DATE</p>	<p>REVISION</p>	<p>Spanish Fork, Utah 3202 No. Main St. 801-298-0555 Spanish Fork, UT 84609 FAX 801-298-0553</p>	<p><b>SPANISH TRAILS "C"</b> SPANISH FORK, UTAH PRELIMINARY UTILITY LAYOUT</p>	<p>PROJECT: 07-0293 SHEET: E.T.S. DATE: 12/18/10 DRAWN BY: [blank] CHECKED BY: [blank] SCALE: AS SHOWN</p>	<p><b>3</b> SHEET</p>
<p><b>1.1' CROSS-SECTION</b></p>					
<p><b>3.1' CROSS-SECTION</b></p>					
<p><b>3.2' CROSS-SECTION</b></p>					
<p><b>4.1' CROSS-SECTION</b></p>					
<p><b>MODIFIED HIGH BACK CURB &amp; GUTTER</b></p>					



# CONDITIONAL USE

## REPORT TO THE PLANNING COMMISSION SPANISH FORK LEGACY CONDITIONAL USE AND PRELIMINARY PLAT APPROVAL REQUEST

**Agenda Date:** June 8, 2011.

**Staff Contacts:** Dave Anderson, Community Development Director.

**Reviewed By:** Development Review Committee.

**Request:** Rockworth Companies is requesting to have a Conditional Use and Preliminary Plat reapproved for an Assisted Living Facility that would be located at approximately 1450 East 100 South.

**Zoning:** R-1-8.

**General Plan:** Mixed Use.

**Project Size:** 2.85 acres.

**Number of lots:** 1.

**Location:** Approximately 500 South 300 West.

### Background Discussion

In 2010, Spanish Fork City approved a Conditional Use AND Preliminary Plat for an Assisted Living Facility that would be located at approximately 1450 East 100 South.

As one year has passed since the Conditional Use was originally approved, the applicant now must have it reapproved before proceeding with the development of the project. No substantial changes have been made from the applicant's original approval. The only change staff is aware of involves the redesign of the access and parking area on the northwest corner of the site.

As the applicant is essentially just proposing to have his original project reapproved, the original report that was presented to the Planning Commission accompanies this report. Also, a letter from the applicant and the updated Site Plan accompany this report.

### Development Review Committee

The Development Review Committee reviewed this request in their May 18, 2011 meeting and recommended that it be approved. Minutes from that meeting read as follows:

#### Legacy House at Spanish Fork

Applicant: Steve Broadbent  
General Plan: Mixed Use  
Zoning: R-1-8  
Location: 1450 East 100 South

Mr. Anderson explained the vesting on this project had expired that the proposal today is identical to what was approved two years ago with one exception; the access coming through the commercial zone.

Discussion was held regarding parking.



Mr. Peterson said that there would need to be 15 feet of clearance from the over head line along north side of the property.

Mr. Anderson explained to the applicant that they would need to re-apply for the Preliminary Plat and the Final Plat because they had expired.

Discussion was held regarding a hammerhead on 100 North.

Mr. Anderson said that the portion of the Municipal Code 15.3.08.060 C are the findings that the DRC needs to conclude before making a recommendation.

Discussion was held regarding parking and fencing.

Mr. Baker said that one of the conditions ought to be that they get a Preliminary Plat approved.

Mr. Oylar **moved** to recommend **approval** of the Legacy House of Spanish Fork Conditional Use Permit as long as a Preliminary Plat runs concurrent and that the findings of section 15.3.08.050 C 1 through 5 are met.

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

### **Budgetary Impact**

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

### **Recommendation**

Staff recommends that the proposed Conditional Use and Preliminary Plat be approved subject to the following conditions:

1. That the wall along 150 South be removed and a masonry wall be constructed along Highway 6 and between the project and each adjacent residential area.
2. That all signs be consistent with the City sign ordinance.
3. That an access easement be provided through the adjacent commercial development and that all deliveries to the

facility utilize that access and not public streets.

4. That per the ordinance, a copy of the State license be provided along with a sworn affidavit that no person will reside or remain in the facility whose tenancy would likely constitute a direct threat to the health or safety of other individuals or result in substantial physical damage to the property of others.



May 9, 2011

RE: Proposed Use Clarification

To Whom It May Concern:

In connection with the conditional use application we have been asked for "a statement describing the proposed use including hours, traffic volume, number of employees, etc."

Each is addressed individually as follows:

**Proposed Use**

The use of the property is to be an Assisted Living center. Inside of this there will be units for people (typically elderly) that have reached a point in life where they need more attention and assistance. In conjunction to those needed assistance, there will also be a memory care section in which those individual suffering from Alzheimer's can be assisted.

**Hours**

Tenants will live at the facility and hence the hours will be 24 hours a day, 7 days a week. Visiting hours will be limited to 8:30 am to 9:00 pm .

**Traffic Volume**

The individuals that live at the facility need assistance and care and hence are not out driving and in most cases are not able to obtain a driver's license. The traffic would then come from employees and visitors. In our studies we have found that of the 96 units if we provide parking for 50% (or 48 stalls). Of these 48 stalls the maximum used will be 70 – 75% but the average would be closer to 40% (19) used at one time – this would amount to the traffic pattern being significantly less than if it were developed as a single family residence. It also adds no additional stress to the school districts.

**Employees**

The facility will have 72 units of assisted living and 24 units of memory. In order to satisfactory serve these the facility during day shift hours (8 am – 5 pm), will have 20-25 employees. This number will decrease drastically outside of these hours.

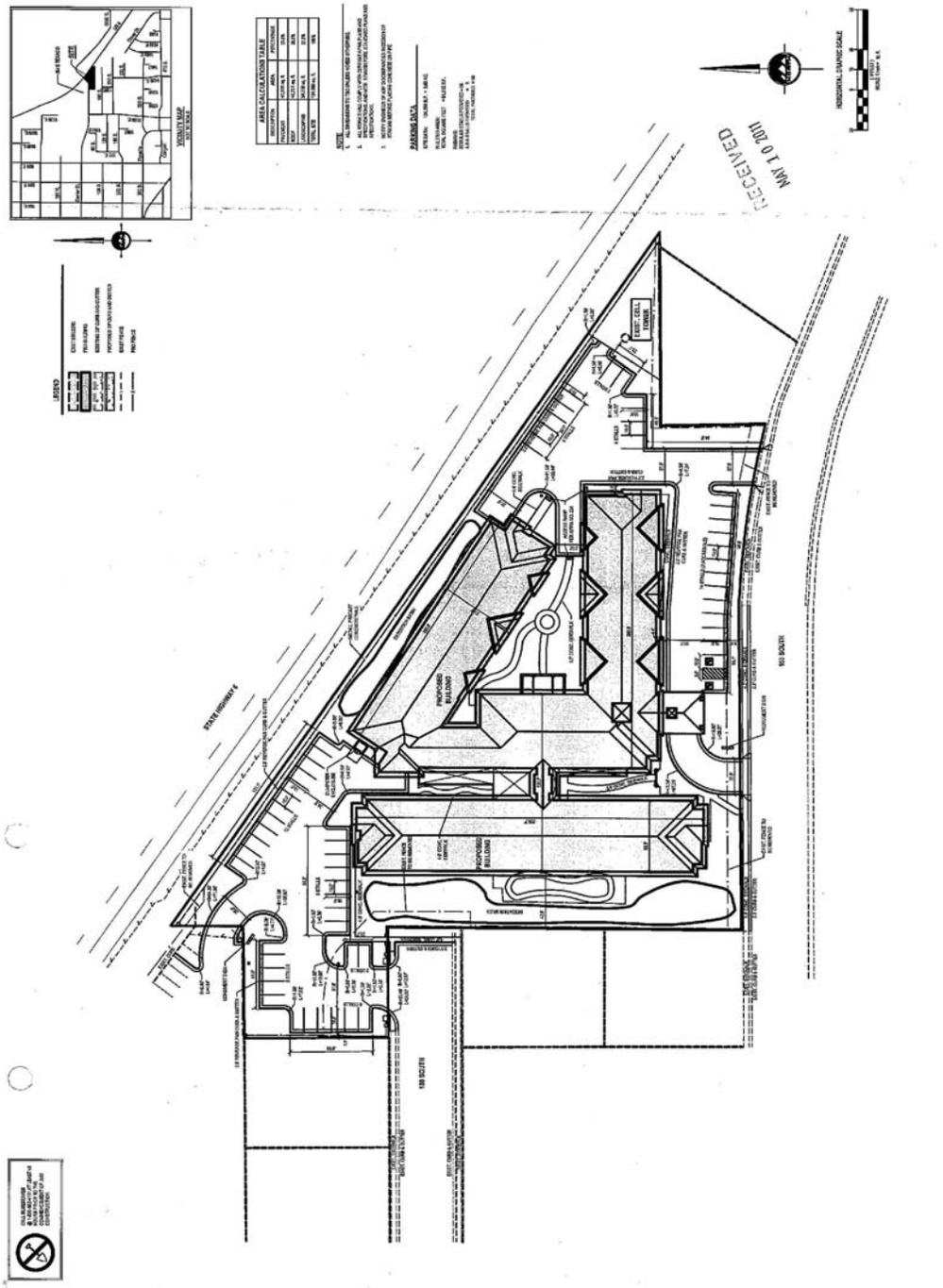
Sincerely,

Steve Broadbent











# REPORT TO THE PLANNING COMMISSION LEGACY AT SPANISH FORK ASSISTED LIVING FACILITY CONDITIONAL USE APPROVAL REQUEST

**Agenda Date:** February 3, 2010 (continued from January 6, 2010).

**Staff Contacts:** Dave Anderson, Community Development Director.

**Reviewed By:** Development Review Committee.

**Request:** Rockworth Companies is requesting Conditional Use approval for an assisted Living Facility that would be located at 1450 East and 100 South.

**Zoning:** R-1-8.

**General Plan:** General Commercial.

**Project Size:** Approximately 2.85 acres.

**Number of lots:** Not applicable.

**Location:** 1450 East and 100 South.

## Background Discussion

Rockworth Construction has requested Conditional Use approval to construct a 96-bed Assisted Living Facility at 1450 East 100 South.

The proposed facility would be located on a site that is nearly 3 acres in size. Improvements on the site would include an 81,052 square foot building and 52 parking spaces. Staff understands that at the highest shift there would be some 15 employees on-site.

Accompanying this report are copies of the proposed landscaping plan, lighting plan and building elevations. Most of the attached plans have been updated to reflect a design change involving the porte-cochere at the main entrance. Also attached to this report is a letter from an area resident related to the proposed Conditional Use.

As proposed, the facility conforms to the criteria for Assisted Living Facilities as defined in section 15.3.24.010 E.

The subject property is designated General Commercial on the General Plan. However, limitations on visibility and access to the site likely make retail uses unfeasible at this location; therefore making the ultimate goal of the General Plan unobtainable. Given the General Plan designation, the property's unique configuration and the belief that facilities of this nature are needed in Spanish Fork City, staff has supported the approval of this facility at the proposed location.

Access to the proposed site would come from 100 South, 150 South and through the adjacent commercial development. Given the multiple points of access and the typically low amount of traffic generated by the proposed use, staff does not believe traffic to and from the site will create any problems.

Staff has reviewed the proposed plans for the project and has two recommendations relative to mitigating conditions. First, staff recommends that a condition be imposed to require delivery vehicles to utilize the driveway through the adjacent strip mall rather public streets to access



the site. Second, staff recommends that the landscaping along 150 South include berming, a short wall (three to four feet) or a short hedge (3 to 4 feet) to help screen or filter headlights from the homes across the street.

### Development Review Committee

The Development Review Committee reviewed this request in their November 18, 2009 meeting and recommended that it be approved. Minutes from that meeting read as follows:

#### Spanish Fork Assisted Living Preliminary Plat

Applicant: Rockworth Companies  
General Plan: General Commercial  
Zoning: R-1-8  
Location: 1450 East 100 South

Mr. Anderson explained that there were three requests for this proposal and explained that in his opinion this was an appropriate use for this particular parcel. He said that the applicant had met with the Fire department. Ninety-six beds were proposed for the development.

The applicant explained that this facility would be licensed through the State of Utah as an AL-1 and AL-2 and would have a dementia wing. He said the residents would not be allowed to have vehicles.

Mr. Peterson explained the relocation of the power. Mr. Johnson explained what fire hydrants would need to be removed and where one would need to be installed.

Mr. Peterson told the applicant that there was a power line along one of the buildings and that they would need to maintain a 15-foot horizontal and vertical clearance. Mr. Bruce Hall said that it would not meet the clearance and he would need to fix it.

Mr. Baker asked what the maximum staff would be at any given shift. It was determined that the proposal did not meet the City's parking ordinance and that the applicant would need to come up with 15 more spaces of parking. Bruce Hall said he had a cross easement with the strip mall.

Discussion was held regarding cross access easements, allowing the applicant to obtain 15 parking spaces from the strip mall property

adjacent to the proposal, removal of some of the current masonry wall, and the applicant needing to submit a lighting and landscaping plan.

Mr. Baker **moved** to recommend **approval** of the Spanish Fork Assisted Living Preliminary Plat subject to the following conditions:

#### Conditions

1. That the applicant meets the City's construction and development standards.
2. That the applicant meet any redlines from the City's Engineering and Power Departments.

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

Mr. Baker **moved** to recommend **approval** of the Spanish Fork Assisted Living Site plan and Conditional Use subject to the following conditions:

#### Conditions

1. That the wall along 150 South be removed and a masonry wall be constructed along Highway 6 and between the project and each adjacent residential area.
2. Forty-seven parking stalls be shown and if they cannot fit on site that a cross easement to the North and West be obtained where the commercial property is located for the additional stalls.
3. That a permanent turn around be constructed on 100 South that meets the City's construction and development standards.
4. That a landscape plan be approved by the Community Development Director.
5. That a lighting plan be submitted.
6. That all signs be consistent with the City sign ordinance.
7. That per the ordinance, a copy of the State license be provided along with a sworn affidavit that no person will reside or remain in the facility whose tenancy would likely constitute a direct threat to the health or safety of other individuals or result in substantial physical damage to the property of others.
8. That the applicant provide an updated engineered Site plan.

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

## **Spanish Fork Assisted Living Site Plan and Conditional Use Approval**

Applicant: Rockworth Companies  
General Plan: General Commercial  
Zoning: R-1-8  
Location: 1450 East 100 South

Discussion and motion took place with the Preliminary Plat.

### **Budgetary Impact**

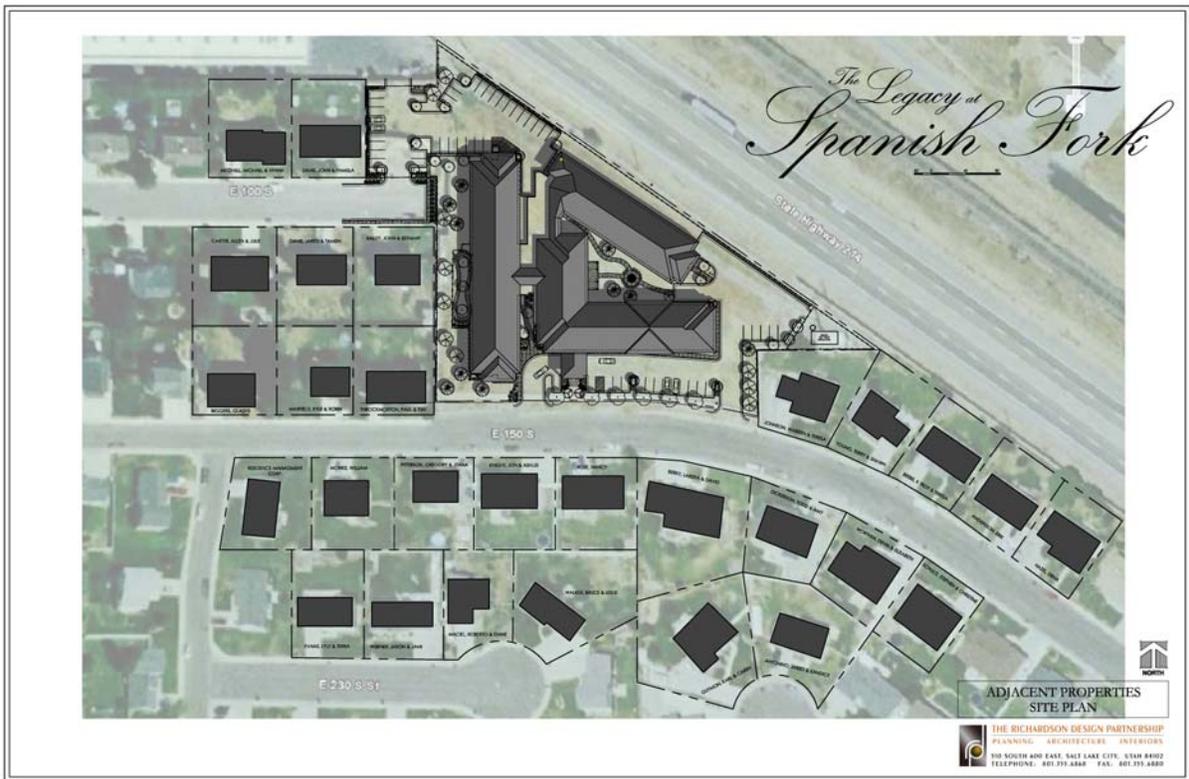
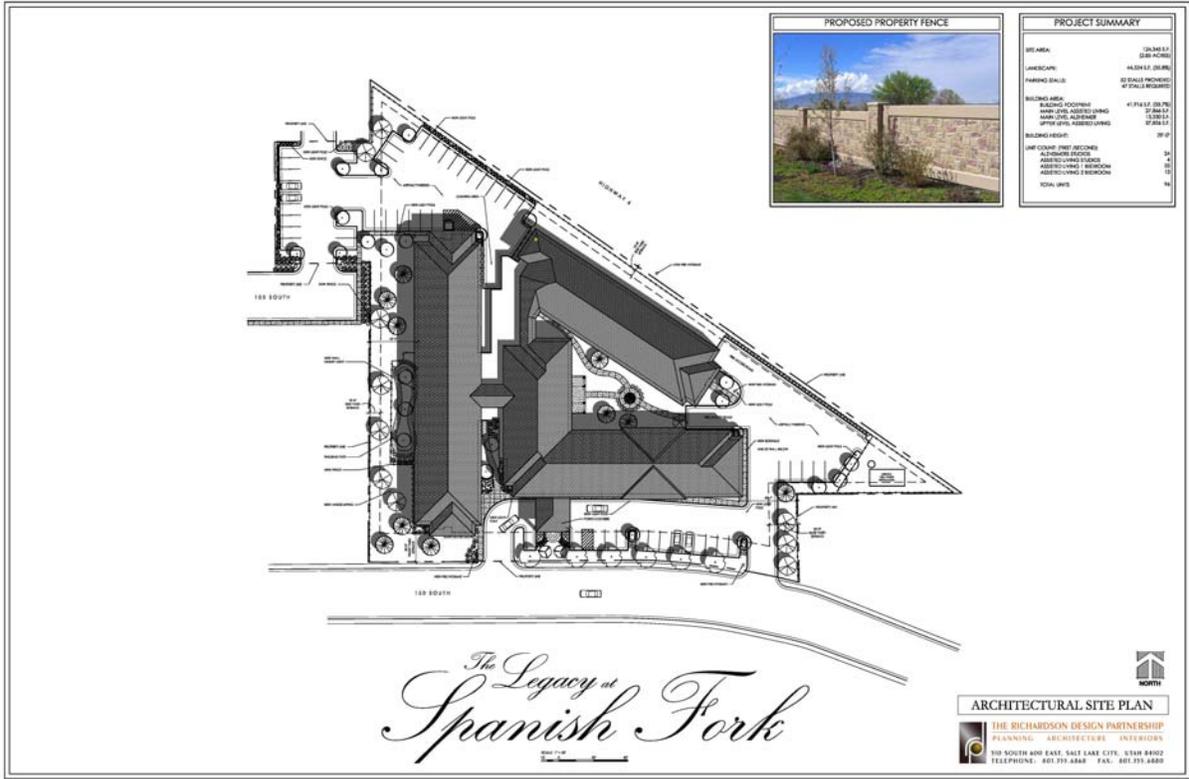
There is no immediate budgetary impact anticipated with the approval of this Conditional Use.

### **Recommendation**

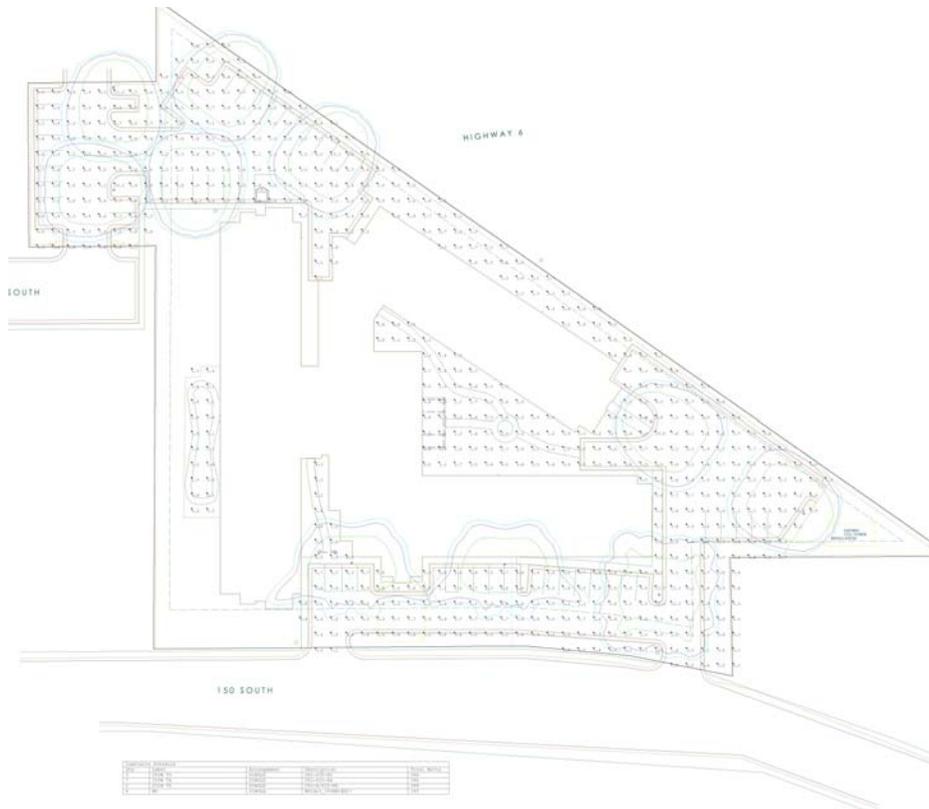
Staff recommends that the proposed Conditional Use be approved subject to the following conditions:

1. That the wall along 150 South be removed and a masonry wall be constructed along Highway 6 and between the project and each adjacent residential area.
2. That all signs be consistent with the City sign ordinance.
3. That an access easement be provided through the adjacent commercial development and that all deliveries to the facility utilize that access and not public streets.
4. That additional landscaping measures be employed to screen the parking area that is adjacent to 150 South.
5. That per the ordinance, a copy of the State license be provided along with a sworn affidavit that no person will reside or remain in the facility whose tenancy would likely constitute a direct threat to the health or safety of other individuals or result in substantial physical damage to the property of others.









January 7, 2010

Attn: Planning Commission  
RE: Assisting Living Facility  
1450 East 100 South

Dear Sirs,

My husband and I were unable to attend the public meeting held January 6, 2010 however we were able to tape the meeting on channel 17 and watch it later that evening. We reside at 1381 East 100 South and have done so since we built our home in 1995. I am a little disappointed to hear Rockworth has questioned one resident on my street, that being a renter that has resided there only a month. I feel the input of residents that have resided on the street since it was created should be a little more of value than a renter who could care less.

That being said - we share a few common concerns as a couple of our neighbors did point out during the meeting.

I should point out that we are not opposed to the project itself (nor were we to the storage sheds). We do think facilities of this nature are very much in need. The height is not a concern to us either.

However we do have the following concerns:

- Our biggest concern which was somewhat addressed is the route for delivery and employee vehicles. The representative with Rockworth Companies did acknowledge their "intent" to have these vehicles enter through the strip mall - great! The worry we have is this being an "intent" not a **requirement**. With the number of beds this facility will hold I would assume the delivery vehicles would be Commercial type vehicles. We can see driver's entering through the strip mall but big trucks not wanting to turn around and just exit through 100 South. As mentioned in the meeting there are ALOT of children in our neighborhood. I do not see a residential street being a "good" access point to or from for commercial vehicles. Presently the dead end we have been told by law enforcement was made for emergency vehicles to have a proper turn around point. The garbage trucks; even with this dead end have to back up and go forward usually more than once to turn around and hit other side of the road for garbage collection. This layout may create more of a difficulty? We would like to see the plan changed back to your original suggestions of leaving 100 South as a dead end. If the main entrance is on 150 South and if delivery and employee's are entering through the strip mall why do they really need access from 100 South.
- What kind of security will be in place for our neighborhoods as well as the patients? Is this an in and out type of environment that the residents of the facility can come and go and they please? It was mentioned similar/smaller facilities

have had trouble with patients roaming and finding their way into neighboring homes. Will the Alzheimer units be locked down?

- Should 100 South remain open as planned – we would like to have investigated the possibility of having speed bumps in place. I very much feel these are needed even at present on 150 South. This street is already horrendous with speeding driver's.
- Lighting was mentioned it had been addressed but I did not hear anything specific in the meeting as to what has been addressed. From my home I think what would impact us would be lighting on the wing that will run North/South to us as well as the main parking lot that will adjoin the strip mall.

I thank you for taking time to read our thoughts and concerns. We would welcome any questions or input you may have.

Sincerely,

Jayson & Jennifer Swenson  
1381 E 100 S  
Spanish Fork, UT 84660  
(801) 400-0121



# CONDITIONAL USE

## REPORT TO THE PLANNING COMMISSION DIGIS CONDITIONAL USE PERMIT REQUEST

**Agenda Date:** June 8, 2011.

**Staff Contacts:** Dave Anderson, Community Development Director.

**Reviewed By:** Development Review Committee.

**Request:** Digis is requesting Conditional Use approval place antennae on an existing communication tower.

**Zoning:** Industrial 1.

**General Plan:** Mixed Use.

**Project Size:** Not applicable.

**Number of lots:** Not applicable.

**Location:** Approximately 500 South 300 West.

### Background Discussion

Digis, LLC has proposed to located several antennae on an existing communications tower located in the Industrial 1 zone at approximately 500 South 300 West.

Given the fact that the antennae would be located on an existing tower at a height that is lower than other antennae, staff has no concerns with approving the request. In fact, collocation of these facilities on existing towers is preferred by staff over having new towers constructed.

### Development Review Committee

The Development Review Committee reviewed this request in their May 18, 2011 meeting and recommended that it be approved. Minutes from that meeting read as follows:

#### Digis

Applicant: Digis, LLC  
 General Plan: Public Facilities  
 Zoning: Public Facilities  
 Location: 1200 North 300 East

Discussion was held regarding the proposed site being at a different location than the address on the application, the height, how many current providers are on the tower, by co-locating there is one less tower.

Mr. Baker **moved** to recommend **approval** of the Conditional Use Permit for Digis located at approximately 500 South and 251 West located in an I-1 zone. With the findings that it meets the requirements of the Industrial 1 zone and the comprehensive General Plan and by co-locating it is one less tower and meets the interests of the City.

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



**Budgetary Impact**

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

**Recommendation**

1. Staff recommends that the proposed Conditional Use Permit be approved.





**TO:** Spanish Fork City Planning Commission  
**FROM:** Dave Anderson, Community Development Director  
**DATE:** June 6, 2011  
**RE:** Proposed Changes to Title 15 – Landscape Requirement for Industrial Projects

This correspondence is provided relative to a proposed amendment that would change the City's requirement for landscaping on industrial developments. The proposed Amendment reads as follows:

**E. Industrial Uses:**

1. Minimum of ten percent (10) on-site landscaping as a percentage of total site area.
2. Parking lots shall include planter areas within the parking lot, with a minimum of 108 square feet of planter area for every ten (10) parking spaces. Required planter areas shall be individual islands of landscaping and shall be at least 6 feet wide. Required planter areas shall include non-ornamental trees with a maximum spacing of thirty (30) feet. The planter area may be partially or completely within the street right-of-way area.
3. Minimum of fifteen (15) foot wide planter area adjacent to all public streets, which shall include trees with a maximum spacing of thirty (30) feet.
4. Minimum of ten (10) foot wide planter area and six (6) foot high decorative block wall, where the site abuts a residential use or district. The planter area shall include trees with a maximum spacing of thirty (30) feet.
  - a. The DRC may waive or modify this requirement, if it is determined that this requirement does not further the intent of this ordinance.
5. All other landscaped areas shall include at least ~~three (3) one (1)~~ non-ornamental trees and ~~twenty (20) ten (10)~~ shrubs for each 1,000 square feet of landscaped areas. Natural vegetation may be included if materials are appropriate for the setting and location.

In short, these changes are proposed after reviewing landscape plans for sites that have large expanses of landscaping. The current requirement is based in part on ratios that have been problematic to abide by and that don't seem to further the City's vision for industrial developments.

The Development Review Committee has reviewed this proposal and recommended that it be approved.