



## Planning Commission Agenda March 7, 2012

- Planning Commissioners** 6:30 P.M.
1. Preliminary Activities
    - a. Pledge of Allegiance
    - b. Approval of Minutes: January 4, 2012.
  2. Preliminary Plats
    - a. **White Rail**  
Applicant: Lewis Bankhead  
General Plan: High Density Residential  
Zoning: R-1-6  
Location: State Road 51 and 800 North
    - b. **Hawk Landing**  
Applicant: Gordon Dawe  
General Plan: Medium Density Residential  
Zoning: R-1-8  
Location: 2292 East Canyon Road
  3. Other Business
    - a. Discussion on Planning Commission Work Program.
- Michael Christianson  
Chairman
- David Stroud
- Rick Evans
- George Gull
- Brad Gonzales
- Seth Sorenson

**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 4, 2012**

**Commission Members Present:** Chairman Michael Christianson, Rick Evans, Seth Sorensen, Brad Gonzales, George Gull, Dave Stroud.

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

**Citizens Present:** Jay and Starlene Clayson.

Chairman Christianson welcomed everyone to the meeting at 6:32 p.m.

**PRELIMINARY ACTIVITIES**

**Pledge**

Commissioner Gull led in the pledge of allegiance.

**MINUTES**

**December 7, 2011**

Commissioner Evans **moved** to **approve** the minutes of December 7, 2011 with the noted corrections. Commissioner Stroud **seconded** and the motion **passed** all in favor.

**ANNEXATIONS**

**Clayson Annexation**

Applicant: Spanish Fork City

General Plan: City-wide

Zoning: City-wide

Location: City-wide

Mr. Anderson explained the City's process for reviewing annexation petitions, where the proposal was located, the General Plan designation which is Light Industrial, that when the property develops that the developer will bear the cost of installing utilities, that 300 West will need to be expanded in the future to an 85-foot right-of-way and that the Development Review Committee as part of their recommendation included as a condition that the applicant dedicate some

45 additional land so that should 300 West be expanded in the future the City would  
46 own the land.

47

48 Commissioner Gull asked if Jerry Hill's house had been annexed into the City. Mr.  
49 Anderson said that his house was annexed into the City.

50

51 Discussion was held regarding the uses in the City's Light Industrial zone and that  
52 the current residential use of the proposed property would become a legal non-  
53 conforming use upon annexation. The Commission asked the applicants if they  
54 were aware that they would not be able to expand their residential use and Jay  
55 and Starlene Clayson acknowledged that they were aware.

56

57 Discussion was held regarding why the expansion of 300 West would impact the  
58 west side of the street more than the east side. Mr. Burdick explained that it was  
59 due to a major power line on the east side.

60

61 Commissioner Evans asked if there was a way to ensure that as long as the  
62 Claysons were residing at the home that the road could not be expanded. Mr.  
63 Anderson said no. Mr. Anderson explained that at some point in the future the  
64 City would need to expand the road.

65

66 Discussion was held regarding the affect the right-of-way would have on the  
67 Clayson parcels and that if there was not an immediate need for the right-of-way  
68 then why require it at this time. Mr. Anderson said that he felt it was prudent  
69 relative to the annexation to require the dedication of the right-of-way.

70

71 Chairman Christianson asked if requesting the 300 West right-of-way, as part of  
72 the annexation agreement, was corridor preservation.

73

74 Commissioner Stroud explained to the applicant's that he felt that being annexed  
75 into the City was a benefit to them because City utility services were already in  
76 place if they chose to hook on and that there property would be zoned Light  
77 Industrial which would increase the value of their land.

78

79 Commissioner Sorensen agreed with Commissioner Stroud and explained that he  
80 felt that typically development is what causes infrastructure to change and that he  
81 felt it would be several years before the expansion of 300 West had an affect on  
82 the Clayson's property.

83

84 Commissioner Evans expressed that he did not discount anything that had been  
85 discussed in the meeting and asked the petitioner's that if a condition of  
86 annexation was to dedicate the right-of-way would they still want to be annexed.

87

88 Mr. Anderson said that between now and the City Council Meeting discussion can  
89 take place between staff and the applicants.

90

91 Ms. Clayson said that she would like to know some more information in order to  
92 make a decision and also asked if there would be compensation for the extra  
93 property that they would have to give compared to the properties on the East side  
94 of the street.

95

96 Commissioner Sorensen asked if there were any connector's agreements that the  
97 applicant's would need to reimburse.

98

99 Mr. Anderson and Mr. Burdick were not aware of any connector's agreements and  
100 that they would have to look into the issue.

101

102 Mr. Clayson asked if the City would be willing to pay the impact fees, if they  
103 wanted to tie into the City sewer and water, in lieu of the extra property given for  
104 the right-of-way.

105

106 Mr. Anderson said that that was an appropriate question to pose to the City  
107 Council.

108

109 Commissioner Stroud **moved** to recommend that the City Council **approve** the  
110 Clayson Annexation, zoning the property Industrial 1 and subject to the following  
111 conditions:

112

113 **Conditions**

114

- 115 1. That the right-of-way be dedicated to the City.
- 116 2. That the City Council waive the Claysons impact fees.

117

118 Commissioner Evans **seconded** and the motion **passed** all in favor.

119

120 **OTHER BUSINESS**

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122 **Discussion on Planning Commission Work Program**

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124 Mr. Anderson said that he did not have anything to discuss regarding the work  
125 program. Discussion was held regarding the Transportation Master Plan and  
126 current City street projects.

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128 **ADJOURNMENT**

129

130 The meeting **adjourned** at 7:27 p.m.

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132 **Adopted:**

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Shelley Hendrickson, Planning Secretary



# PRELIMINARY PLAT

## REPORT TO THE PLANNING COMMISSION WHITE RAIL PRELIMINARY PLAT

**Agenda Date:** March 7, 2012

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

**Reviewed By:** Development Review Committee

**Request:** Lewis Bankhead is requesting Preliminary Plat approval for an 88-lot subdivision located in the R-1-6 Zone.

**Zoning:** R-1-6

**General Plan:** High Density Residential.

**Project Size:** 26.14 acres

**Number of lots:** 87

**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 White Rail subdivision. This proposal is the first that has been presented that would have the subject property develop as a standard subdivision.

This proposal involves having the property divided so as to ultimately create 87 lots, 1 of which would be utilized by an existing Residential Treatment Center that is on the subject property.

As currently proposed, the project meets the City's requirements for standard subdivisions in the R-1-6 Zone. As such, City staff has recommended that the proposed development be approved.

### Development Review Committee

The Development Review Committee reviewed this request in their February 29, 2012 meeting and recommended that it be approved. Draft minutes from that meeting read as follows:

#### White Rail

Applicant: Lewis Bankhead  
General Plan: High Density Residential  
Zoning: R-1-6  
Location: State Road 51 and 800 North

Kelly Peterson said the Power Department has not reviewed the plans yet.

Kelly Peterson will work with LEI on the utilities. He explained that the power project on the north end is going to be expensive, so he suggested starting on the south end of the subdivision.

Brian Gabler stated that he had explained this to the applicant but the applicant wanted to start from the north to the south for other reasons and accepted that the electrical would be more expensive starting from the north.

Dave Anderson asked what the phasing plan is.



Brian Gabler said from north to south.

Dave Anderson said the road cross section standards would call for a different design for State Road 51, 10-foot park strip, 5-foot walk and a 5-foot planter.

Jered Johnson said he has reviewed the plat and it meets the City's standards.

Dave Anderson said this plat will be on the Planning Commission's agenda next week, on March 7th.

Kelly Peterson **moved** to **approve** the White Rail Preliminary Plat subject to the following conditions:

1. That the design for State Road 51 crossroad section be changed to include a 10-foot park strip, 5-foot walk, and a 5-foot planter.
2. That UDOT's approval for accesses onto State Road 51 be obtained before any Final Plats are approved.
3. That the applicant meet the Power Department's requirements including any requirements related to the phasing of the development.
4. That the applicant meet all City development standards.

Jered Johnson **seconded** and the motion **passed** all in favor.

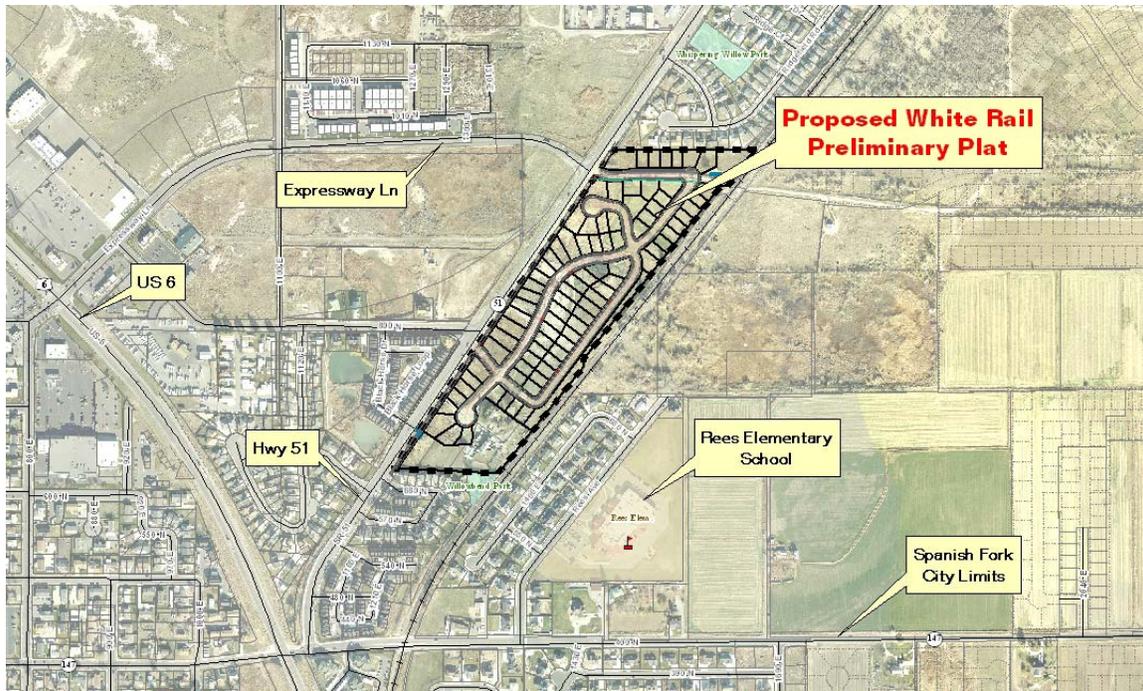
### **Budgetary Impact**

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

### **Recommendation**

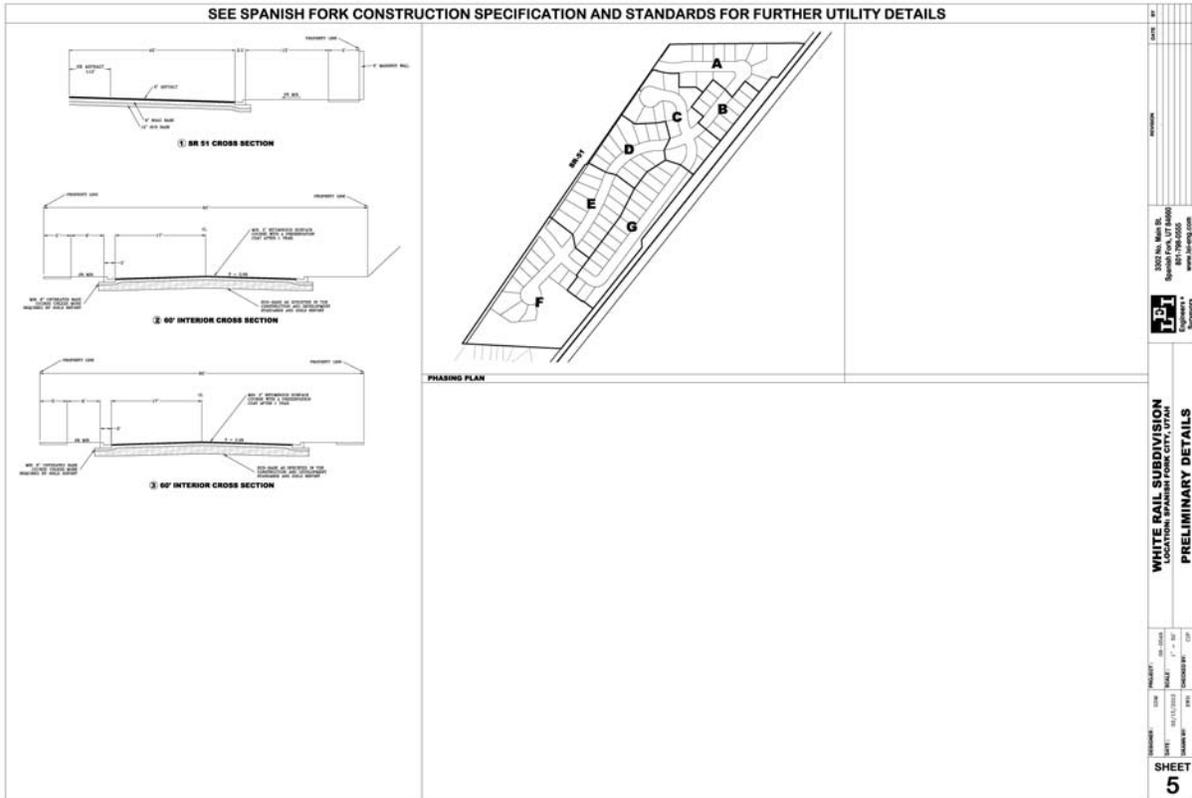
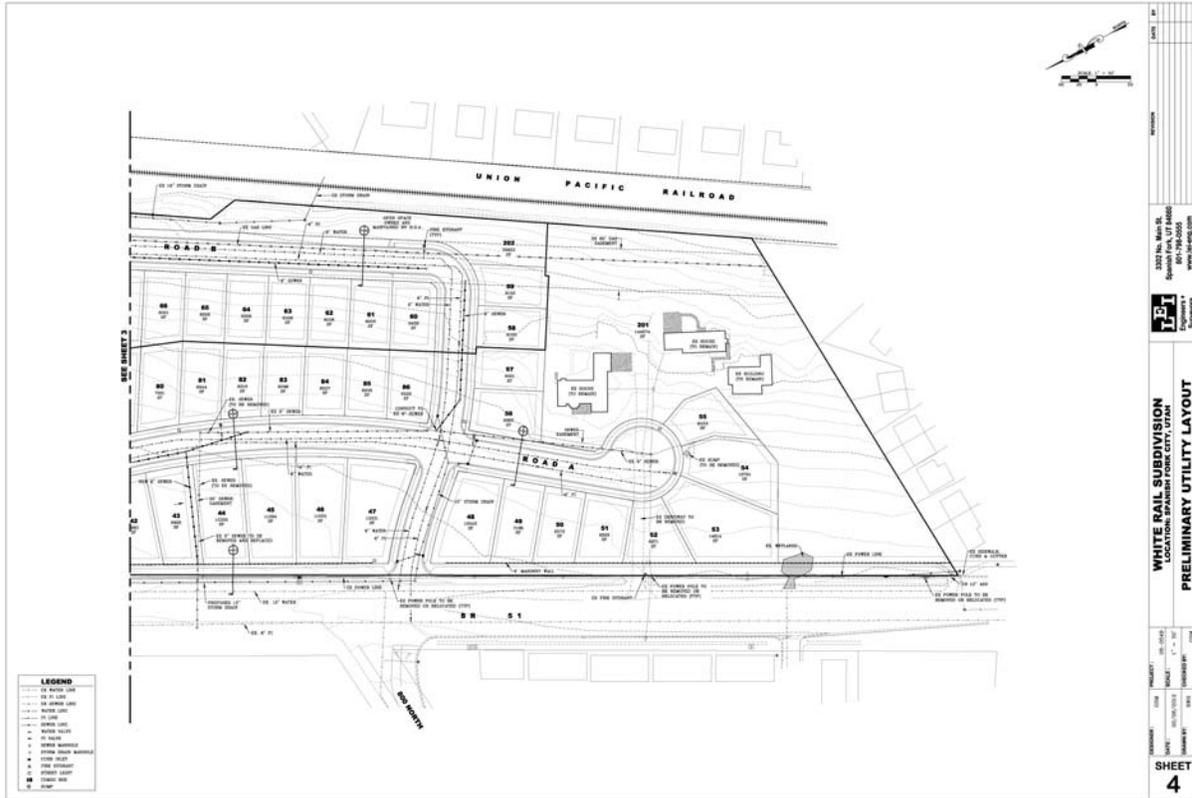
Staff recommends that the proposed Preliminary Plat be approved subject to the following conditions:

1. That the design for State Road 51 crossroad section be changed to include a 10-foot park strip, 5-foot walk, and a 5-foot planter.
2. That UDOT's approval for accesses onto State Road 51 be obtained before any Final Plats are approved.
3. That the applicant meet the Power Department's requirements including any requirements related to the phasing of the development.
4. That the applicant meet all City development standards.











# PRELIMINARY PLAT

## REPORT TO THE PLANNING COMMISSION HAWK LANDING PRELIMINARY PLAT

**Agenda Date:** March 7, 2012.

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

**Reviewed By:** Development Review Committee.

**Request:** Gordon Dawe is requesting Preliminary Plat approval for a 7-lot subdivision in the R-1-8 Zone.

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

**General Plan:** Medium Density Residential.

**Project Size:** 1.463 acres.

**Number of lots:** 7.

**Location:** 2292 East Canyon Road.

### Background Discussion

The proposed subdivision has been approved by the City twice before. In each of those cases, the project lost its approval after an extended period of inactivity.

This proposal involves having the property divided into seven lots that all meet the City's requirements for residential lots in the R-1-8 Zone. An existing home would be incorporated into one of the lots.

There are a few issues with the proposed development that have caused our staff to spend more time discussing options and alternatives than what is typical with a standard subdivision.

The most significant issue has to do with language that has been adopted in the City's Transportation Element of the General Plan. In short, this language advises that driveways should not be permitted onto collector and arterial class roads. Staff believes driveways should not typically be permitted onto a street like 2300 East. Staff has worked to balance this concern with the applicant's desire to develop the subject property. Again, staff does not like the idea of driveway's connecting with 2300 East. In an effort to address this concern, staff has recommended that the applicant be required to construct the lots, and that improvements be constructed on the lots, so as to have shared driveways that permit vehicles to turn around on the lot, rather than to have to back onto 2300 East.

Staff believes this would accomplish two things. First, it would limit the points of conflict onto 2300 East. While the effect of this may be small, it should be safer than a situation that involved more points of access. Second, providing an option for drivers to turn around on the lot rather than back onto 2300 East should enhance the safety of egress from the lots.

Another concern has to do with rights that adjacent property owners currently enjoy. At present, property owners to the west are allowed to keep



animals all the way to their eastern property line. However, it is conceivable that this could change as homes are built in the Hawk Landing development as large animals are required to be kept a certain distance from all dwelling units. This "buffer" requirement pertains to both dwellings on a property and those on neighboring properties.

In an effort to address this concern, I have spoken with our Legal Department and have been advised that the City will consider the currently enjoyed property rights to be vested. That is to say, these lots will retain their current rights to keep animals wherever they are currently legal, so long as the properties themselves do not change.

Another concern that has been discussed is the potential that the construction of homes and improvements in Hawk Landing will cause flooding on the adjoining properties. Staff believes the best way to address this concern is to require the applicant to submit a grading plan as part of the Final Plat submittal.

All in all, staff believes concerns associated with this proposal can be at least mitigated. Given that thought, the fact that the project has been approved twice before and the fact that the proposal meets all of the City's zoning requirements, staff recommends that the Hawk Landing Preliminary Plat be approved.

### **Development Review Committee**

The Development Review Committee reviewed this request in their February 29, 2012 meeting and recommended that it be approved. Draft minutes from that meeting read as follows:

#### **Hawk Landing**

Applicant: Gordon Dawe  
General Plan: Medium Density Residential  
Zoning: R-1-8  
Location: 2292 East Canyon Road

Dave Anderson said this is a standard subdivision, R-1-8 Zone, Medium Density Residential General Plan designation. The biggest issue is driveway accesses onto 2300 East.

Kelly Peterson's phone rang at 10:20 a.m. Mr. Peterson acknowledged that his phone rang and made it clear that he understood the ramifications of that ring.

Dave Anderson said having driveways onto 2300 East is a big concern. He recommends that the plat

be approved with shared driveways, having 3 accesses onto 2300 East. The applicant will need to present plans of how the shared driveways will be designed.

Mr. Anderson said the lots in the subdivision west of Hawk Landing are much larger and have large animal rights. Through the approval process it needs to be acknowledged that the owners of the larger lots are able to keep the animal rights up to the property line with no buffer between properties.

Seth Perrins recommended the condition of the animal rights be there forever for larger lots in the subdivision to the west.

Dee Rosenbaum agreed as long as the lot size meets the requirement.

Dave Anderson said he will recommend to Planning Commission and City Council that the lots will forever have animal rights.

Diane Butler asked about the elevation of the homes. The homes to the west of their subdivision were built higher and the neighbors have drainage problems.

Dave Anderson said the City can look at the grading plan for the subdivision.

Discussion was held about the grade of the properties.

Jered Johnson said there is a Connector's Agreement and that the driveway access along Canyon Road will need to be removed.

Kelly Peterson said the Power Department will pull power from the west along Canyon Road, then down 2300 East. Also, the overhead lines on the corner lot will be removed.

Diane Butler said she contacted the police about traffic safety on 2300 East. She asked the Police Department for a comparison of accidents on 2300 East and 1700 East. She shared the information she acquired, which illustrated that there have been several more accidents on 2300 East than 1700 East.

Dee Rosenbaum gave a print out of the comparison.

Diane Butler said there is a big difference, there are a lot more accidents on 2300 East than on 1700 East.

Dee Rosenbaum reported that the road was designed to not have driveway accesses.

Seth Perrins suggested having circular driveways.

Dave Anderson said he doesn't think there is enough room to make circular driveways function. Mr. Anderson then explained that the idea of the shared driveways is intended to call for construction on the lots that would permit people to change direction on the lots and not need to back out onto 2300 East. Essentially, the shared driveways would function as hammerhead turnarounds.

Dave Anderson will express to Planning Commission that there are a lot of concerns on the plat, but not a lot of options to address those concerns with modifications to the design. Mr. Anderson acknowledged that the proposed plat meets the City's zoning requirements and that the plat had been previously approved twice before. He said this plat is planned to go to Planning Commission meeting next week on March 7th.

Seth Perrins stated regarding the animals, there are still the City Ordinances for noise and smell.

Seth Perrins **moved to approve** the Hawk Landing Preliminary Plat based on the following findings and subject to the following conditions:

Findings:

1. That the proposed plat meets the City's requirements for subdivisions in the R-1-8 Zone.
2. That the proposed plat is consistent with the Land Use Element of the General Plan.
3. That with shared driveways onto 2300 East, the City's concerns with access onto 2300 East will have been mitigated.
4. That the property owners immediately adjacent to the plat to the west, will be deemed as vested relative to their animal rights and where they can keep animals on their property.

Conditions:

1. That the subdivision will be accessed via 3 shared driveways on 2300 East and one access onto 1200 South.
2. That driveway's accessing 2300 East will be constructed with the homes such that vehicles do not have to back onto 2300 East.

3. That the Canyon Road driveway access be removed.
4. That a mass grading plan be submitted with the final plat.
5. That a note be included on the recorded plat that states that the adjacent lots have animal rights.

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

Dave Anderson said Hawk Landing will be on the Planning Commission's agenda next week on March 7.

**Budgetary Impact**

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

**Recommendation**

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

Findings:

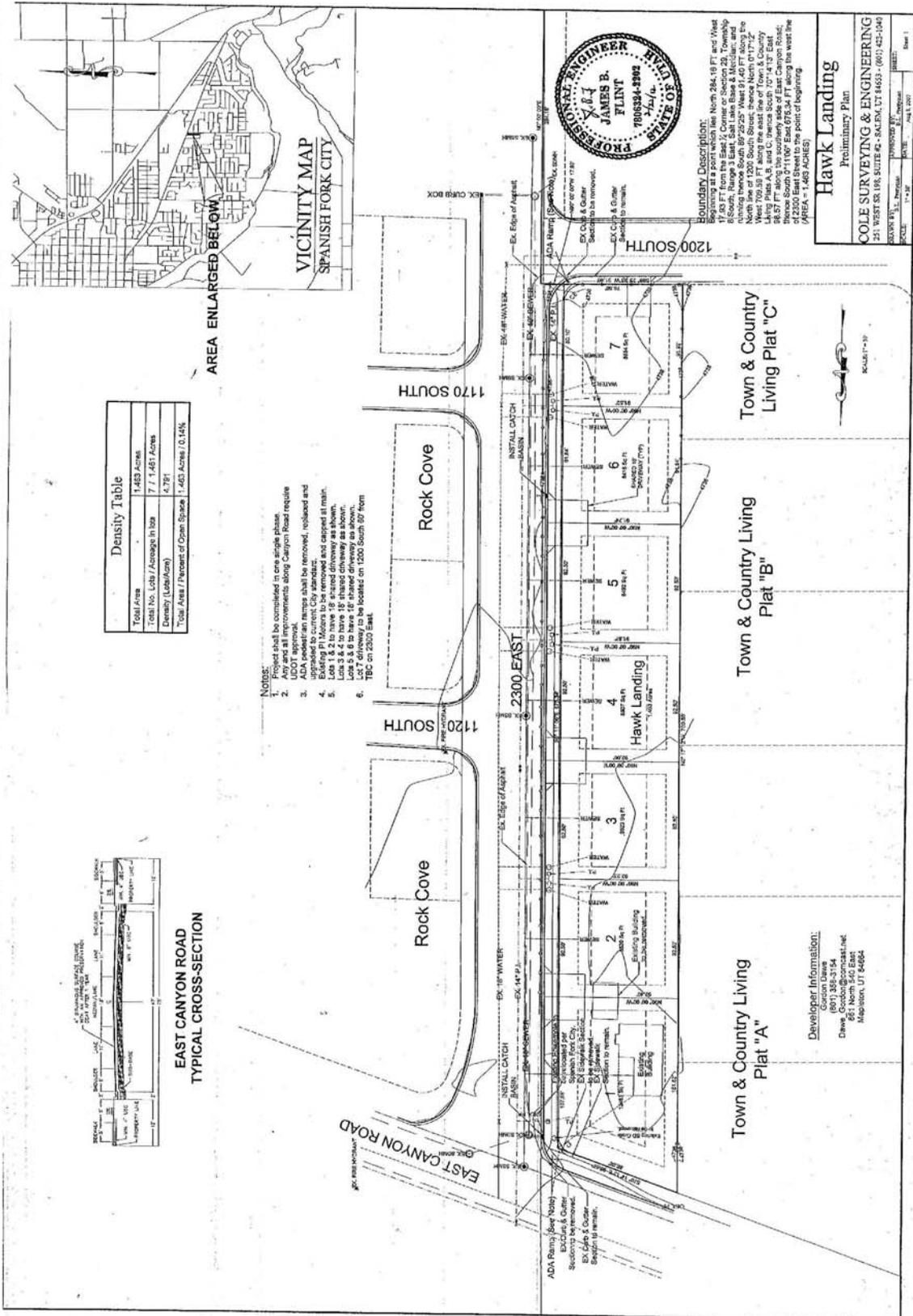
1. That the proposed plat meets the City's requirements for subdivisions in the R-1-8 Zone.
2. That the proposed plat is consistent with the Land Use Element of the General Plan.
3. That with shared driveways onto 2300 East, the City's concerns with access onto 2300 East will have been mitigated.
4. That the property owners immediately adjacent to the plat to the west, will be deemed as vested relative to their animal rights and where they can keep animals on their property.

Conditions:

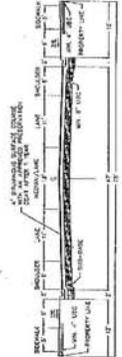
1. That the subdivision will be accessed via 3 shared driveways on 2300 East and one access onto 1200 South.
2. That driveway's accessing 2300 East will be constructed with the homes such that vehicles do not have to back onto 2300 East.
3. That the Canyon Road driveway access be removed
4. That a mass grading plan be submitted with the final plat.

5. That a note be included on the recorded plat that states that the adjacent lots have animal rights.





Density Table	
Total Area	1,453 Acres
Total No. Lots / Average in Block	77 / 4.61 Acres
Density (Lots/Acre)	4.791
Total Area / Percent of Open Space	1,453 Acres / 0.14%



EAST CANYON ROAD TYPICAL CROSS-SECTION

- NOTES:
1. Project shall be completed in one single phase.
  2. Any and all improvements along Canyon Road require City approval.
  3. ADA pedestrian ramps shall be removed, replaced and upgraded to current City standard.
  4. Existing PT Motions to be removed and capped at main.
  5. Lot 1 to have 15' shared driveway as shown.
  6. Lot 5 & 6 to have 15' shared driveway as shown.
- LOC'D driveway to be located on 1200 South 07' from 1800 to 2000 East.



**Boundary Description:**  
 Beginning at a point which lies North 284.19 FT and West 17.58 FT from the East 1/4 Corner of Section 29, Township 36N, Range 12E, Meridian 11E; thence North 89°25'22" West 9.440 FT to the North line of 1200 South Street; thence North 0°17'12" West 700.55 FT along the east line of Town & Country Living Plat "C" to the East 1/4 Corner of Section 29; thence South 0°11'00" East 675.34 FT along the west line of East Canyon Road to the point of beginning. (AREA = 1,453 ACRES)

**Hawk Landing**  
 Preliminary Plan  
**COLE SURVEYING & ENGINEERING**  
 251 WEST 5th 1/2 SUITE 42 • SALT LAKE CITY, UT 84103 • (801) 452-1840  
 DRAWN BY: J. B. Flint DATE: 04/13/2009  
 SCALE: 1" = 20'

**Developer Information:**  
 Gordon Daws  
 Daws\_Corbin@comcast.net  
 681 North 540 East  
 Mapleton, UT 84664