



Planning Commission Agenda May 8, 2013

Planning Commissioners

Brad Gonzales

Seth Sorenson

George Gull

Bruce Fallon

Richard Heap

Reed Swenson

6:00 P.M. 1. Preliminary Activities

- a. Pledge of Allegiance
- b. Approval of Minutes: March 6 and April 3, 2013.

2. Zone Map Amendments

- a. **Trailside (staff will request that this item be continued)**
Applicant: Stevan Davis
General Plan: Medium Density Residential
Zoning: R-1-8 existing, R-3 with Infill Overlay requested
Location: 335 West 100 South

3. Preliminary Plat

- a. **Trailside (staff will request that this item be continued)**
Applicant: Stevan Davis
General Plan: Medium Density Residential
Zoning: R-1-8 existing, R-3 with Infill Overlay requested
Location: 335 West 100 South
- b. **Maple Highlands Reapproval**
Applicant: Edge Homes
General Plan: Low Density Residential
Zoning: R-1-12
Location: 2000 East 500 South
- c. **Maple Mountain Amended**
Applicant: Salisbury
General Plan: Low Density Residential
Zoning: R-1-12
Location: 1700 East 130 North
- d. **White Rail Reapproval**
Applicant: Lew Bankhead
General Plan: High Density Residential
Zoning: R-1-6
Location: 980 North State Road 51

4. Ordinance Amendment

- a. **Proposed Changes to Title 15**
Applicant: Spanish Fork City
General Plan: not applicable
Zoning: not applicable
Location: not applicable

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
March 6, 2013

Commission Members Present: Chairman Brad Gonzales, Seth Sorensen, George Gull, Bruce Fallon.

Staff Present: Dave Anderson, Community Development Director; Shelley Hendrickson, Planning Secretary; Jered Johnson, Engineering Division Manager; Assistant City Engineer; Jason Sant, Assistant City Attorney.

Citizens Present: Lynn Rindlesbacher.

Chairman Gonzales opened the meeting at 6:00 p.m.

PRELIMINARY ACTIVITIES

Pledge

Commissioner Gonzales led in the pledge of allegiance.

MINUTES

February 6, 2013

Commissioner Sorenson **moved** to **approve** the minutes of February 6, 2013.
Commissioner Gull **seconded** and the motion **passed** all in favor.

ZONE MAP AMENDMENTS

Meadow Creek (previously known as Wash Creek)

Applicant: Scenic Development

General Plan: Medium Density Residential

Zoning: R-1-6 proposed, Rural Residential existing

Location: approximately 1600 North State Road 51

Mr. Anderson explained the proposed Zone Map Amendment and then the Preliminary Plat. He noted the changes and modifications to the plat. He said that City staff feels comfortable with the layout and are satisfied with the changes they just have a few modifications for the phasing plan.

46 Chairman Gonzales said that the Commission had discussed these proposals in their last
47 meeting and that there was a concern regarding access with regard to UDOT.

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49 Mr. Johnson explained that the City had met with UDOT and that access issues had been
50 resolved.

51
52 Mr. Anderson explained that City staff did not know what the timeframe of the Canyon
53 Creek Development was and that if the Maple Mountain Parkway road is not built by the
54 Canyon Creek Developer, then the developer for Meadow Creek would be responsible to
55 construct it.

56
57 Chairman Gonzales asked if points of access would be needed with the properties to the
58 north. Mr. Anderson explained that it was the border between Spanish Fork City and
59 Springville City. Discussion with Springville indicated that the property is planned for
60 industrial development and that staff did not think it was wise to tie a local street in
61 residential neighborhood into an industrial development.

62
63 Discussion was held regarding storm drain detention.

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65 Chairman Gonzales opened for public comment. There was none.

66
67 Discussion was held regarding the Development Review Committee's conditions of
68 approval.

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70 Commissioner Sorenson **moved** to **approve** the Meadow Creek Zone Map Amendment
71 subject to the following conditions:

72
73 **Conditions**

- 74
75 1. That the applicant address the Engineering Department's redline comments.
76 2. That an off-site sewer geotech report is provided with the Final Plat application.

77
78 Commissioner Fallon **seconded** and the motion **passed** all in favor by a roll call.

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81 **PRELIMINARY PLAT**

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83 **Wash Creek**
84 Applicant: Scenic Development
85 General Plan: Medium Density Residential
86 Zoning: Rural Residential existing, R-1-6 proposed
87 Location: approximately 1500 North State Road 51

88
89 Discussion was held with the Zone Map Amendment.

90

91 Commissioner Fallon **moved** to **approve** the Meadow Creek Preliminary Plat subject to
92 the following conditions:

93

94 **Conditions**

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- 96 1. That the applicant address the Engineering Department's redline comments.
97 2. That an off-site sewer geotech report is provided with the Final Plat application.

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100 **PRELIMINARY PLATS**

101

102 **West Gate Manor**

103 Applicant: Jed Mitchell

104 General Plan: Low Density Residential

105 Zoning: R-1-8

106 Location: 310 North 450 West

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108 Mr. Anderson explained that a year had passed and that the Preliminary Plat for West
109 Gate Manor was no longer vested. The applicant is requesting for re-approval. There are
110 not any changes.

111

112 Commissioner Sorenson **moved** to **approve** the West Gate Manor Preliminary Plat subject
113 to the conditions of the original approval. Commissioner Gull **seconded** and the motion
114 **passed** all in favor by a roll call vote.

115

116

117 **McInelly Subdivision**

118 Applicant: Brett McInelly

119 General Plan: Low Density Residential

120 Zoning: R-1-9

121 Location: 3000 East Spanish Oaks Drive

122

123 Mr. Anderson explained that the proposal was to divide the property into two building
124 lots. The lots would have a shared driveway. The City's Engineering Department feels
125 that the shared drive is good as to not have two driveways coming out on the steep
126 Spanish Oaks Drive. City staff discussed sensitive lands and protecting property from
127 wildfire.

128

129 Commissioner Fallon asked if there was any need for a shared access easement. Mr.
130 Anderson said that it would have to be on the plat.

131

132 Mr. Johnson explained that the driveway will be a public access easement.

133

134 Chairman Gonzales reviewed the Development Review Committees conditions of
135 approval.

136
137 Chairman Gonzales asked if there needed to be more detail relative to fire conditions and
138 defensible space.

139
140 Mr. Anderson explained that when the motion was made, in the DRC meeting, it was left
141 open because they were not sure what the Fire Marshall would feel is necessary.

142
143 Commissioner Fallon asked from a planning perspective how does this proposal differ
144 from a flag lot.

145
146 Mr. Anderson said that it did not have the literal stem or pole of a flag that goes out that
147 provides the means of access.

148
149 Commissioner Sorenson **moved** to **approve** the McInelly Preliminary Plat subject to the
150 following conditions:

151
152 **Conditions**

- 153
- 154 1. That the applicant incorporate any requirements imposed by the City Fire Marshall
 - 155 relative to defensible space.
 - 156 2. That the applicant addresses any outstanding issues related to the City's
 - 157 Construction Standards.
 - 158 3. That the applicant record, on the Final Plat, a shared use agreement for the private
 - 159 drive.

160
161 Commissioner Fallon **seconded** and the motion **passed** all in favor by a roll call vote.

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163 **OTHER BUSINESS**

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166 **Discussion on Planning Commission Rules of Order**

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168 Mr. Anderson explained the changes that the Commission gave him in their last meeting.

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170 Chairman Gonzales proposed to have a work session to review the sign ordinance. He
171 said that as we grow and develop it needs to be revisited.

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173 Discussion was held regarding the City's website and the need for all of the City's Master
174 Plans to be in one location on the website.

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176 Mr. Anderson thanked Commissioner Sorenson for his service.

177
178 Chairman Gonzales moved to move May's meeting to the 8th. The Commissioners all
179 agreed.

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ADJOURNMENT

Chairman Gonzales **moved** to **adjourn**. Commissioner Sorenson **seconded** and the meeting **adjourned** at 6:48 p.m.

Adopted:

Shelley Hendrickson, Planning Secretary

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Draft Minutes
Spanish Fork City Planning Commission Meeting
April 3, 2013

Commission Members Present: Richard Heap, George Gull, Reed Swenson.

Staff Present: Dave Anderson, Community Development Director; Shelley Hendrickson, Planning Secretary; Jered Johnson, Engineering Division Manager; Assistant City Engineer; Jason Sant, Assistant City Attorney.

Citizens Present: Brad Mackay

Commissioner Gull opened the meeting at 6:10 p.m.

Commissioner Heap led in the Pledge of Allegiance.

MINUTES

March 6, 2013

The minutes of March 6, 2013 were continued for lack of a quorum.

ZONE MAP AMENDMENT

Canyon Creek

Applicant: Tenedor, LLC

General Plan: General Commercial and Light Industrial

Zoning: Business Park and Commercial 2

Location: approximately 1500 North Chappel Drive

Mr. Anderson explained a previous zone change in this area from one year ago. The boundary was changed between Commercial 2 (C-2) and Business Park (B-P) with the idea that the boundary would follow where City staff thought the alignment of some roads would go. It is the new alignment of the proposed road that is the impetus for this proposed change to the zoning for C-2. The other part of the proposal is to change C-2 to B-P and the motivation for the change is unknown but that there are continuous negotiations between Intermountain Health Care and Woodbury Corporation with regard to a land trade they have been working on.

Commissioner Gull invited public comment. There was none.

45 Commissioner Swenson **moved** to **approve** the Tenedor Zone Change. Commissioner
46 Heap **seconded** and the motion **passed** all in favor.

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49 **PRELIMINARY PLAT**

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51 **Spanish Highlands**

52 Applicant: Ivory Development

53 General Plan: Low Density Residential

54 Zoning: Rural Residential existing, R-1-6 proposed

55 Location: approximately 2000 East 200 South

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57 Mr. Anderson explained the development was originally approved in 2007. There was a
58 parcel boundary between Ivory Homes and Edge Homes. The proposal is to add three
59 lots into their development so that they can finish up the project. Spanish Highlands is a
60 Master Planned Development. The applicant did hold a neighborhood meeting.

61

62 Commissioner Heap **moved** to **approve**. Commissioner Swenson **seconded** and the
63 motion **passed** all in favor by a roll call vote.

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66 **OTHER BUSINESS**

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68 **Field trip to view multi-family developments**

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70 The meeting **adjourned** at 9:00 p.m.

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72 **Adopted:**

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Shelley Hendrickson, Planning Secretary



TO: Planning Commission
FROM: Dave Anderson, Community and Economic Development Director
DATE: May 3, 2013
RE: Trailside Zone Change and Preliminary Plat

Notices were sent last week for a public hearing on a Zone Change for a project known as Trailside. In short, we anticipated having the project ready to present for your recommendation in May. The project is not ready for action but we would like to take some time in your meeting to discuss the project to get any thoughts you might have. We will request that you continue the public hearing to your next meeting.





PRELIMINARY PLAT

REPORT TO THE PLANNING COMMISSION MAPLE HIGHLANDS PRELIMINARY PLAT REAPPROVAL

Agenda Date: May 8, 2013.

Staff Contacts: Dave Anderson, Community Development Director.

Reviewed By: Development Review Committee.

Request: Edge Homes is proposing to have the Preliminary Plat for Maple Highlands reaproved. The project's previous approval expired on March 20, 2008. No changes to the original approval are proposed.

Zoning: R-1-12.

General Plan: Low Density Residential.

Project Size: 28.56 acres.

Number of lots: two additional lots are proposed.

Location: approximately 2000 East 500 South.

Background Discussion

Edge Homes is requesting to have the Preliminary Plat for Maple Highlands reaproved. The project's original approval expired on March 20, 2008. No changes are proposed to the project, the applicant is simply requesting that it be reaproved in the original configuration.

As this is a Master Planned Development, the applicant is proposing upgraded building elevations to justify the project's density.

Development Review Committee

The Development Review Committee reviewed this request in their April 17, 2013 meeting and recommended that it be approved. Draft minutes from that meeting read as follows:

Maple Highlands

Applicant: Edge Homes
General Plan: Low Density Residential
Zoning: R-1-12
Location: 2100 East 100 South

Mr. Pierce explained that there were no major issues but that the original plan was to use sumps so the plan now is to install storm drain manholes that will grade all the way down and will bubble up in a sump. The plans show the sewer will go to the west which means they will have to bring in fill to make the grades work.

Discussion was held regarding the site needing at least four or five feet of fill, a connector's agreement and the need for the sewer to be constructed this year.

Mr. Anderson **moved to approve** the Maple Highlands Preliminary Plat based on the following finding:

Finding

1. That the applicant has provided some architectural samples that, when followed



in constructing the homes, warrant the density that the project has.

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

Budgetary Impact

Staff anticipates no budgetary impact with either the approval or denial of this proposal.

Recommendation

Staff recommends that the proposed Preliminary Plat be approved.





BEFORE



AFTER



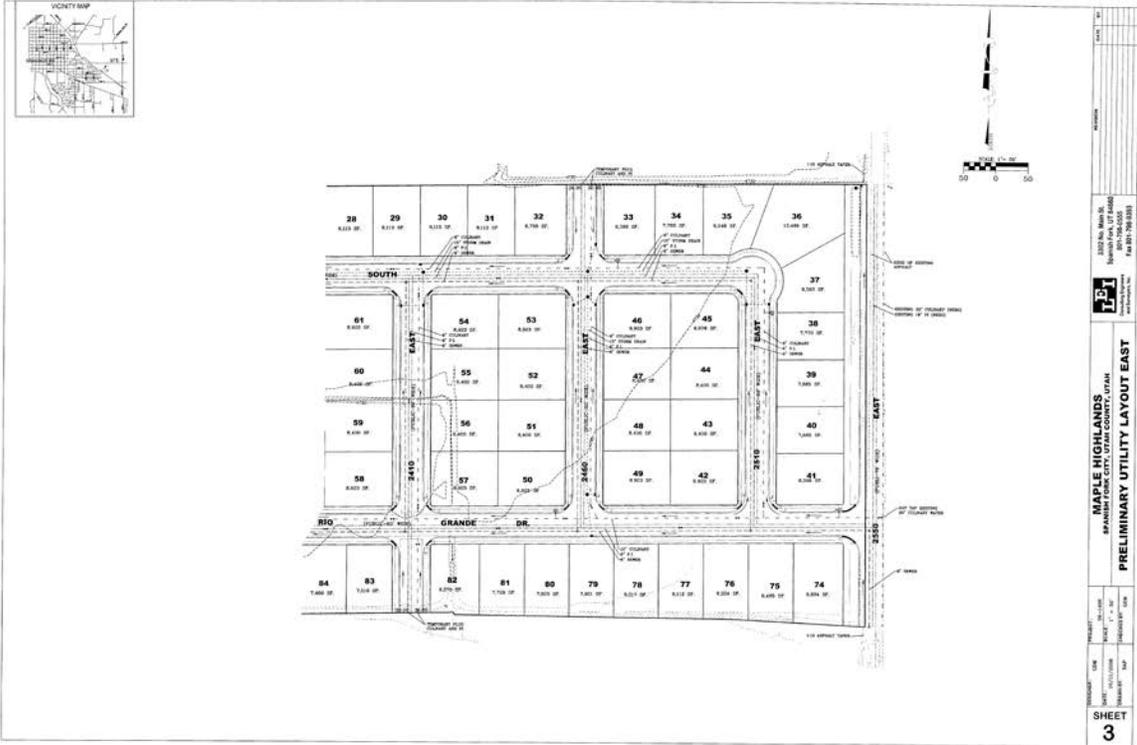
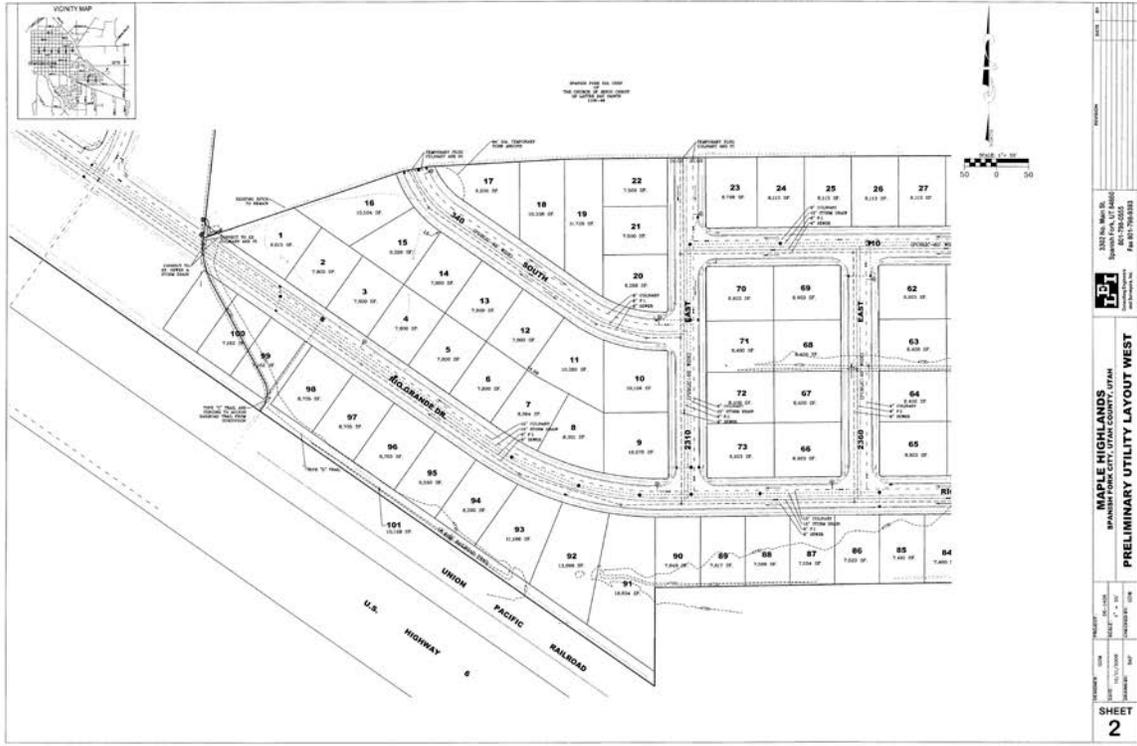


BEFORE

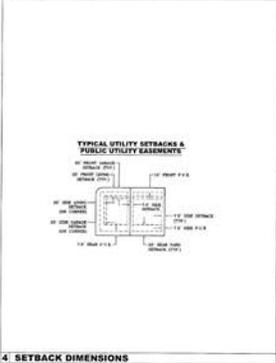
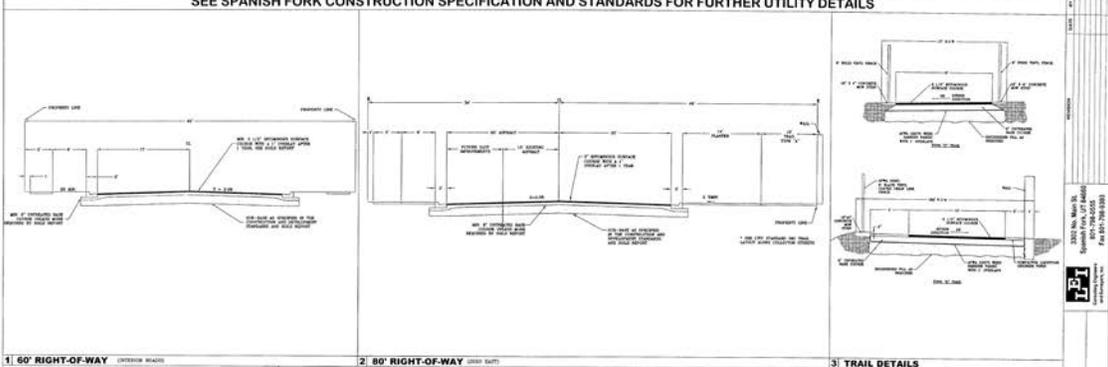


AFTER

KEN FARRIS ARCHITECT 



SEE SPANISH FORK CONSTRUCTION SPECIFICATION AND STANDARDS FOR FURTHER UTILITY DETAILS



4. SETBACK DIMENSIONS

	2002 N. Main St. Suite 100 Tallahassee, FL 32302 Phone: 904-779-0000 Fax: 904-779-0000
MAPLE HIGHLANDS DEVELOPMENT DETAILS	PROJECT: 21-10 DATE: 11/11/2020 DRAWN BY: JJJ CHECKED BY: JJJ
PAGE 4	OF 10



PRELIMINARY PLAT

REPORT TO THE PLANNING COMMISSION MAPLE MOUNTAIN PRELIMINARY PLAT AMENDMENT

Agenda Date: May 8, 2013.

Staff Contacts: Dave Anderson, Community Development Director.

Reviewed By: Development Review Committee.

Request: Salisbury Homes is requesting Preliminary Plat approval for an Amendment to the current Maple Mountain approval.

Zoning: R-1-12.

General Plan: Low Density Residential.

Project Size: some 99 acres.

Number of lots: two additional lots are proposed.

Location: approximately 200 North 1900 East.

Background Discussion

Salisbury Homes is requesting Preliminary Plat approval for an Amendment to the current Maple Mountain approval. The proposed Amendment is rather simple, the applicant is proposing to add a small parcel to the development and to have that parcel divided into two lots.

Development Review Committee

The Development Review Committee reviewed this request in their May 22, 2012 meeting and recommended that it be approved. Draft minutes from that meeting read as follows:

Maple Mountain Amended

Applicant: Salisbury Homes
General Plan: Low Density Residential
Zoning: R-1-12
Location: 1900 East 200 North

Mr. Pierce explained that the Kessinger lots were separate from Central Bank and Salisbury. He said that the road in front of the Kessinger parcels would need to be dedicated with Maple Mountain Plat C and that is why they are now being included in the Maple Mountain project. He further explained that he had matched the old Preliminary Plat with the amended proposal and that the addition of the Kessinger parcels was the only change.

Mr. Baker **moved to approve** the Maple Mountain Amended Preliminary Plat. Mr. Johnson **seconded** and the motion **passed** all in favor.

Mr. Baker **moved to adjourn**. Mr. Johnson **seconded** and the motion **passed** all in favor at 10:19 a.m.

Budgetary Impact

Staff anticipates no budgetary impact with either the approval or denial of this proposal.



Recommendation

Staff recommends that the proposed Preliminary Plat be approved.







PRELIMINARY PLAT

REPORT TO THE PLANNING COMMISSION WHITE RAIL PRELIMINARY PLAT REAPPROVAL

Agenda Date: May 8, 2013.

Staff Contacts: Dave Anderson, Community Development Director.

Reviewed By: Development Review Committee.

Request: Lewis Bankhead is requesting that that the Preliminary Plat be reapproved for an 87-lot subdivision located in the R-1-6 Zone. The approval for this project expired on March 20, 2013.

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

This proposal involves reapproving the Preliminary Plat for White Rail, a development containing 87 residential lots. No changes are proposed from the City's most recent approval.

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 will review this request in their May 9, 2013 meeting. Draft minutes from that meeting should be available in the Commission meeting.

Budgetary Impact

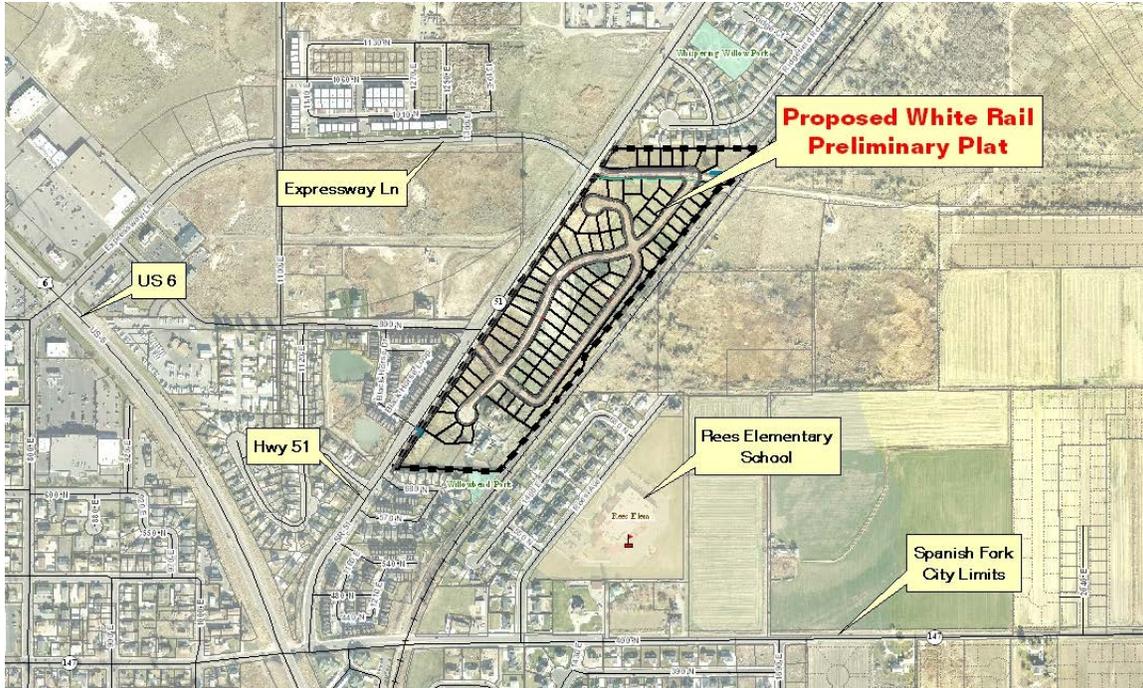
There is no immediate budgetary impact anticipated with the approval of this plat.

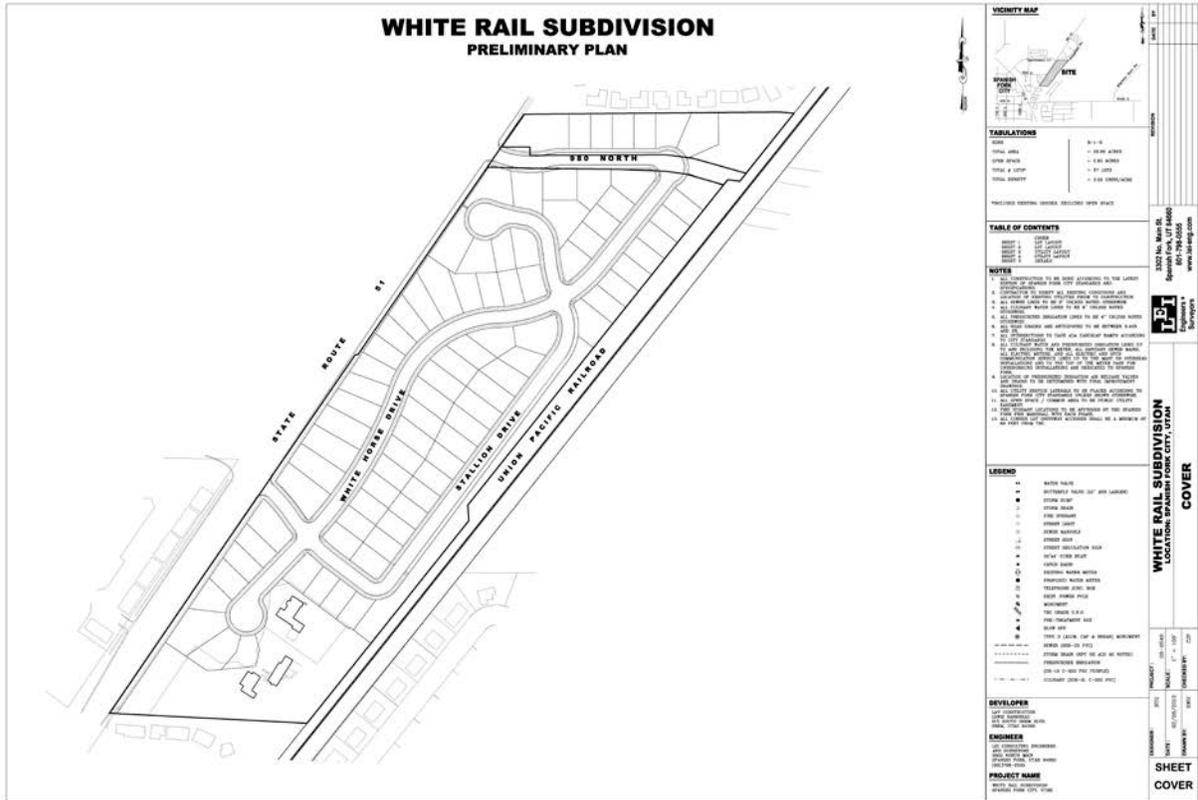
Recommendation

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.







ORDINANCE NO. __-13

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>		
BRANDON B. GORDON <i>Council member</i>		
STEVE LEIFSON <i>Council member</i>		
KEIR A. SCUBES <i>Council member</i>		

I MOVE this ordinance be adopted: Council member

I SECOND the foregoing motion: Council member

ORDINANCE No. __-13

AN ORDINANCE MAKING VARIOUS AMENDMENTS TO THE LAND USE ORDINANCE OF SPANISH FORK CITY

WHEREAS, Spanish Fork City has enacted a land use ordinance to regulate the development of land within the City, establish zoning to protect property values, and establish administrative rules concerning land use; and

WHEREAS, amendments to the land use ordinance need to be made from time to time in order to remain compliant with state and federal law, become more efficient, and to keep standards in line with best construction and safety practices; and

WHEREAS, Utah state law has recently been changed which limits the amount of the bond to guarantee infrastructure improvements to ten percent (10%) of the total bond

amount; and

WHEREAS, the City allows developers the benefit of connector's agreements, and should receive that same benefit when it performs improvements which will benefit specific properties; and

WHEREAS, a public hearing was held before the Planning and Zoning Commission on Wednesday, the 8th day of May, 2013, whereat public comment was received; and

WHEREAS, a public hearing was held before the Spanish Fork City Council on Tuesday, the 21st day of May, 2013, whereat additional public comment was received;

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

I.

Spanish Fork Municipal Code §§15.4.16.020 and 110 are hereby amended as follows:

15.4.16.020 Unavailability of Adequate Public Facilities

A. In the event that the city engineer determines that adequate public facilities are not available and will not be available by the time of approval, so as to assure that adequate public services are available at the time of occupancy, the following alternatives may be elected, at the discretion of the city council:

1. Allowing the developer to voluntarily construct those public facilities which are necessary to service the proposed development and provide adequate facilities as determined by the city engineer and by entering into an appropriate form of connector's, or developers agreement, which may include, as deemed appropriate by the city engineer, provisions for recoupment of any expenses incurred above and beyond those reasonably necessary for or related to the need created by or the benefit conferred upon the proposed development, and the method and conditions upon which recoupment is to be obtained. Any connector's agreement authorized by this paragraph must be requested within 30 days of the completion and acceptance by the City of the improvements.
2. Requiring the timing, sequencing, and phasing of the proposed development consistent with the availability of adequate public facilities;
3. Deferring approval and the issuance of building permits until all necessary public facilities are adequate and available; or
4. Denying approval and allowing the applicant to reapply when adequate public facilities are available.

B. In the event the City installs infrastructure improvements which benefits

specific properties, it may also recover reimbursement on a pro-rata basis from the benefitted properties when they develop, on the same basis as a developer would recover reimbursement with a connector's agreement as set forth in paragraph A.

C. When a connector's agreement is granted, or the City installs infrastructure for which it will be reimbursed, the City will record a notice against the benefitted properties so that a future owner/developer will be on notice of development costs associated with that parcel.

15.4.16.110 Security for Improvements Required

The owners and/or developers of property shall deposit security with the City to guarantee proper installation of all required improvements in accordance with the plans, specifications, time limitations, and conditions relating thereto as meets with the approval of the Council or such personnel as the Council shall designate. The amount of the security shall be 125% of the City's estimated costs of the improvements. Security shall be in the form of cash in the minimum amount of ten percent (10%) of the City's bond amount. The balance of the security shall be in the form of cash, an irrevocable letter of credit, or an escrow bond.

Irrevocable letters of credit or escrow bonds shall be executed by financial institutions acceptable to the City and authorized to conduct business in the State of Utah, and must be in the form approved by the City. The bond or letter of credit as required by this section must be posted prior to recording. Upon completion, inspection, approval, and acceptance of the improvements, the security, less ten percent (10%), shall be released to the developer. Ten percent (10%) of the security amount shall be held for a period of one (1) year following final inspection and acceptance to warrant improvements for this time period.

The ten percent retained for the warranty period shall be in cash. The cash amount may be released one year after installation, final inspection, and acceptance by City, if no repairs or replacement are required to the infrastructure installed.

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 September, 2012.

G. WAYNE ANDERSEN, Mayor

Attest:

Kent R. Clark, City Recorder