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Adopted Minutes
Spanish Fork City Development Review Committee
August 26, 2015

Staff Members Present: Chris Thompson, Public Works Director; Dave Anderson, Community Development Director; Dave Oyler, City Manager; Kelly Peterson, Electric Superintendent; Tom Cooper, Electric Utility Planner; Junior Baker, City Attorney; Cory Pierce, Staff Engineering; Jered Johnson, Engineering Division Manager; Bart Morrill, Parks Maintenance Supervisor; Joe Jarvis, Fire Marshall; John Little, Chief Building Inspector; Steve Adams, Public Safety Director; Kimberly Brenneman, Community Development Division Secretary.

Citizens Present: Steven Lord, Joe Rich, Dallas Reid, Cody Brazell, Trevor Miller, Dennis McGraw.

Chris Thompson called the meeting to order at 10:10 a.m.

MINUTES

August 19, 2015

Junior Baker **moved** to **approve** the minutes of August 19, 2015, with the changes noted in an earlier e-mail from Junior Baker to Kimberly Brenneman and the DRC members.

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

Conditional Use Permit

Beehive Homes Addition

Applicant: Dennis McGraw

General Plan: Medium Density Residential

Zoning: R-1-6

Location: 858 East 100 South

Junior Baker stated he has an issue with the application. The structure of the building needs to match the residential nature of the area. The applicant is proposing to remove the garage and add living quarters. Junior Baker stated that the garage needs to stay and not be converted to a living space as to conform with the neighboring properties.

The applicant stated that he has 6 parking spaces and does not need the garage to meet the parking requirements.

Dave Anderson stated there is an ordinance that states a garage is needed.

46 Dave Oyler asked the DRC staff if the project is an assisted living facility, why is a garage
47 required?
48

49 Junior Baker responded the home needs to keep the same look of the rest of the homes in the
50 neighborhood and the applicant needs to keep the garage.
51

52 The applicant stated the elevation will look very nice, but there will be no garage door. All the
53 Beehive homes in neighboring cities have done away with garages as they are not utilized. At
54 this time the current garage is not used for parking, only storage.
55

56 Dave Anderson stated the parking standard identified on page states one parking stall for
57 every three residents. There is no tandem parking allowed. Dave Anderson asked the
58 applicant to identify the designated parking.
59

60 The applicant stated that he is applying for a Conditional Use for an Assisted Living Facility
61 under §15.3.24.010(C) and it states under item 5:
62

63 *5. Off-street parking shall be provided to accommodate staff and one (1) visitor*
64 *space for every three (3) residents for facilities larger than 15 beds.*
65

66 The applicant stated the facility will accommodate only 13 beds and therefor the parking
67 requirement under §15.3.24.010(C)(5) is not applicable to him.
68

69 The applicant stated there are 6 parking spaces available on the property at this time. There is
70 an RV pad to the west of the home that would accommodate two cars parked tandem. The
71 driveway will allow for four cars to be parked, one of the cars would be parked behind the two
72 cars on the RV pad.
73

74 Dave Anderson stated without the tandem parking the applicant is deficient by at least 2
75 parking spaces. He also stated if there are less than 15 beds the applicant is to conform to the
76 general parking standard under §15.3.24.120 (C); which is one parking space for every
77 employee on the highest shift plus 0.4 parking spaces for every unit. If there is only one
78 employee on the premises at one time the applicant is required to provide 6 parking stalls, not
79 including tandem parking.
80

81 The applicant stated there are visitors that come and visit in the evening but the drive area is
82 not always full. The residents do not own cars. Every Sunday there are vehicles parked on the
83 street and the driveway is full.
84

85 Cory Pierce pulled up a google image of the property which showed 3 parked vehicles on the
86 street with no cars parking in the driveway.
87

88 Dave Anderson stated that this use must conform to the neighboring properties so that it does
89 not look like a commercial use and that is he feels the garage is required to not be converted to
90 a living space. Dave Anderson referred to §15.3.24.010(C)(4):
91

92 4. *The building character and landscaping shall be of the same general character*
93 *of those of other residences and yards in the neighborhood.*

94
95 Dave Anderson stated the goal is to keep the neighborhood residential.

96
97 There was a side conversation between Dave Oyler and Chris Thompson about other assisted
98 living facilities in residential zones within the City, what was required for their approval, what
99 zoning designation was given, property size, scale of business and landscaping.

100
101 Dave Oyler does not feel a garage should be required.

102
103 The applicant stated at this time he is not aware of any complaints from the neighbors
104 regarding parking issues.

105
106 Chris Thompson stated that keeping the garage and parking on the side is a nice offer.

107
108 Dave Oyler stated he does not understand the purpose of requiring the applicant to maintain
109 the garage space if they only utilize the garage for storage.

110
111 Dave Anderson stated that the purpose is if there is a complaint regarding parking the City can
112 respond that the Conditional Use Permit was approved with the garage being utilized for
113 parking to meet the parking requirement for such use.

114
115 Dave Anderson asked how many employees were on the premises on the highest shift.

116
117 The applicant responded there are 2 employees at their peak time.

118
119 The applicant did not understand how the parking requirement under §15.3.24.120 (C) applied
120 to him as it is not under the Conditional Use Permit – Assisted Living Facility
121 (§15.3.24.101(C)).

122
123 Staff stated the parking requirement under §15.3.24.120 (C) is the citywide standard for
124 parking.

125
126 Chris Thompson stated that a condition could be that the staff must all park on the RV site
127 parking.

128
129 Dave Anderson stated by doing that, there will be cars parked 3 deep on the west side of the
130 home and that is just not practical.

131
132 Chris Thompson stated that regardless of the motion the employees should park on the RV pad
133 and not in the street.

134
135 Junior Baker **moved** to recommend approval to Planning Commission approval of the Beehive
136 Homes Addition Conditional Use Permit located at 858 East 100 South allowing up to 13 beds
137 based on the following conditions:

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Conditions

1. The employees park alongside the building on the RV pad.

Dave Oyler **seconded** and the motion **passed**. Dave Anderson voted nay.

Vivint Wireless Cell Tower

Applicant: Trevor Miller
General Plan: Public Facility
Zoning: P-F
Location: 617 South 1150 East

The applicant addressed the DRC stating the equipment Vivint plans to install is smaller than most equipment in the industry. They are leasing space on the tower and will be co-locating.

Jered Johnson exited the meeting at 10:44 a.m.

Junior Baker stated that typically there are leases for the ground and a lease for the tower.

The applicant stated they typically just contract with the lessor of the tower.

Dave Oyler asked if there is an ordinance that addresses how many providers can be on one tower.

Junior Baker stated there is not and that the City encourages co-locating.

The applicant stated they will be providing internet services to residents.

Junior Baker stated there could be a franchise issue regarding providing internet services.

The applicant stated it is beneficial for communities to have business competition as it drives prices down.

Junior Baker stated there needs to be a franchise agreement for the applicant to move forward.

The applicant stated that they will only be able to serve a portion of the community. Large trees or objects prohibit the signal from traveling far.

Dave Anderson does not have any issues with the proposed addition of Vivint equipment to the cell tower.

Kelly Peterson stated there are no concerns with from the Power Department with electrical loads.

184 Dave Anderson **moved** to recommend approval to City Council of the Vivint Wireless Cell
185 Tower Conditional Use Permit based on the following conditions:

- 186
187 Conditions
188 1. The applicant enters into a franchise agreement with the City.

189
190 Dave Oyler **seconded** and the motion **passed** all in favor.

191
192
193 **600 East Accessory Apartment**

194 Applicant: Shad Mecham
195 General Plan: Medium Density Residential
196 Zoning: R-1-6
197 Location: 160 North 600 East

198
199 The applicant must meet the following requirement to apply for a Conditional Use permit.

- 200
201 *a. Only one apartment shall be created within a single family dwelling.*
202 *b. Permitted on lots 10,000 square feet or larger.*
203 *c. A garage with space for at least one vehicle and additional space as needed for*
204 *a total of no less than two (2) parking spaces per unit.*
205 *d. Register the accessory apartment with City for utility billing.*
206 *e. The home shall meet all applicable building and fire codes.*
207 *f. The dwelling is located in an R-1-6 or R-3 zone.*

208
209 There needs to be a total of 4 off-street parking spaces, two of which must be in an enclosed
210 garage.

211
212 Dave Anderson **moved** to recommend approval to the Planning Commission of the 600 East
213 Accessory Apartment Conditional Use Permit based on the following findings and conditions:

- 214
215 Conditions
216 1. That the applicant meets the requirements spelled out in Title 15 regarding accessory
217 apartments.
218 2. That the applicant meets the current building codes.
219 3. That the applicant separate the electrical meters.

220
221 Junior Baker **seconded** and the motion **passed** all in favor.

222
223
224 **Annexation**

225
226 **Warner Annexation**
227 Applicant: Atlas Engineering
228 General Plan: High Density Residential
229 Zoning: N/A

230 Location: 251 East 7650 South, Utah County

231

232 There is a boundary line issue and the application does not qualify currently as a legal
233 annexation due to leaving peninsulas in the County. The City is working with the applicant to
234 resolve the issue.

235

236 Dave Anderson **moved** to continue discussion of the Warner Annexation.

237

238 Junior Baker **seconded** and the motion **passed** all in favor.

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241 **Other Business**

242

243 **Canyon Creek Phase 4 Intersection Design**

244 Applicant: Woodbury

245 General Plan: Commercial

246 Zoning: C-2

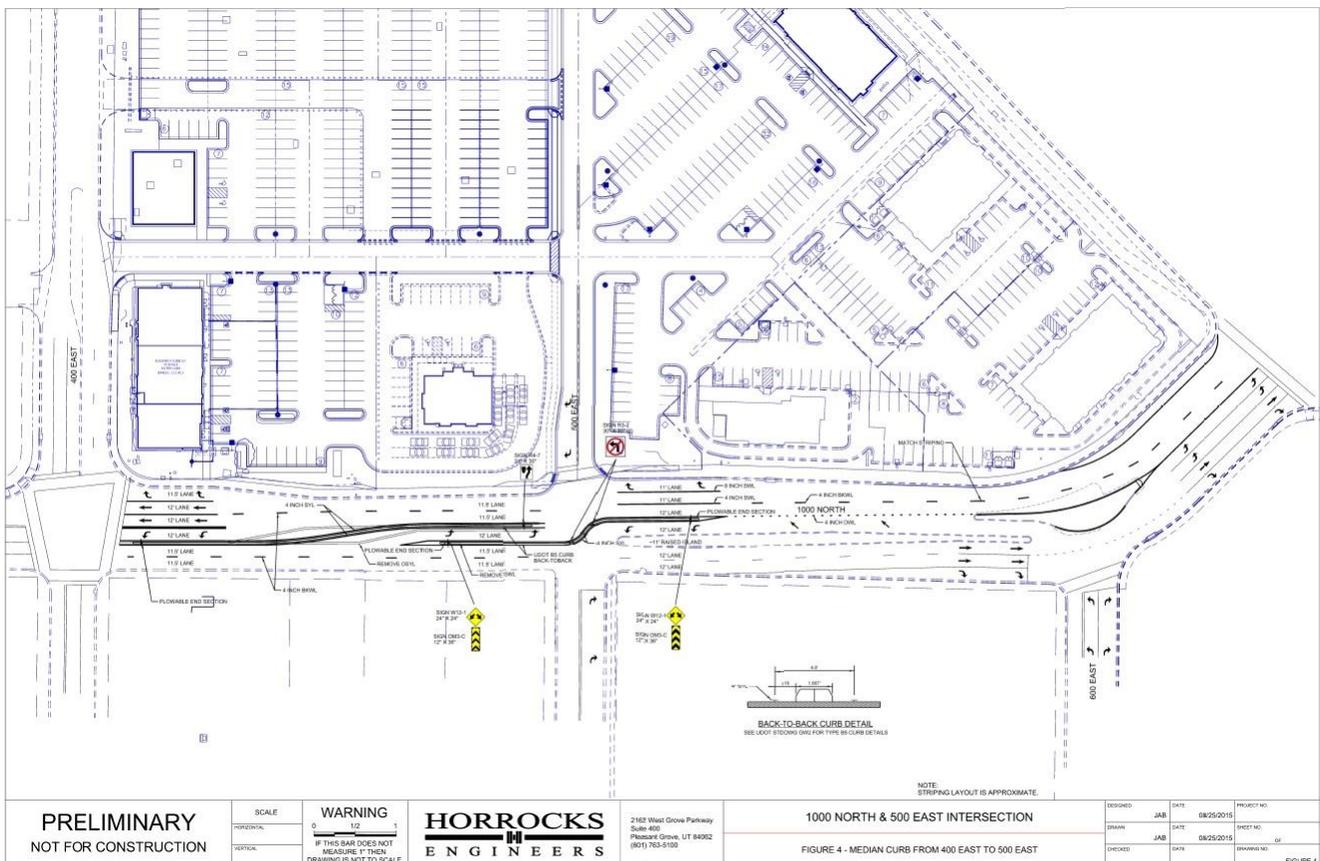
247 Location: 500 East 1000 North Intersection

248

249 There was a traffic study that was done regarding the intersection of 500 East 1000 North.

250 The option that has been presented, and that all parties agree upon, is to eliminate the left turn
251 in and out of 500 East on 1000 North.

252



253
254

255 Chris Thompson stated the right turn lane from 1000 North heading West turning onto 500
256 East needs to be wider.

257
258 Joe Rich stated there have not been any signs directing traffic. With these improvements
259 signs will be placed and that should help with confusion. He is here to ask the DRC to issue
260 certificate of occupancy permits to tenants without the completion of the intersection.
261

262 Chris Thompson stated this needs to be completed before winter 2015.
263

264 Steven Lord with Horrocks Engineering stated the striping and reconstruction of the
265 intersection should be done within about a week. That does not include the reconfiguration of
266 the island at the intersection of 600 East 1000 North.
267

268 Joe Rich doesn't know if he can commit to having this completed in a month.
269

270 Cody Brazell thinks this could be done by the end of October.
271

272 Joe Rich stated the issue is getting a contractor to the site to start the work.
273

274 Dave Anderson stated there needs to be some skin in the game to make sure things are
275 completed.
276

277 Chris Thompson stated the reconfiguration of 1000 North from 400 East to 600 East needs to
278 be completed by October 1st. Chris Thompson stated he feels this is a reasonable timeline.
279

280 Dave Oyler **moved** to approve the Canyon Creek Phase 4 Intersection Design based on the
281 following findings and conditions:
282

283 Conditions

- 284 1. That the applicant install the modifications to 1000 North from 400 East to 600 East on
285 or before October 1st
286 2. There will be no restrictions on certificates of occupancies.
287

288 Kelly Peterson **seconded** and the motion **passed** all in favor.
289
290

291 Title 15 changes:
292

293 Dave Anderson spoke about landscaping changes to Title15. There should be a 1-year
294 requirement for installation of the front yard and 2-year requirement for installation of the back
295 yard. At this time Dave Anderson does not feel there should be a bond for the landscaping. If
296 there is a complaint, the Building Department looks at the date the certificates of occupancy
297 was issued and then handles the issue just like any weed issue.
298

299 There was concern of having a requirement on new home owners and the burden of putting in
300 landscaping in the backyard.

301
302 The language proposed is very similar to other City's ordinances.

303
304 Junior Baker has mixed feelings about the back yard landscaping requirement.

305
306 Chris Thompson stated there are flooding issues within some of the neighborhoods due to no
307 landscaping.

308
309 Stillman Annexation:

310
311 Kelly Peterson asked what the timeline is before an approved annexation must be recorded.

312
313 Junior Baker stated a letter has been issued that the applicant stated the Annexation approval
314 will expire on October 1st.

315
316 Dave Anderson moved to adjourn meeting at 11:25 a.m.

317
318
319
320 Adopted: September 9, 2015

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322 _____
Kimberly Brenneman
Community Development Division Secretary