



DEVELOPMENT REVIEW COMMITTEE AGENDA

WEDNESDAY, APRIL 11, 2012

10:00 A.M.

1. **Minutes: March 28, 2012**

2. **Final Plat**
 - a. **Legacy House at Spanish Fork**
Applicant: Adam Lambert
General Plan: Mixed Use
Zoning: R-1-8
Location: 1450 East 100 South

3. **Site Plan**
 - a. **North Park Retail**
Applicant: Richard Mendenhall
General Plan: General Commercial
Zoning: Commercial 2
Location: 500 East 100 South

4. **Other Business**

5. **Adjourn**

The meeting starts at 10:00 A.M. at Spanish Fork City Hall in the Council Chambers. Applicants should be at the meeting and be prepared to discuss their development. The public is invited to participate in all Development Review Committee Meetings. If you need special accommodations to participate in the meeting, please contact the City Manager's Office at (801) 804-4531.

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Draft Minutes
Spanish Fork City Development Review Committee
March 28, 2012

Staff Members Present: Chris Thompson, Public Works Director; Dave Anderson, Community and Economic Development Director; Jason Sant, Assistant City Attorney; Shelley Hendrickson, Planning Secretary; Chris Swenson, Chief Building Inspector; Kelly Peterson, Power Superintendent; Trapper Burdick, Assistant City Engineer; Jered Johnson, Surveyor; Shawn Beecher, GIS Administrator; Bart Morrill, Parks & Recreation Supervisor.

Citizens Present: None present.

Mr. Anderson called the meeting to order at 10:03 a.m.

MINUTES

Mr. Peterson **moved** to **approve** the minutes of November 16, 2011 with the noted corrections. Mr. Anderson **seconded** and the motion **passed** all in favor.

Mr. Anderson **moved** to **approve** the minutes of March 14, 2012 with the noted corrections. Mr. Burdick **seconded** and the motion **passed** all in favor.

ORDINANCE AMENDMENT

Haven Home for Girls

Applicant: Myrna Dalton
General Plan: City-wide
Zoning: City-wide
Location: City-wide

Mr. Anderson explained the proposed Text Amendment would essentially allow for an existing building to be used as a Residential Treatment Facility for girls. The City has been working for two years with the applicant. The City has expressed concerns with the suitability of the existing structure to house the use that the applicant would like to operate. The applicant has worked with the City's Power and Building Departments and there is enough of an understanding, relative to work that needs to be completed on the building, that the applicant will need to complete work on the building before it can be used as both an educational and residential facility. The Amendment is important in this case because we have language in the code that regulates residential treatment facilities so they cannot be larger than buildings of the average size for the particular area that they are located in. Given that the proposed structure is an old elementary school, it is substantially larger than any of the surrounding homes in the area. Without this proposed Text Amendment the school cannot be used. The applicant cannot meet the criteria for a Residential Treatment Facility given the size of the school structure. As proposed, the Text Amendment would not diminish any of the existing criteria that the City has for residential treatment facilities but would add an exception to the size criteria so that in

50 certain cases buildings could be used. Mr. Anderson said that he had two changes to the
51 proposed verbage; one on the first page and one on point four item d.

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53 Discussion was held regarding landscape and what is considered greenscape.

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55 Mr. Peterson asked if the proposed Text Amendment was specific to this proposal. Mr.
56 Anderson said the proposed change would open the door City-wide but that the way it is
57 written that there were only one or two other buildings in town today that could meet this
58 criterion.

59
60 Mr. Peterson asked what the over all feeling of the residents was. Mr. Anderson
61 explained that the residents would not learn about the proposal, just by way of the City's
62 process, until the applicant applies for the Conditional Use Permit.

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64 Mr. Peterson and Mr. Burdick both expressed that they felt the neighbors should be
65 notified before the Text Amendment goes before the City Council.

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67 Discussion was held regarding whether or not the ordinance requires the applicant to hold
68 a neighborhood meeting; the ordinance does not require it.

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70 Discussion was held regarding whether or not to have the Text Amendment and the
71 Conditional Use presented to the Planning Commission and the City Council at the same
72 time.

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74 Mr. Anderson said that he felt it was a good idea for the applicant to hold a neighborhood
75 meeting.

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77 Mr. Burdick **moved to approve** the ordinance amending conditions for Residential
78 Treatments Centers in existing vacant buildings subject to the following condition:

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80 **Condition**

- 81
82 1. That the applicant holds a neighborhood meeting before the Planning Commission
83 meeting.

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

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87 **Animal Rights**

88 Applicant: Spanish Fork City

89 General Plan: City-wide

90 Zoning: City-wide

91 Location: City-wide

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93 Mr. Anderson explained the existing code as it relates to animal rights and the language
94 that is proposed to be removed. He further explained that the City did not have very
95 many zoning provisions in the City that rely on what one neighbor can do on one side of
96 the property line to define what another neighbor can do on the other side of the property
97 line. With a buffer requirement like we have today, where it says that somebody must
98 keep their horses a certain distance from a neighboring dwelling, where the dwelling is

99 determines where the neighbor can have a horse. The more that staff discussed this they
100 determined that because there are other protections built into the ordinance for people
101 that may live next to a property that is large enough to have animal rights that striking the
102 buffer is, in their opinion, okay.

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104 Mr. Anderson **moved** to recommend that the Planning Commission **adopts** the proposed
105 Text Amendment eliminating the buffer requirement as found under the animal section
106 15.3.24.090, G and that the Planning Commission include the language listed as item
107 number 4; if they feel it is necessary. Mr. Anderson **seconded** and the motion **passed** all in
108 favor.

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111 **OTHER BUSINESS**

112

113 There was none.

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116 **ADJOURNMENT**

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118 Mr. Peterson **moved** to **adjourn**. Mr. Anderson **seconded** and the motion **passed** all in
119 favor at 10:25 a.m.

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121 **Adopted:**

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Shelley Hendrickson, Planning Secretary