



DEVELOPMENT REVIEW COMMITTEE AGENDA

WEDNESDAY, AUGUST 22, 2012

10:00 A.M.

1. Minutes: June 20 and August 15, 2012

2. Final Plat
 - a. **Old Mill Estates**
Applicant: CW Management
General Plan: Low Density Residential
Zoning: R-1-15
Location: approximately 1500 South Mill Road

3. 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
June 20, 2012

Staff Members Present: Chris Thompson, Public Works Director; Dave Oyler, City Manager; Junior Baker, City Attorney; Shelley “Subcutaneous Intramuscular Injection” Hendrickson, Planning Secretary; Kelly Peterson; Electric Superintendent; Jered Johnson, Engineer Supervisor; Shawn Beecher, GIS Specialist; Bart Morrill, Parks and Recreation Supervisor; Dave Anderson, Community Development Director.

Citizens Present: Robert Wyman, John Chase, Andrew Goodwin, Brady Jex, Brian Gabler, Lew Bankhead.

Mr. Thompson called the meeting to order at 10:00 a.m.

MINUTES

Mr. Baker **moved** to **approve** the minutes of June 13, 2012. Mr. Peterson **seconded** and the motion **passed** all in favor.

FINAL PLATS

White Rail Plats A & B

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

Mr. Johnson stated that the plats would need to be constructed concurrently. He explained that they would need to add an air vac to the pressurized irrigation main and then a legal description added to final Plat B.

Mr. Baker **moved** to **approve** the Final Plats for White Rail A & B with the following conditions:

1. That both plats be constructed simultaneously.
2. That an air vac be added to the pressurized irrigation at the direction of the Engineering Department.
3. That they meet the Construction Standards of the City.
4. That the applicant provides an easement for a temporary storm drain basin on the south end of Plat B.

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

SITE PLANS

50 **CR Flooring – Phase 3**
51 Applicant: Robert Wyman
52 General Plan: Light Industrial
53 Zoning: Industrial 1
54 Location: approximately 3300 North Main Street
55

56 Discussion was held regarding the drive approach, the type of trees that would be planted
57 and a six foot privacy fence.
58

59 Mr. Peterson told the applicant to make sure that when he plants the shrubs and trees to
60 read the clearances on the utility boxes to ensure that he maintains the proper clearance.
61

62 Mr. Anderson stated that the applicant would need to add to the plans the caliper of trees
63 and what type of fencing would be constructed.
64

65 Discussion was held regarding on-site parking and it was determined that a Site Plan
66 would not be needed for additional parking.
67

68 Mr. Thompson stated that the applicant would probably want LEI to lay out a parking lot
69 as the City has parking lot standards that need to be followed.
70

71 Mr. Anderson **moved** to **approve** the CR Flooring Phase Three Site Plan subject to the
72 following condition:
73

74 **Condition**

- 75
- 76 1. That the applicant adds the notes on the Site Plan for the caliper of trees and what
77 type of fencing.
78

79 Mr. Baker **seconded** and the motion **passed** all in favor.
80
81

82 **ZONING TEXT AMENDMENT**
83

84 **Brady Jex**

85 Applicant: Brady Jex
86 General Plan: City-wide
87 Zoning: Commercial Downtown
88 Location: City-wide
89

90 Mr. Anderson asked the applicant, Brady Jex, to describe what it was that he wanted to
91 do relative to the commercial use at Rocky's.
92

93 Mr. Jex explained that Rocky had a mechanic shop and two large bays directly behind his
94 new oil bay. He further explained that he would like to lease the shop and bays from
95 Rocky in order to run a retail location for the sale of motorcycles and ATV's. He said that
96 apparently the wording in the ordinance needs to be changed in order for him to retail
97 motorcycles there.
98

99 Mr. Baker explained that when you talk about a Text Amendment you are talking about
100 the entire zone and that this parcel was just one little piece of a large zone. He further
101 explained that the Commercial Downtown zone does not have an off-street parking
102 requirement. He stated that he was concerned about new and used automobile sales and
103 how to address parking. He explained that he felt the Commercial Downtown zone was a
104 walking downtown zone and was concerned about having a repair shop anywhere in the
105 Commercial Downtown zone. He stated that he felt it was noisy and not compatible with
106 some of the neighboring uses.

107

108 Mr. Jex said that Rocky currently has a repair service there. Mr. Baker stated that he
109 probably was not supposed to be. Mr. Anderson said that they had ironed things out with
110 Rocky a couple of years ago relative to the repair service and that it is a legal non-
111 conforming use.

112

113 Mr. Baker explained that if there was a legal non-conforming use at that location than
114 whether it was Rocky or someone else the use could still be there as long as there had not
115 been an interruption in use; but stated again that he had concerns with parking.

116

117 Mr. Anderson explained that he felt the best way to handle what the applicant wanted to
118 do at this location was what they had proposed with the Text Amendment. The only other
119 option being to change the zone of the property.

120

121 Mr. Baker asked if the zone could be changed to Commercial 2. Mr. Anderson explained
122 that the City could but going back what the City had worked through with Rocky, a couple
123 of years ago, the City had discussed the option of changing the zoning to Commercial 2
124 then but decided for a couple of reasons that it was best to keep the Commercial
125 Downtown zoning in place. The Commercial Downtown zone was amended, at that time,
126 to accommodate some of the things that Rocky wanted to do.

127

128 Mr. Baker said that he couldn't support this proposal if it is for repair services but if it is
129 for the retail sale of off-road vehicles and motorcycles he did not feel that there would be
130 a parking issue.

131

132 Mr. Oyler asked why you could not sell motorcycles there, today.

133

134 Mr. Anderson said that if it was for the retail sale of motorcycles, and only motorcycles it
135 is not permitted.

136

137 Mr. Oyler asked if the motorcycles were sold from the inside of the building, in a
138 showroom, why could you not do that now?

139

140 Discussion was held regarding the outside display of merchandise.

141

142 Mr. Baker said that the Commercial Downtown zone does not allow for storage but that
143 the applicant could bring things out for display during operating hours.

144

145 Mr. Oyler said that it was not any different than what Rocky Giles was already doing with
146 the display of his tires.

147

148 Mr. Baker asked the question if the zone needed to be amended then.
149
150 Mr. Anderson asked about the repair side of the business. Mr. Baker said that he felt the
151 ATV repair went along with the grandfathered repair use. That he did not see them any
152 different. Mr. Anderson disagreed with Mr. Baker.
153
154 Mr. Oyler explained that he felt as long as the showroom did not end up being the
155 sidewalk they could display merchandise just like Rocky was doing with his tire displays.
156
157 Mr. Anderson said that if the DRC wanted to argue that what is proposed is strictly a
158 retail use then there was not a need for a Text Amendment.
159
160 Mr. Anderson read the permitted use language from section 15.3.16.080 of the Spanish
161 Fork City Municipal Code with regard to new and used automobile, motorcycle, boat,
162 truck, and recreational vehicle sales and retail facilities, and repair services associated
163 with such facilities. He explained that the above language was not listed under the
164 Commercial Downtown zone but is specifically listed under the C-2 General Commercial
165 zone.
166
167 Mr. Oyler explained that he interpreted the language to mean a use such as Sequoia
168 Motorsports, in Salem, where you have all boats, 4 wheelers, RV's etc. permanently
169 stationed outside and they never move until they get sold. He further explained that in
170 Spanish Fork City's Commercial Downtown zone you cannot do that. Everything goes
171 inside, after hours, and the only thing that they can display is their product. If they start
172 having permanent displays outside, they lose their Business License.
173
174 Mr. Baker explained to the applicant that based on the conversation, that if they follow
175 what Mr. Oyler explained that they could get a business license. That they just would not
176 be able to leave their merchandise out over night.
177
178
179 **The Oaks, Phase 2, Plat 1**
180 Applicant: Tyler Cope
181 General Plan: Low Density Residential
182 Zoning: R-1-6
183 Location: approximately 3300 East Fairway Drive
184
185 Mr. Thompson explained the City Trail System alignment relative to the proposal and said
186 that it was the City's policy that whenever a subdivision is built, next to the trail, it is a
187 requirement of the subdivision to provide a 10-foot easement for the trail system.
188
189 Mr. Anderson said that Mr. Johnson calls out a 16-foot easement in his redlines.
190
191 Mr. Johnson explained that there is a non-excavation clause, on the corner, and that is
192 where the 16 feet comes from.
193
194 Tyler Cope said that there was not a current easement and asked what the owner of the
195 parcel would be compensated for the easement. Mr. Baker said the City would pay fair
196 market value.

197

198 Mr. Oyler stated that if it was his property that he would ask the City to buy the property
199 instead of an easement.

200

201 Discussion was held regarding the vacation of four lots to create two lots and what the
202 applicant's options were relative to a lot line adjustment, vacation of the plat or a plat
203 amendment.

204

205 Discussion was held regarding a purchase agreement for the property needed for the trail.

206

207 Mr. Johnson explained that there was an existing water meter that would need to be
208 moved and capped at the main line.

209

210 Mr. Peterson explained that there was a transformer pad but not a transformer and that if
211 the fees had not been paid, with regard to the power, then the applicant would be
212 responsible to pay those fees.

213

214 Mr. Oyler **moved** to **approve** amending the plat subject to the following conditions:

215

216 **Conditions**

217

218 1. That the applicant sign a purchase agreement for the property needed for the trail.

219

2. That the applicant move the water meter and cap it at the main line.

220

3. That the applicant pay the power fees.

221

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

223

224 **OTHER BUSINESS**

225

226 There was none.

227

228 Mr. Baker **moved** to **adjourn**. Mr. Anderson **seconded** and the motion **passed** all in favor
229 at 10:38 a.m.

230

231 **Adopted:**

232

Shelley Hendrickson, Planning Secretary

Draft Minutes
Spanish Fork City Development Review Committee
August 15, 2012

Staff Members Present: Chris Thompson, Public Works Director; Dave Oyler, City Manager; S. Junior Baker, City Attorney; Shelley Hendrickson, Planning Secretary; Kelly Peterson; Electric Superintendent; Jered Johnson, Engineer Department Manager; Shawn Beecher, GIS Administrator; Dave Anderson, Community Development Director; Cory Pierce, Staff Engineer; Chris Swenson, Chief Building Official.

Citizens Present: None present.

Mr. Thompson called the meeting to order at 10:24 a.m.

MINUTES

Mr. Peterson **moved** to **approve** the minutes of July 11, 2012 with the noted corrections. Mr. Johnson **seconded** and the motion **passed** all in favor.

TEXT AMENDMENT

Title 15

Applicant: Spanish Fork City
General Plan: City-wide
Zoning: City-wide
Location: City-wide

Mr. Baker explained the miscellaneous changes being made to section 15.3.108.010 Development Review Committee, 15.3.216.020 Residential Districts and 15.3.24.020 Billboards.

Discussion was held regarding the re-organization of the Engineering Department, whether or not to remove the Public Safety Director from the DRC, adding language to the R-1-6, R-1-8, R-1-9 relative to Master Planned Developments, clerical verification relative to billboards along Highway 6 and Highway 89 and the removal of language relative to Poultry, Turkeys, Hens or Fowl in Title 15 as it is now covered under Title 6.

Mr. Baker **moved** to **recommend** that the Planning Commission **adopt** the changes to Title 15 as discussed in the meeting. Mr. Anderson **seconded** and the motion **passed** all in favor.

OTHER BUSINESS

Mr. Peterson **moved** to **adjourn**. Mr. Johnson **seconded** and the motion **passed** all in favor at 10:42 a.m.

Adopted:

Shelley Hendrickson, Planning Secretary