Adopted Minutes
Spanish Fork City Development Review Committee
January 9, 2019

Staff Members Present: Chris Thompson, Public Works Director; Dave Anderson, Community Development Director; Brandon Snyder, City Planner; Seth Perrins, City Manager; Kelly Peterson, Electric Superintendent; Junior Baker, City Attorney; Michael Clark, Staff Engineering; Jered Johnson, Engineering Division Manager; Bart Morrill, Parks Maintenance Supervisor; John Little, Chief Building Official; Brady Taylor, Lead Cable Technician; Shelley Hendrickson, Engineering Division Secretary; Jessica Burdick, Building Inspection Division Secretary; Jamie Chappel, Streets and Stormwater Division Manager.

Citizens Present: Travis Butler, Matt Brown.

Chris Thompson called the meeting to order at 10:07 a.m.

GENERAL PLAN AMENDMENT

Anela Townhomes

Dave began by stating that this is a General Plan Amendment, and is fairly simple. Currently, the area in discussion is designated as commercial. Dave feels that, for a project of this size and scale, it makes sense to recommend some kind of designation that would allow the area to develop residentially. Also, a residential use won't be averse to any other uses in the area.

Brandon Snyder agreed.

Dave Anderson explained that this would allow up to 12 units per acre.

Junior Baker **moved** to recommend that the Planning Commission and City Council approve the General Plan Amendment for the Anela Townhome project, to designate the area from Commercial to High Density Residential.

Seth Perrins **seconded**, and the motion **passed** all in favor.

TITLE 15 AMENDMENTS

Title 15 Amendments

Dave Anderson began by discussing the Title 15 changes to the Infill Overlay Zone. He explained that John Smiley wants to construct some townhomes, but currently our code doesn't allow a project like the one he is proposing. Dave feels the standard requirement of at least 2.5 acres should be removed from the ordinance. It should say one acre or less, in his opinion.

There was discussion on this issue.

Dave Anderson discussed the four zoning districts that currently allow for multi-family projects.

Brandon Snyder discussed the idea of how to better describe to developers in the zones that allow multi-family uses. Currently, those zones are R-4, R-5, and R-3. The Infill Overlay zoning is meant for small residential parcels within the R-1-6 and R-3 zones. The Infill Overlay requires developers to take into consideration what the existing neighborhood looks like. Also, setbacks are specific. Brandon continued and explained that currently, twin homes, duplexes, triplexes, and fourplexes are allowed only in R-3, R-4 and R-5 zones. Developers can go over 4 units only if they have over 2.5 acres. The density can't exceed the General Plan densities. Brandon added that the R-1-6 zone is medium density and the R-3 zone is high density. The R-3 zone is capped at 8 units per acre.

Brandon Snyder said that Master Planned Developments in the R-1-6 and R-3 zones allow for deviations from the standard development practices. Densities are tied to the Residential Development Standards of Title 15.

There was discussion regarding current and future density and block acreage.

Dave Anderson explained that the Master Planned Development language is written with the idea that the developer has more freedom to develop. The Infill Overlay is intended for those long and deep lots between other houses so the project fits in with that street, while on a small scale. It limits the impact on immediate neighbors.

Junior Baker feels the minimum size requirement for Master Planned Developments should be 2 acres. Also, the Infill Overlay should be a maximum of 2 acres.

Dave Anderson said okay.

Brandon Snyder said we'll take that into consideration. He then explained that the R-4 zone is intended to allow high density residential uses. The minimum project size here is 12 acres, and has explicit development standards.

There was discussion regarding the Rees Apartments and its density.

Brandon Snyder continued and discussed the R-5 zone. R-5 is intended for the redevelopment of parcels in the center part of the City. The minimum project size in R-5 zone is 2 acres, with 18 units per acre. Brandon explained that the Anela Townhomes and the Cottages on 4th have some tweaks that are needed so they can move forward. This is the reason for making these Title 15 changes.

Dave Anderson explained that we don't want any overlapping of the zoning minimums and maximum acreages. Dave continued with the next Title 15 amendment to the Infill Overlay zone. This change would add the language that "variations in setbacks may be considered on a case by case basis" and it removes the specific setback language. Dave likes the idea of both the City and applicants having flexibility to propose what they want, and we can then evaluate it based on its merit. If the Council approves, it gets approved.

Junior Baker said we should add a line here and add that variations are allowed. He wants it clear what we're varying from. He feels we just reference the standards in the underlying zone.

Dave Anderson discussed the Infill Overlay zone and the removal of the language "density shall not exceed that which is identified on the land use map of comprehensive general plan."

Junior Baker agrees to eliminate that language.

Dave Anderson said the last Title 15 change is adding a footnote at the end of Table 1 that states "Except as defined with the Infill Overlay Zone." It would apply to the R-1-6 and R-3 zones' base density per acre column. It allows for R-3 to have 12 units per acre, maximum instead of 8. Dave added that we can look at the 1-acre standard and the setbacks language as Junior Baker suggested.

Junior Baker **moved** to recommend the Planning Commission and City Council adopt the proposed Title 15 changes shown, with direction to match the maximum size of the Infill Overlay zone to the minimum size of the Master Planned Development, whether that be one or two acres.

Dave Anderson **seconded**, and the motion **passed** all in favor.

OTHER BUSINESS

Matt Brown was present. He discussed a redline issue Tom Cooper has given him. Tom asked Matt to ask the DRC for approval so that is why he is here today. Matt explained that there is a guy wire that will be connecting a foot away from an ADA ramp at 2550 East Avery Lane.

Kelly Peterson discussed the site and the poles using the site on screen.

There was further discussion using the map on screen and the concern of the guy wire being hit by a bicyclist etc. It will be 1-2 feet away from the ramp.

Dave Anderson asked whether the pole can be moved farther North?

Kelly Peterson said the ditch is the problem.

Chris Thompson asked if we need a guy pole, come straight down.

Matt Brown said that is the request, is DRC okay with them coming straight down?

Chris Thompson said if we're piping the ditch, they can work around guy wires.

There was further discussion using the plan and site on screen.

Seth Perrins asked whether Avery Lane can shift to the north for better alignment.

Matt Brown said you could a little bit.

Kelly Peterson said we put a plastic yellow, warning sign on guy wires so they're visible, it slides up to eight feet high.

Shelly Hendrickson said Tom Cooper wanted DRC's approval.

Mike Clark added that said he wanted the DRC to make sure we're good with the roads being misaligned too. He asked Jered Johnson about Spanish Fork Parkway at 2600 East.

The applicant needs to know where the official right of way is for manholes etc. He has told them to plan on matching the westside of Spanish Fork Parkway.

There was discussion using the site on screen.

There was further discussion regarding future roads in this area.

Spanish Trails Subdivision

Travis Butler explained he is present today to make sure the DRC is okay with his twin homes having their own backyards. He asked if he can create individual plats out to the property line.

Chris Thompson said the City will have to move the trail back towards the east in order to get off of their property. He asked Jamie Chappel if he wants to do this or bid it out.

Jamie Chappel said we can do it.

Seth Perrins asked if we have confirmed that we don't have an easement.

Junior Baker said you probably have a prescriptive easement at this point.

Chris Thompson said we've tried to deal with it at the time the twin homes were proposed.

Junior Baker feels we probably don't want the trail to be that close to someone's house anyway, even if we do have an easement.

There was discussion regarding the lot to the north of the twin homes.

Chris Thompson said we need to plot out the trail easement and the new trail will tie into that.

Jered Johnson said there is a power pole that we will need to look at it and get the trail all designed and we'll be good.

Seth Perrins noted that the property lines on our mapping system aren't gospel. We put our trail in 15 years ago. Seth wants to be sure we're not in the right place before we move the trail.

Chris Thompson agrees that we need to research it.

Jered Johnson said Travis Warren and he will look at it.

Travis Butler explained that he had the land surveyed and the lot lines are an issue.

Dave Anderson explained that there are four buildings. From the original approval, these have always been planned to be what they are now; twin homes, two units. Dave further explained how this plat is different from townhome plats. Travis Butler would like to change the format of the plat so instead of the lot owner owning just the land under their unit, and everything else being common, Mr. Butler would lot it out. So, people would be buying a back and side yard. Dave's only concern is that people will be responsible to maintain only a few feet of lawn and that doesn't always work well.

Junior Baker said they get out of having CC&R's and an HOA this way.

Dave Anderson said people will want a fence if it's not common space, and we'll want that uniform.

Junior Baker said if there's no common area, you'd need to fix the property lines to go to the road in the front too.

Shelly Hendrickson said the recorded plat has limited common areas, common area and private lots listed. This plat was recorded years ago, based upon the approved preliminary plat.

Seth Perrins said this is a major change.

Travis Butler explained that he thought it was recorded and was allowed to be how he is now requesting, that each homeowner owns the front, side and back yards. They each have their own pi water meters now.

Seth Perrins feels we can get there, but we need more thought to some of these issues, we're not ready yet.

Junior Baker said plat amendments as Mr. Butler is requesting aren't difficult.

Seth Perris said we can discuss it with the plat amendment.

Travis Butler said he has already sold a unit with the promise of no HOA, that's what he was planning for.

Junior Baker said if we allow a plat amendment for twin homes, the project probably won't meet the side yard setbacks. They'd have to meet some standard.

Dave Anderson said there may be a way to do that.

Seth Perrins feels we need to give it a shot, but Mr. Butler might be stuck.

Junior Baker said Mr. Butler needs to apply for an Amended Final Plat, and we need to figure out how it all ties together.

Chris Thompson feels we might need an Amended Preliminary Plat.

Junior Baker said that Preliminary Plat is 20 years old now.

There was further discussion.

Dave Anderson said we don't care if they are individual plats, as long as they are paid for, and done legally. There is a concern about how we set this up so people buying are getting something they can care for.

Chris Thompson told Mr. Butler to submit an Amended Plat application.

Seth Perrins reiterated that this needs to be done legally.

Dave Anderson said with the plat amendment, Mr. Butler needs to include a landscaping plan and a fencing plan. He cannot leave the property owners to landscape the front yards. It should show self-contained, lot to lot improvements.

Seth Perrins said a problem he sees coming is that Mr. Butler has sold a home, so someone is planning to move in. This has to be expedited. Mr. Butler's problem of selling something that is false, will become our problem. The buyer will say it's the City's fault. This does need to be expedited.

Travis Butler asked what the City wants as far as landscaping.

Dave Anderson explained it should be something that is fairly easy to maintain and will look good.

Kelly Peterson said Mr. Butler needs to show us a fully landscaped, fully improved lot. That's the easiest way to say it.

Brandon Snyder said we need to do research with the title company because the original plat was tied to homes across the street. If the original plat was part of larger area and had CC&R'S, and a HOA, would re-platting affect that?

Junior Baker explained that CC&R's are recorded with final plats, so that won't affect this plat. This wasn't part of the other final plats.

Dave Anderson said this was platted with the original footprints. But we amended it once. It was recorded. The lines on the screen, don't match the original final plat.

Junior Baker said if things were recorded on it, they're still recorded.

Seth Perrins asked if the HOA was expecting these units to be part of it eventually?

Dave Anderson said he's trying to think through all the issues.

Junior Baker explained that with the amended plat, if there are CC&Rs recorded, Mr. Butler will have to undue those, if they're still there. There's probably no HOA, but there probably are CC&Rs. Mr. Butler will probably have some CC&Rs that are already existing. We're probably still okay to change the footprint on the lots and not affect anything. But Mr. Butler should know what the CC&Rs say.

Travis Butler said they're already built.

John Little pointed out that a note on the plat says these units belong to Spanish Trails HOA.

Travis Butler said that HOA doesn't exist.

Chris Thompson said they should just submit an amended plat application.

Dave Anderson agrees. He told Mr. Butler to give him a day to think about it and talk it through. We've got to come up with a way to approve this legally, with setbacks etc, so

these can be considered twin homes. Then, his next step will be filing an amended plat application.

Travis Butler said the process doesn't matter as long as it's approved.

Dave Anderson told Mr. Butler to call him tomorrow.

Dave Anderson **moved** to adjourn the meeting at 11:21 am.

Seth Perrins **seconded** and the motion **passed** all in favor.

Adopted: January 16, 2019

Jessica Burdick
Building Inspection Division Secretary