



Wednesday, September 18, 2019
Development Review Committee

DEVELOPMENT REVIEW COMMITTEE AGENDA

PUBLIC NOTICE is hereby given that the Development Review Committee of Spanish Fork, Utah, will hold a regular meeting in the Council Chambers in the City Office Building, 40 South Main Street, Spanish Fork, Utah, commencing at 10:00 a.m.

1. Approval of Minutes

Subject A. August 28, 2019

Meeting Sep 18, 2019 - Development Review Committee

Category 1. Approval of Minutes

Access Public

Type

Subject B. September 4, 2019

Meeting Sep 18, 2019 - Development Review Committee

Category 1. Approval of Minutes

Access Public

Type Action, Minutes

2. New Development Applications

Subject A. New Development Applications

Meeting Sep 18, 2019 - Development Review Committee

Category 2. New Development Applications

Access Public

Type Discussion

Anela Townhomes Final Plat A
Ridgeline Parkway Community
River Run Townhomes

3. Final Plat

Subject A. Annie's Acres Plat A

Meeting	Sep 18, 2019 - Development Review Committee
Category	3. Final Plat
Access	Public
Type	Action, Discussion

4. Conditional Use Permit

Subject	A. 150 South 2019 AT&T Cell Tower Modification
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Meeting	Sep 18, 2019 - Development Review Committee
Category	4. Conditional Use Permit
Access	Public
Type	Action, Discussion

File Attachments
[report.drc.150southat@tcelltower.9-18-2019.pdf \(3,261 KB\)](#)

5. Title 15 Amendments

Subject	A. Title 15 Amendments 15.4.04.080(E)
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Meeting	Sep 18, 2019 - Development Review Committee
Category	5. Title 15 Amendments
Access	Public
Type	Action, Discussion

File Attachments
[Title 15 Change - 15.4.04.080.E - Irrigation Ditches.pdf \(146 KB\)](#)

6. Other Business

7. Adjourn



150 South AT&T Cell Tower Conditional Use Permit Approval Request

September 18, 2019, Development Review Committee.

Located at 1449 East 150 South including 0.05 acres.

The subject property is zoned R-1-12.

The applicant has requested that a Conditional Use Permit be approved.

Recommendation

That the proposed Conditional Use Permit be approved based on the following finding and subject to the following condition:

Finding

1. That the application conforms to the City's General Plan Designation and Zoning Map.

Condition

1. That the applicant meet the City's Zoning requirements and Construction Standards.

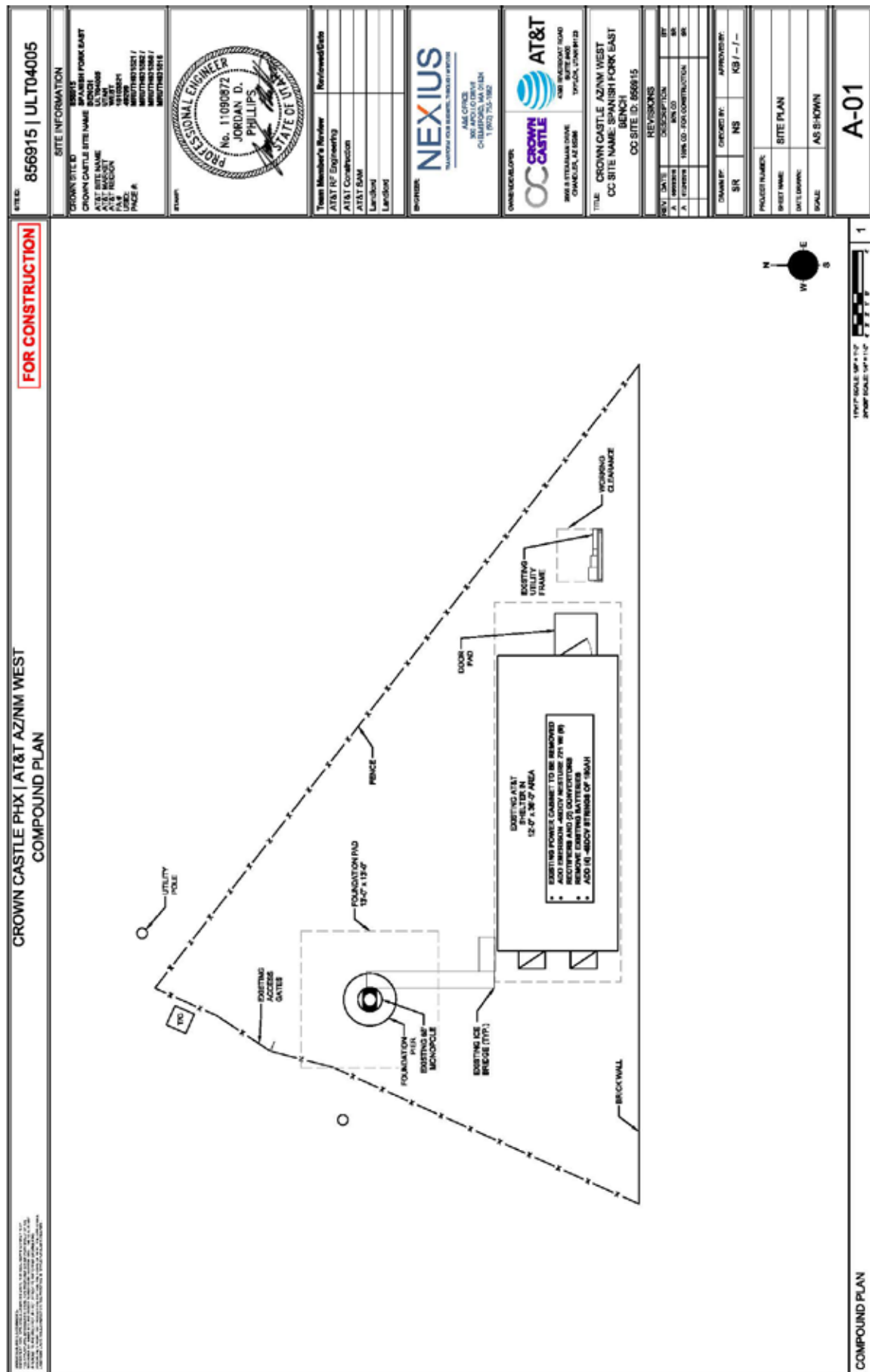
Key Issues

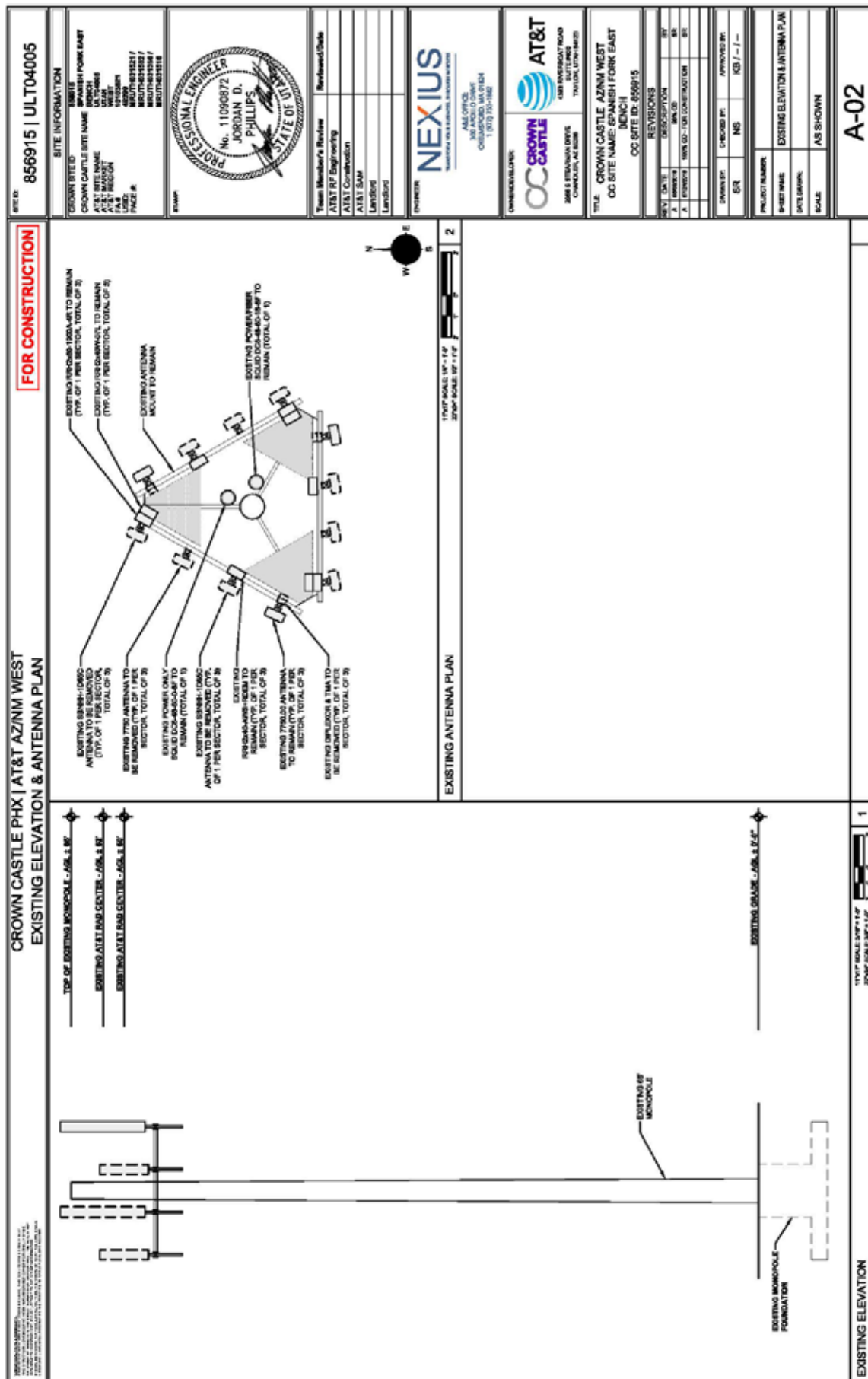
1. Verify Address.

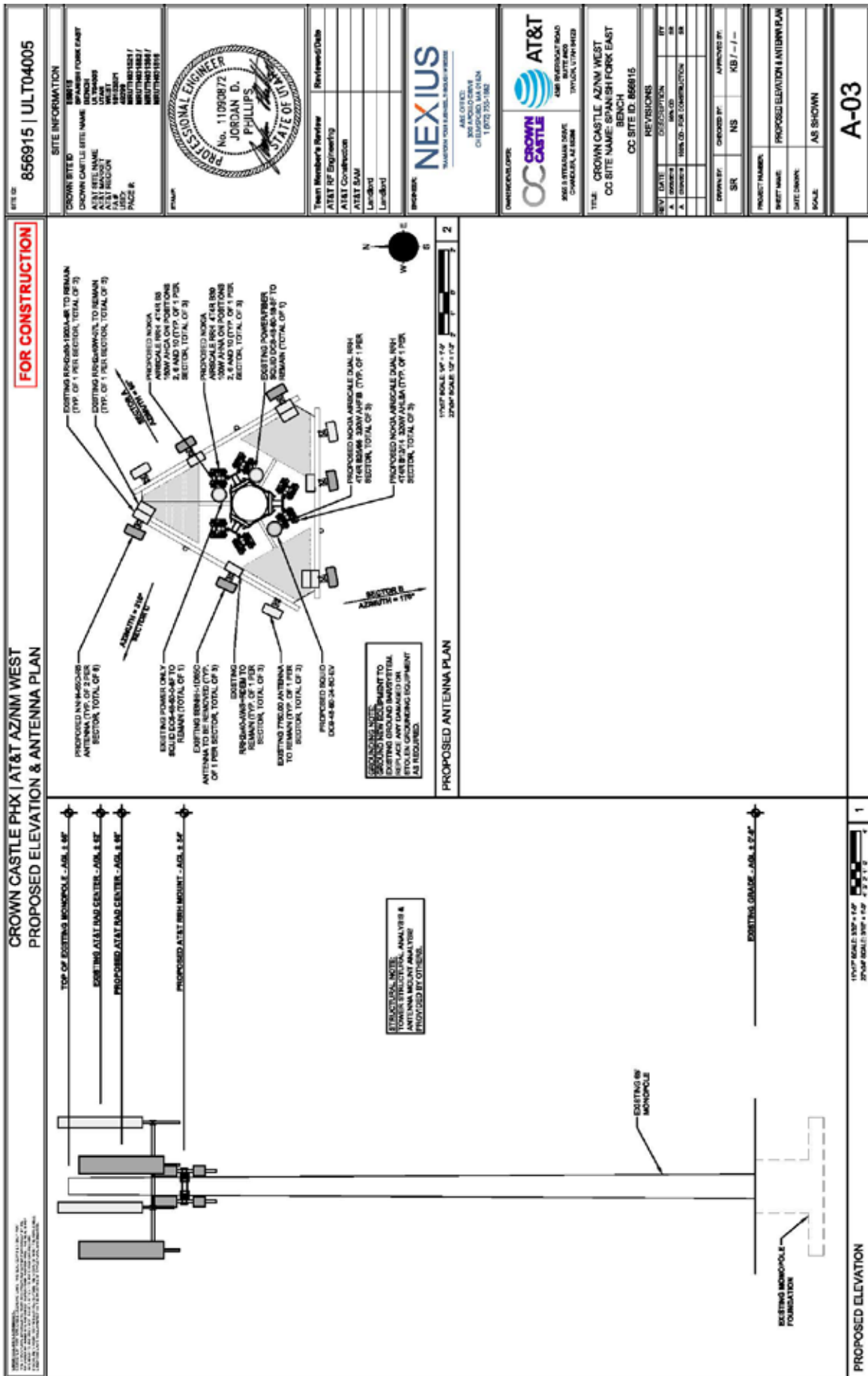
Exhibits

1. Site Plan.
2. Site Photos.
3. Vicinity Maps.
4. Minutes from Planning Commission CUP Approval April 30, 2014

September 18, 2019







September 18, 2019

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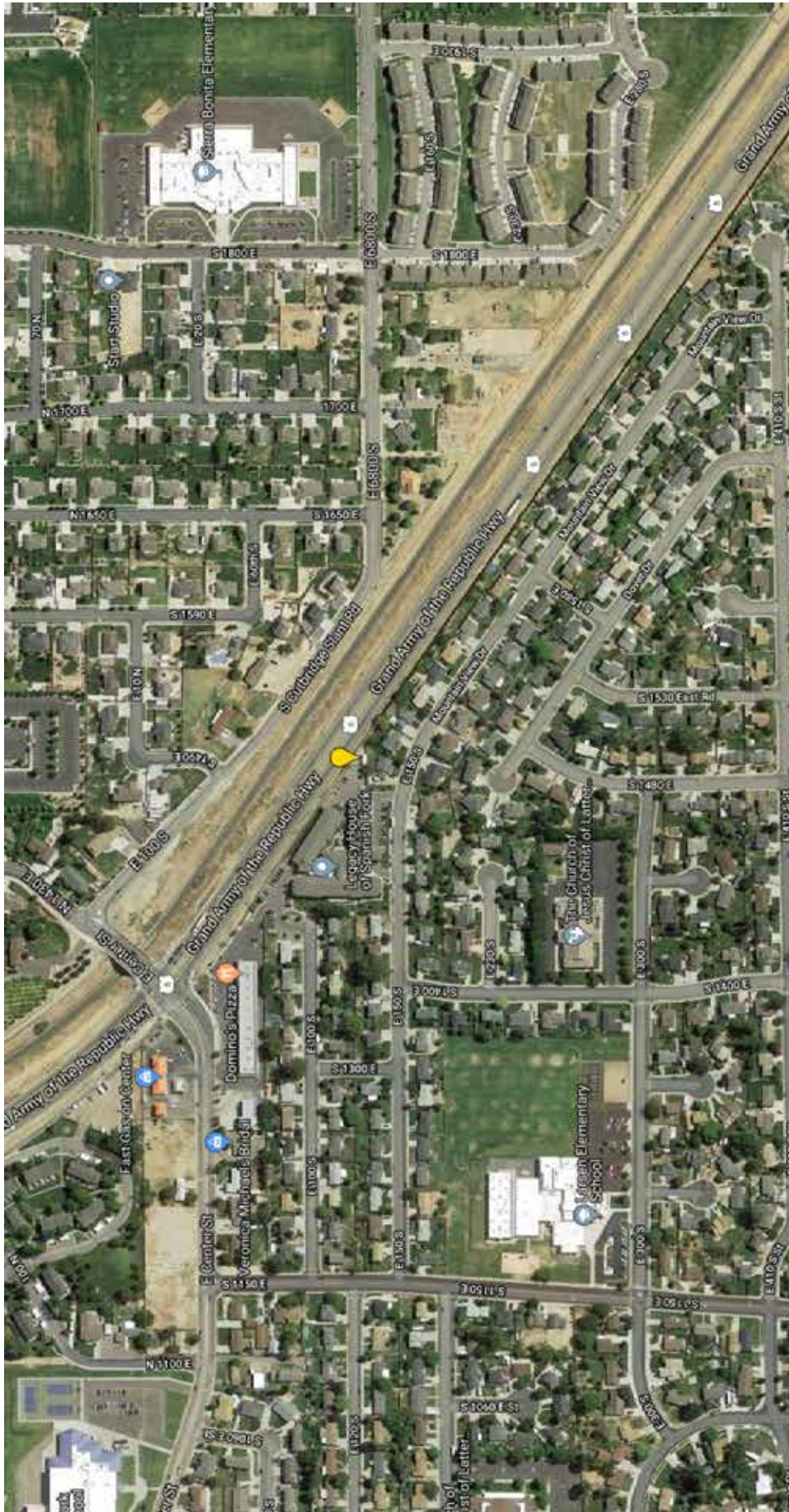




September 18, 2019



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48 assuming the development is built out prior to the intersection realignment. The delay is
49 significantly decreased once the intersection is aligned. There were some reservations
50 concerning the height of the buildings close to Canyon Road. The biggest step the applicant
51 has taken was to present a different building type. There will be 2-story units constructed from
52 the clubhouse south.

53

54 A public hearing was held on April 2, 2014, and Chairman Gonzales thanked the public for the
55 input from that meeting. There was a letter received by Mechelle Cebrowski with her
56 concerns. The letter will be attached to today's meeting minutes.

57

58 Chairman Gonzales outlined 4 issues with the development that he feels have been addressed:

59

- 60 1. The applicant has agreed to have a proper fence installed to protect children from
61 accessing the neighboring properties and agricultural area.
- 62 2. The applicant will work with the Water Master to make sure that the water will be
63 accessible for watering.
- 64 3. The applicant has addressed the height concern by modifying the buildings from the club
65 house south to Canyon Road as 2-story units, as well as decreasing the volume of units
66 along that stretch.
- 67 4. Most of the road concerns will probably be addressed prior to the development being
68 built out. The proposed housing project will not magnify the traffic issue. The traffic
69 issue is due to the number of homes in the surrounding area. There are some additional
70 steps being done by the City that will eventually relieve the congestion.

71

72 Jesse Brimhall presented to the Commission that the square footage will range from 1700-
73 2800. The average price will be a little higher than anticipated with the larger floor plans.
74 Jesse Brimhall presented an elevation of the difference from the 2-story to the 3-story units.
75 The 2-story units will range from 30'-34' in height. Jesse Brimhall is agreeing to have the fence
76 jog around the water access point.

77

78 Commissioner Fallon stated the main focus of the traffic report was the 2550 East intersection
79 and did not address the northern access point. He is concerned with visibility on the northern
80 access point of the development. Dave Anderson addressed that visibility is not an issue and,
81 functionally speaking, there should not be any issues of having the intersection on the north
82 end of the development where it currently is proposed. The City hired their own consultants
83 and it was determined that where the intersection is proposed is the best location.

84

85 Chairman Gonzales asked about the demographics of those who would be living in the
86 development. Jesse Brimhall stated that it is targeted toward young families but that they
87 expect of mix of resident types.

88

89 Commissioner Tagg asked about phasing and the volume. Jesse Brimhall stated that phase 1
90 will be about 30 units. As far as the timing of phase 2, that will depend on when there is water
91 in the canal so it can be piped.

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93 Commissioner Fallon is concerned about the density. He posed the question, as a Commission,
94 what is the vision of this property? Does this development seem like it is in the right place?

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Commissioner Swenson said he thinks that is a good point. The main concerns that were brought up in the review meeting were traffic and height and there was very little concern addressed about the density.

Chairman Gonzales said there is a need for high density in the City but it is needed in certain areas. The Commission does look at the zoning in the area surrounding. There is not another spot in Spanish Fork that is available for this architectural look. This would be a great addition to the City. High density is best suited for the area in which it is going, especially along US 6. There is a shortage of nice looking multi-family units in the City.

Commissioner Swenson agreed with Chairman Gonzales.

Commissioner Fallon said we need to be considerate of the adjacent zoning in the area.

Dave Anderson addressed the Commission with the General Plan proposal. It was last updated in 2010 and there was not much thought given to the specific area that is being evaluated for this development.

Commissioner Fallon asked if the proposed development is consistent with the General Plan as currently set out. Dave Anderson said that it does not. To accommodate The Ridge, the General Plan would have to be amended to High Density.

Chairman Gonzales asked Dave Anderson if the project could be zoned High Density and the area around it be zoned Medium Density. The reason for the proposed General Plan change is if a land owner down the road would like to pursue development that is similar to The Ridge, the process would be easier for the applicant if they do not have to do both a General Plan and Zone Change. The proposed Zone Change change will only impact the property included in The Ridge at this time.

The City Council has great discretion when reviewing a Master Planned Development. The applicant cannot come in and make any changes to the development without the approval of the City once it has been approved. Master Planned Developments are vested when the Preliminary Plat is approved.

Chairman Gonzales opened the meeting up for public comment.

Keith Warner

When he and his wife built their home they were part of the County. His property was annexed with the cherry-stem annexation. Since the annexation he, feels no one takes care of the road. All along the road there are these subdivisions and there is no turn lane and you cannot go around a vehicle that is trying to turn due to all the pot holes in the road. He built in the County to be away from the City and be close to the town as well. He would like to know why someone can say what he wants done with his property by changing the zoning. He would prefer to stay zoned R-R because there are things that he enjoys, like animals and chickens, and who is to say that his new neighbors will not like what he likes.

142 Dave Anderson stepped up to the podium and stated that no Zone Change is proposed for any
143 property other than the property in the proposed development.

144
145 Tim Terry
146 He lives in the Somerset development. He is concerned that there are issues that need to be
147 addressed in Somerset prior to the applicant moving on to a new development. It has been 8
148 years since a fence and gate was supposed to have been completed.

149
150 Chairman Gonzales thanked the community for their input and the Commission for their input
151 and research to address the concerns.

152
153 Commissioner Fallon asked about turn lanes coming down Canyon Road into the development.
154 Jered Johnson addressed the Commission that Canyon Road is a UDOT road and that they are
155 addressing the issue and the new design will allow for a left turn lane for the northern entrance
156 to the proposed development.

157
158 Chairman Fallon **moved** to recommend **approval** of The Ridge General Plan Amendment.
159 Commissioner Swenson **seconded** and the motion **passed** all in favor.

160
161 Chairman Fallon **moved** to recommend **approval** of The Ridge Zone Amendment subject to
162 changing the zoning just for the property outlined to the R-3 zone.
163 Commissioner Swenson **seconded** and the motion **passed** all in favor.

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166 **PRELIMINARY PLAT**

167
168 **The Ridge**
169 **Applicant:** Dos Amigos
170 **General Plan:** Medium and Low Density Residential existing; High Density Residential
171 proposed
172 **Zoning:** R-1-6 existing; R-3 proposed
173 **Location:** 2700 East Canyon Road

174
175 Chairman Gonzales **moved** to recommend **approval** of The Ridge Preliminary Plat, subject to it
176 being the plat submitted on 4/30/2014 that outlines the property south of the canal as 2-story
177 units, that the fence is adequate with the concerns the citizens had with the livestock, and that
178 there is an access point for the water and the water irrigation is worked out with the Water
179 Master and irrigation company.

180
181 Commissioner Gull **seconded** and the motion **passed** all in favor.

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183
184 **ZONE TEXT AMENDMENT (public hearing)**

185
186 **Title 15**
187 **Applicant:** Woodbury Corporation
188 **General Plan:** City Wide

189 **Zoning:** City Wide
190 **Location:** City Wide
191

192 The proposal is rather straight forward per Dave Anderson. The applicant proposes that the
193 requirement for the trees that line the street be changed. Dave Anderson has had a chance to
194 sit down and speak about the language of the City's requirements for landscaping with Cody
195 Brazell and the language could be clarified.
196

197 Richard Mendenhall spoke to the Commission. There are architectural requirements for
198 building commercial developments and the landscaping is to compliment the buildings. They
199 respect what the City has done with North Park and they would like to tie into what has already
200 been done. Trees naturally occur in clusters and not in straight lines and evenly spaced. The
201 proposed development will be a new development for Utah County. The applicant is trying to
202 replicate a natural setting. The applicant showed a general layout of the proposed Canyon
203 Creek development with the proposed landscaping and the phases of development in 6 months
204 cycles with a completion in about 3-4 years. The applicant asked the Commission if, from a
205 design standpoint, the landscape corridors should be restricted. The applicant showed
206 different developments that have been done in American Fork, Murray, and the Salt Lake area.
207 The landscaping is done to give the tenants their exposure but still have the greenery and
208 landscaping. The landscaping should be worked around the buildings to provide the best
209 possible visibility. The applicant does not want to diminish the amount of trees; they are
210 proposing more trees in a different layout. There will be a lot of xeriscaping in the area as well.
211

212 Chairman Gonzales sees the vision of the development but does not understand how you can
213 not have trees spaced the way they are. The City is full of trees and he does not understand
214 why changing the requirement to the landscaping the architecture of the landscaping will be
215 better looking.
216

217 Richard Mendenhall said they would like to move the trees to provide better visibility for the
218 businesses by adopting new landscape standards. There is a greater variety of tree species
219 than what would be done by following what the ordinance currently allows. The buildings look
220 attractive without landscaping, but will look more attractive with the landscaping. With a
221 uniform structure of landscaping, there is no tapestry of color and size that the applicant feels
222 appropriate for the theme.
223

224 Chairman Gonzales brought up the new development that Ogden City did. Their streets were
225 lined with trees. He does not know if they are moving their trees around in Ogden to make
226 buildings more visible.
227

228 Richard Mendenhall said that the difference is the Ogden project is not a Master Planned
229 Development and the reason for having the uniformity is to make the various buildings feel
230 similar, whereas Canyon Creek is a very large Master Planned Development and the
231 architecture is uniform and the landscaping highlights the architecture.
232

233 Cody Brazell stated that the proposed Text Amendment will only address the trees.
234

235 Commissioner Fallon asked what the definition of Street Frontage Trees is? Dave Anderson
236 said it is not currently defined but could be with this Text Amendment.
237

238 Richard Mendenhall said he is not sure what the maximum amount of trees for the area should
239 be.
240

241 Chairman Gonzales is concerned that they do not want the developer to clump all the trees in
242 one spot.
243

244 Commissioner Fallon asked about the distance from one group of trees to the next group of
245 trees for the property that borders US 6.
246

247 The applicant is trying to create view pockets for their tenants in an architecturally appealing
248 way.
249

250 Chairman Gonzales opened the meeting for public comment.
251

252 Marvene Zohner handed out a paper to the Commission, which will be attached to today's
253 meeting minutes. She is part of the Shade Tree Commission. Marvene Zohner stated changes
254 set precedents and expressed fear that developers will use the smaller oriental trees rather
255 than the historic larger trees. The smaller oriental trees are not able to be properly pruned to
256 have proper visibility for traffic. She spoke about the trees in her subdivision and where trees
257 could have been placed and what was part of the CC&R's. The concern is that when strong
258 codes are not written, it is easier for items not to be met. She does not feel the landscaping
259 requirements should be stronger. The main reason for her and her husband to move here was
260 for the tree lined streets, and she would hate to see that change. The cluster trees do not
261 provide the same cooling effects or the same aesthetics.
262

263 Bill Bushman is the Parks and Recreation Building and Ground Manager and is on the Shade
264 Tree Commission and acting City Forester. For the last 15 years, the City has consistently
265 been a Tree City USA. The main goal of the City is to have a large canopy. In the last few
266 years there have been 2,500 trees planted. There should be a happy medium reached between
267 both parties. There should be trees planted along the roads, especially along US 6. The fear is
268 that the wording of the text will change and small trees will be planted in the area because you
269 are not able to cluster large trees together. There are large trees that are a signature of the
270 City that have been here for 100+ years and he feels that there should be an agreement
271 reached by both parties. He is asking the Commission that they do not recommend the
272 proposed Zone Text Amendment to go to the City Council.
273

274 Chairman Gonzales asked if there were any questions from the Commissioners.
275

276 Chairman Gonzales would like to recommend a work meeting be held regarding this Text
277 Amendment as the public comment was very valuable. He would like the applicant to come and
278 address the type of trees that are proposed.
279

280 Cody Brazell stated the trees that were chosen will be over 25'. The overall determination of
281 the maturity is reached by height. That can vary from 5 years to 60 years depending on the
282 trees planted.

283
284 Richard Mendenhall appreciated the Shade Trees Commission's comments. There are legal
285 obligations that they have that discourage anything but just oriental trees on portions of the
286 site. They are asking that there not be a uniform distribution of the trees. Richard Mendenhall
287 asked if tree lined streets are what the City is after or if it is uniformity of the development.
288 The applicant's intent is to move forward with their development, not to prohibit the planting of
289 trees or to disadvantage the community.

290
291 Chairman Gonzales closed the public hearing and asked if there was any comment from the
292 Commission.

293
294 Commissioner Fallon would like to recommend that the applicant work with the City Forester to
295 address four items:

- 296
- 297 1. What is the street frontage, what does that area pertain to, and how should it be
298 defined?
 - 299 2. It concerns him there are several spots where there are no trees in the park strip, from
300 the curb to the sidewalk. This helps to define the street room; it also helps to protect
301 the pedestrians.
 - 302 3. Discuss the mixture of species of trees to address the size for maturity, to evaluate any
303 sparseness.
 - 304 4. Look at creating a maximum spacing. There is an appropriate scale that should be
305 addressed from tree to tree.
- 306

307 Commissioner Tagg asked the applicant why they are not able to move forward without the
308 approval of the Text Amendment.

309
310 Richard Mendenhall addressed the Commission that they have agreements with the tenants
311 that are not compliant with the current City code. If the ordinance is not changed, the
312 applicant must go back to their tenants to propose a new plan for landscaping that fits within the
313 code and meets the tenant's needs.

314
315 Commissioner Fallon asked Bill Bushman about the size of the trees proposed and what his
316 initial thoughts were. Bill Bushman responded that there were some trees that were proposed
317 that he liked but some do not meet the canopy that he would like to see. He feels trees have a
318 higher priority and need to be addressed.

319
320 Bill Bushman liked the modern look. He would like to make sure that all the other frontages
321 support the longevity of the trees.

322
323 Richard Mendenhall proposed that the text amendment apply to C-2 or Commercial
324 Developments where the architecture can be controlled. He believes that there can be a
325 compromise accomplished with the way the proposal is structured.

326

327 Chairman Gonzales said that there is a point when the City needs to decide that it is their City
328 and what they would like their City to look like. These businesses can conform to the
329 ordinances as they currently are or they can go to another city to build.

330
331 Commissioner Swenson agreed that the applicant should work with Bill Bushman.

332
333 Chairman Gonzales said that there needs to be some evaluation of the size of property and the
334 development.

335
336 Chairman Fallon **moved** to recommend **tabling** this discussion until the next Planning
337 Commission meeting.

338 Commissioner Swenson **seconded** and the motion **passed** all in favor.

339

340

341 Conditional Use Permit (public hearing)

342

343 **Verizon Wireless 110' Monopole**

344 **Applicant:** Technology Associates

345 **General Plan:** Commercial

346 **Zoning:** I-1

347 **Location:** 1345 North 200 East

348

349 **Verizon Wireless 65' Monopole**

350 **Applicant:** Technology Associates

351 **General Plan:** Commercial

352 **Zoning:** Public Facility

353 **Location:** 3815 East US 6

354

355 One of the proposed towers is located just south of Mountain Country Foods. There are some
356 concerns that have been raised with the height of the tower and the relation to the runway.
357 The City employs a consultant for matters like this and the consultant recommends that the
358 height be reduced to 78' and that will not affect the runway now or down the road. It is located
359 in a heavy industrial area and there are a lot of power poles in the area and staff feels it is very
360 appropriate for the area. Staff recommends the pole be approved at 78' with no conditions.

361

362 The second proposed tower is on City property and the staff is not opposed to the proposal.

363

364 Chairman Gonzales opened the meeting for public discussion.

365

366 Nefi Garcia addressed the Commission and thanked the Commission for their time.

367

368 The public discussion was closed.

369

370 Chairman Swenson **moved** to **approve** the Verizon Wireless 78' Monopole Conditional Use
371 Permit at 1345 North 200 East as well as the Verizon Wireless 65' Monopole Conditional Use
372 Permit 3815 East US 6.

373 Commissioner Gull **seconded** and the motion **passed** all in favor.

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AT&T three new antennas

Applicant: Justin Hadley

General Plan: Mixed Use

Zoning: C-2

Location: 1312 East Center Street

There is an existing tower on the site. The existing antenna they are proposing is about 3' higher than what is currently on the tower. The staff recommends the Conditional Use be approved.

Chairman Tagg moved to approve the AT&T Conditional Use Permit.

Commissioner Fallon seconded and the motion passed all in favor.

OTHER BUSINESS

On the Woodbury Title 15 proposed Zone Text Amendment, the concerns need to be addressed and narrowed to move the discussion along. The concerns Chairman Gonzales would like addressed are:

1. Design.
2. Distance between trees.
3. The species of the trees.

Commissioner Fallon said he thinks spacing is important. Once spacing is determined, the applicant can select a tree that fit accordingly.

Commissioner Tagg stated that all the time that has gone into North Park, and she thinks that the corridor down Main Street is a different situation than what is proposed for the North Park area.

Chairman Gonzales said that staff should really be involved in making the decision. He also said that having some flexibility to having up to 60' between trees may be appropriate.

Commissioner Tagg addressed the trees in the Main Street 4 block area, blocks the view of the stores and that there needs to be some visibility of the stores.

Dave Anderson pointed out that the visibility of businesses was stressed on the proposed Text Amendment. Having trees on the street is what makes the street inviting and attractive for patrons.

Chairman Gonzales was wondering if they change the wording to projects over 200 acres with a clause of up to so many feet between trees.

420 Dave Anderson is inclined to make the Text Amendment applicable to all commercial
421 developments.
422
423 Commissioner Fallon stated that a 40' sign does not provide the same amount of shade as a
424 40' tree.
425
426 The Commission agrees that there can be some changes made to the Title 15 Text Amendment
427 but they would like some wording from the staff to make sure the City's goals are achieved.
428
429 Dave Anderson proposed having a work session to have this issue resolved prior to the next
430 scheduled June 4th Planning Commission meeting so that it can make it to an earlier City
431 Council meeting.
432
433 Commissioner Tagg suggested the Commission revisit The Ridge General Zone Change at that
434 time as well.
435
436 Chairman Gonzales **moved to adjourn**.
437 Commissioner Fallon **seconded** and the motion **passed** all in favor at 8:45 pm.
438
439
440 **Adopted:** May 14, 2014
441
442

Kimberly Brenneman
Community Development Division Secretary



Memo

To: Mayor and City Council
From: Chris Thompson, P.E., Public Works Director/City Engineer
Date: 09/18/2019
Re: Title 15.4.04.080.E Change

Staff Report

RECOMMENDED ACTION

Approve change to Title 15.4.04.080.E.

BACKGROUND

This section of Title 15 is somewhat duplicated in Title 13 and the Construction Standards (Policy 4.39). This change consolidates the three into one Title 15 section and clarifies what is required of the developer to meet recent Utah Code changes.

Attached:

15.4.04.080.E

The applicant shall follow the procedures set forth in Utah Code Ann. §73-1-15.5, as it may be amended from time to time, in contacting any applicable irrigation company whose facilities will be affected by the development. The applicant is to follow the requirements of said section in piping, improving, or relocating any irrigation facilities. Construction plans, in compliance with said section, shall be submitted with the application. The applicant is to provide a certificate of compliance that satisfies the City Engineer that it is compliant with the law.

Existing irrigation ditches located on the site or adjacent to, within ten feet, a property boundary shall be piped with a sufficient size pipe to handle the irrigation need and shall be coordinated with the City Engineer and the irrigation company or ditch owner by following the provisions of Utah Code Ann. §73-1-15.5, unless otherwise approved by the City Engineer. If the ditch carries greater than 50 cubic feet per second average flow the City Council has the discretion to require piping, fencing, and/or landscaping.

Any ditch carrying less than 50 cubic feet per second will be required to be piped. The Development Review Committee may waive this requirement for areas zoned commercial or industrial.

Developers are responsible for the protection of irrigation ditches and facilities from damage resulting from the development work.

(Ord. No. 11-13, Amended 07/13/2013)

(Ord. No. 15-14, Amended 10/07/2014)

(Ord. No. 03-18, Amended 02/20/2018)

(Ord. No. 20-18, Amended 11/20/2018)

(Ord. No. 03-18, Amended 02/20/2018)

(Ord. No. XX-XX, Amended XX/XX/2019)