

Adopted Minutes
Spanish Fork City Development Review Committee
40 South Main Street
Spanish Fork, UT 84660
January 5, 2022

Staff Members Present: Chris Thompson, Public Works Director; Seth Perrins, City Manager; Dave Anderson, Community Development Director; Brandon Snyder, City Planner; Kimberly Brenneman, Community Development Secretary;; Walter Bird, Assistant City Attorney; Michael Clark, Assistant City Engineer; Jered Johnson, Engineering Division Manager; Shelley Hendrickson, Engineering Division Secretary; Zach Hendrickson, Outside Plant Manager; Jake Theurer, Power and Light Superintendent; John Little, Chief Building Official; Ashlin Turcsanski, Deputy Recorder.

Citizens Present: Dan Fechner, Brian Thayer, Cody Brazell, Brian Gabler, Travis Olsen, Kaylan Olsen, Randy Smith, Shelley Jamison, Joseph Powell, Devan Hyatt, Reed Hart, Rhet Wadsworth, Joseph Earnest.

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

MINUTES

December 15, 2021

Seth Perrins **moved** to approve the minutes of December 15, 2021.

Jered Johnson **seconded** and there was discussion on the motion.

SITE PLAN

CANYON CREEK PHASE 6 LOT 606.

The proposal involves a commercial development located at 1306 North Canyon Creek Parkway.

Brandon Snyder explained that this Site Plan is pretty straightforward, and is located on the northeast side of Hobby Lobby. Brandon Snyder added that the applicant would come in and complete the north side of the building as well as complete any landscaping that needed to be done. The City has given the applicant some redlines to look over, and Brandon Snyder stated that the only one he wanted to address is the dumpster location. Brandon Snyder expressed concern that the dumpster location looks a little tight; and he would like the applicant to revisit that design to make sure it doesn't infringe on any parking stalls.

Jake Theurer advised the applicant to work with Tom Cooper to get any unpaid fees taken care of.

Jered Johnson **moved** to approve the proposed Canyon Creek Phase 6 Lot 606 Site Plan based on the following finding and conditions:

Finding:

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

Conditions:

1. That the applicant meets the City's Construction Standards.
2. That the applicant address any redline comments in Citizenserve.

Jake Theurer **seconded** and the motion **passed** all in favor.

SITE PLAN

TLM SPANISH FORK

The proposal involves additional site improvements for a retail property located at 900 East Expressway Lane.

Brandon Snyder shared that this Site Plan has previously been before the Committee in December; when they looked at the Development Overlay Enhancement Zone. Brandon Snyder continued to say that the only change that has been made is the concept plan provided; and if the Committee decides to approve or not approve the layout shown in the concept plan, then the applicant would revise and resubmit. Brandon Snyder stated that the main changes made are a shift in the parking stalls by the street in order to accommodate a turn lane, as well as the removal of a few islands to maintain adequate parking numbers.

Dave Anderson followed by saying that one of the reasons this Site Plan was continued from before is due to some of the work the City is currently doing along Expressway Lane. Dave Anderson explained that he received an email from Andrew Green, who represents the owners of this property, expressing some questions about the raised islands and turning lane. Dave Anderson further clarified that Andrew Green is comfortable with the design as it is now, but just wants to make sure the City is aware of the traffic having to weave from the right-hand turn lane in order to go Eastbound on Expressway Lane.

Brian Gabler said that the property owner just wants to make sure that the City is aware of this and is weighing out the options; but he is comfortable with the plan moving forward if the City is as well.

Seth Perrins replied that the traffic movement will have some sort of weaving, however it is designed.

Michael Clark informed the group that the current design makes the right turn lane safer, and the left turn will just be what it is.

Brian Gabler expressed that he believes that this is the best option.

Dave Anderson shared that he believes the Committee should approve this layout subject to the City's consultants reviewing it and approving it. Dave Anderson added that if the consultants have any concerns at that point, we can still address those.

Brian Gabler responded that the Site Plan will not show the improvements to Expressway Lane, but the applicant did want to show the Committee that they are aware of the Expressway Lane changes being required, and are working to accommodate them.

Michael Clark asked the Committee about where the sidewalk along Expressway Lane will go.

Jered Johnson then asked Brian Gabler if the applicant would be okay with losing the second to last parking stalls and turning the parking stalls along Expressway Lane into landscaping.

Brian Gabler replied that right now the applicant considers losing one single stall a big deal, so he doesn't believe that they would like that proposal.

Dave Anderson explained that something will change in this location, whether it is years from now or sooner. Dave Anderson continued to explain that the islands at the end of the parking stall lanes are essential, and that he thinks it will be hard to improve upon the plan that is before the Committee right now. Dave Anderson added that if the property owners have signed off on the plan, and if the Committee is comfortable with how it is presented today, he believes it should be approved.

Jered Johnson commented that the current plan works, it will just be a little tight in some areas.

Jered Johnson **moved** to approve the proposed TLM Spanish Fork Site Plan based on the following finding and conditions:

Finding:

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

Conditions:

1. That the applicant meets the City's Construction Standards.
2. That the applicant address any redline comments in Citizenserve.
3. That the applicants and City engineers work together to ensure that the Site Plans match.

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

CONCEPT REVIEW **WADSWORTH**

The proposal involves creating an Industrial development located at approximately 1300 North 300 West.

Brandon Snyder shared that this particular site is one that was recently considered for the Smith Brothers meat processing facility, and that from his understanding it has been sold and will no longer be developed as such. Brandon Snyder said that the concept being shared today is from the new applicant, and they are looking for some general feedback from the Committee.

Dave Anderson asked if the applicant could tell the Committee a little bit about who will develop the property? Dave Anderson added that this is a big change from what the Committee was working on for a few months, so he would love to hear any thoughts that the applicant has on timing and plans for this site.

Rhet Wadsworth shared that they are currently under contract with the Smiths, and timing wise their contract does not close until February 9 so they have a little bit of time to figure out the off-site costs of things.

Dave Anderson asked if it is too early to talk about potential users for the site?

Rhet Wadsworth replied that they are looking at most likely spec users.

Dave Anderson said thank you for the information, and added that from a zoning perspective that use syncs up well for the City's vision for this area. Dave Anderson let the applicant know that working on offsite utility costs is a good step, and that he would recommend continuing to focus on that for now.

Michael Clark explained that on 300 West the City masterplan is to have a storm drain, as well as one at 1400 North. Michael Clark added that the applicant's site would need to have two turns to get onto 1400 North, which would create a sort of zigzag driving route.

Rhet Wadsworth replied that the applicant doesn't want to disturb the wetlands in the middle of the site, so they would like to avoid having to reroute the road through that area.

Jered Johnson replied that as long as the applicant is not affecting more than an acre of wetlands, they should be fine.

Chris Thompson advised the applicant to think about what road they would want to funnel traffic to in order to connect to I15.

Reed Hart responded that they are trying to align with an existing intersection.

Chris Thompson left the room at 10:33 am.

Dave Anderson told the applicant to try and avoid having a curve in the public dedicated road that connects with Depot Road.

Dave Anderson asked the Committee about how strongly they felt about having a public road through this site.

Michael Clark replied that it would depend on the kind of users. Michael Clark stated that if it were only two or three big users the City would not care, but if it ended up being sixteen or so multi-users, that would change the need for one.

Rhet Wadsworth asked at what point in the process would the City expect to see a traffic study from the applicant?

Michael Clark answered in the Preliminary Plat stage.

Dave Anderson asked what the City would want to see shown in the study.

Michael Clark replied that the traffic study would show the number of access points, and the delay times at intersections on site.

Dave Anderson added that he agrees that the City would not need the traffic study until the Preliminary Plat. There is likelihood that as things evolve and change, he would not recommend that the applicant try to finetune anything at this point in time.

Reed Hart asked what offsite utilities they will need.

Michael Clark replied that they will need landscaping behind the sidewalk, curb, and gutter,

Reed Hart also asked if public improvements are tied to the plat and not the separate Building Permits.

Michael Clark informed the applicant that as they develop a phasing plan it would be proportional to the Building Permits.

Seth Perrins explained that he is viewing this concept as a concept as phases, and expressed concern about non-uniformed development taking place.

Dave Anderson advised the applicant that if they intend on subdividing this site into different plats, they would need to apply for Preliminary Plat approval that would focus on the phasing of improvements. Dave Anderson continued to explain that the Committee would then review the plat and make a recommendation to the planning commission on it. Dave Anderson added that for this project he would expect the applicant to record multiple plats over time as phases, or the applicant could record it all at once and bond for all of the necessary public improvements at one time.

Reed Hart asked if they would need to bond for the entire public improvements.

Shelley Hendrickson answered that the City requires a 10% cash bond.

Dave Anderson said that the applicant and City employees could go into more detail on this matter another time.

Seth Perrins addressed the applicant and stated that the internal moving of traffic will be an important part of how they orient their buildings and movement on site. Seth Perrins advised the applicant to make sure to have a masonry wall adjacent to roads and railroads.

Brandon Snyder added that it is not in the City limits so he doesn't know.

Dave Anderson explained that for industrial development where it is adjacent to residential sites, the City does require the construction of a six-foot masonry wall. Dave Anderson expressed that his inclination is that the City would require a wall along the railroad tracks.

Jered Johnson stated that the number of access points along 300 West are too many, and advised the applicant to consolidate them.

Reed Hart asked the Committee what the recommended timeline would be for a Preliminary Plat. Dave Anderson replied that a couple of months should be plenty for Final Plat approval.

Jake Theurer commented that as far as power goes, the potential with some large users on site is very likely and the current infrastructure in place might not support those users so the City might require the applicant to upgrade.

Rhet Wadsworth asked if the public road is solely serving the property, and if 77' is the smallest size allowed.

Michael Clark replied that for commercial yes that is the case.

Reed Hart asked if the applicant could get any variance on that rule as it seems like an overkill.

Michael Clark responded no.

Seth Perrins informed the applicant that there are some reimbursement possibilities for that road in the future.

Dave Anderson let the applicant know that they are more than welcome to reach out to any City employees for any future questions.

FINAL PLAT

JOHNSON SUBDIVISION PLAT A

The proposal involves approval of a Final Plat for a Master Planned Development including twenty-three residential lots located at approximately 1000 South 3400 East.

Dave Anderson stated that this item has been pretty much figured out.

Michael Clark added that he is aware that the applicant's attorney wanted to talk about the language dealing with 3400 East.

Brady Smith stated that their attorney looked at the note on the proposed plan and was okay with the wording. Brady Smith added that once they resubmit the plan, they will remove the section that talks about the City's involvement with offsite development.

Michael Clark asked if the Committee would like to include this change in the conditions of the approval for the design.

Dave Anderson asked if the Committee has an estimate on what the improvements costs would be.

Michael Clark replied that they have not had time yet to look at the budget and determine what course of action the City would like to take on this issue.

Brady Smith shared that it would be about 400 feet of improvements.

Jered Johnson commented that the City wants to do multiple projects, but they just need to work out the timing for these improvements.

Michael Clark explained that the real trick will be to make sure that when this section is asphalted it is all done together so there aren't multiple sections being pieced together.

Jered Johnson recalled that Vaughn Pickell may have mentioned once that the improvements could be an impact fee.

Brady Smith responded that speaking for Fieldstone; they are not interested in an impact fee. Brady Smith added that the intent of the initial note on the plan was to keep the discussion open about these improvements, but also to understand that there will be some sort of responsibility to finish them.

Brandon Snyder expressed concern about the first phase of building; the Committee doesn't want new houses being built when older buildings are still standing.

Brady Smith replied that the older houses will come down eventually.

Michael Clark asked when.

Brandon Snyder asked if the Committee would want to include a condition that says at a certain time that City wants the older buildings gone before the applicant can continue with further construction. Brandon Snyder added that the Committee knows the cell tower is going to stay, but the demolition plans call for all the houses and barns to be removed.

Brady Smith shared that there is currently a single tenant that lives on the property, but their lease will be terminated at the time of the developers first takedown.

Dave Anderson asked if the applicant is terminating the tenants lease with the purchase of their property.

Brady Smith answered yes.

Seth Perrins spoke about a concern that he has. Seth Perrins shared that in the past the City has had access points to various uses where the City thought said use would go away, but it didn't and the access points were removed leaving the City in a bind because they now needed that access point back. Seth Perrins added that he thinks the Committee needs to require that the tenant continues to have access to the property.

Brady Smith replied that they are currently writing an access easement for this very concern.

Dave Anderson asked the applicant what the property owner is planning to do with the property if the tenants lease ends with the developers first takedown phase.

Brady Smith answered that they aren't planning on doing anything- just selling the land to Fieldstone incrementally. Brady Smith added that they are hoping to buy it sooner than later.

Dave Anderson asked what the applicants schedule for that looks like.

Brady Smith said they are hoping to close pretty quickly.

Dave Anderson expressed appreciation to Brandon Snyder for trying to protect the tenants use and access abilities, and said that the Committee and developer are just left to do what they have planned and hope for the best.

Seth Perrins added that everyone has prepared for the worst so there are good plans set.

Brady Smith addressed the Committee and asked that in the conditions of the plat approval; it is very clear on the redlines being required.

Brandon Snyder stated that he does not want to restrict the possibility of additional redlines.

Brady Smith replied that he is concerned that they will go on and on.

Seth Perrins said that he understands those concerns completely.

Dave Anderson questioned how comfortable everyone was with the redlines that have been submitted now.

Tom Cooper shared that the applicant has made corrections needed on paper, and he is just now waiting to see those come back through on Citizenserve.

Seth Perrins stated that he is comfortable proceeding as the City normally does at this point in the process; to approve the plans as they normally do.

Dave Anderson added that at this point the approval process is just dependent on the applicant proving that their plan meets the City's standards.

Michal Clark explained that there is a strip of land belonging to D.R. Horton that runs between the homes and the power corridor; and he doesn't know what they are planning to do with that at the moment.

Seth Perrins proposed that rather than that strip of land becoming a nuisance piece, it could just become part of the power corridor.

Dave Anderson replied that this is an issue to be resolved as the plans move forward.

Michael Clark shared that the land could be deeded from D.R. Horton to Fieldstone to use as part of their backyards.

Brady Smith asked if the Committee would have issues with Fieldstone lengthening their backyards if that is the case.

Dave Anderson said no.

Jered Johnson moved to approve the proposed Johnson Subdivision Plat A Final Plat based on the following findings and conditions found in the staff report:

Findings:

1. That the application conforms to the City's General Plan Designation and Zoning Map.
2. That the application is consistent with the approved Preliminary Plat.

Conditions:

1. That the applicant meets the City's Construction Standards.
2. That the applicant address any redline comments in Citizenserve.

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

FINAL PLAT

RIDGELINE PARKWAY COMMUNITY

The proposal involves reapproving a three-lot subdivision for an apartment development located at approximately 1311 North SR-51.

Dave Anderson shared that this item is back on the Committee's agenda for Final Plat approval.

Dave Anderson asked the applicant if they received the redlines that the City sent to them.

Joseph Earnest said no.

Kimberly Brenneman stated that if the applicant could pay the required fee, then the City could get it figured out.

Jered Johnson asked if the water rights issues have been addressed yet.

Joseph Earnest replied no, they still need to pay the fee.

John Little exited the room at 11:17 am.

Dave Anderson asked if there was anything else that needed to be brought to the applicant's attention right now?

Jered Johnson **moved** to approve the proposed Ridgeline Parkway Community Final Plat based on the following findings and conditions found in the staff report:

Findings:

1. That the application conforms to the City's General Plan Designation and Zoning Map.
2. That the application is consistent with the approved Preliminary Plat.

Conditions:

1. That the applicant meets the City's Construction Standards.
2. That the applicant address any redline comments in Citizenserve.
3. That the applicant pays the water right fees and application fees required.

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

MINOR SUBDIVISION
TRAVIS OLSEN SUBDIVISION

The request would allow for the division of one parcel into two parcels located at 154 North 500 East.

Dave Anderson addressed the residents in the room and asked if they are the Olsen's?

Travis Olsen answered that yes, they are.

Dave Anderson explained that there aren't many properties still around town where residents can meet the zoning requirements and subdivide like is being proposed in this project. Dave Anderson asked if there are still two separate utility services on the lot.

Travis Olsen replied that yes there are, he doesn't know where they are but they are still on site.

Michael Clark stated that his only comment at this time is to make sure that the utilities for the new lot are brought up to standards.

Seth Perrins added that it will be important to have everything on the lot updated and ready to go and be connected to.

Michael Clark also let the applicant know that since there was an existing home on the lot before, there won't be an impact fee that needs to be paid.

Travis Olsen asked if they will need to update the power connections on the lot.

Tom Cooper replied that they will determine that in the future.

Dave Anderson asked the applicant when they are planning to build on the other lot.

Travis Olsen responded that right now they are just planning to split the lot and then later on will decide what they want to do with it.

Shelley Hendrickson asked if they will just need to record the plat.

Dave Anderson answered that the Committee will approve the subdivision plat today, and then the applicant will need to apply for a Building Permit.

Jered Johnson moved to approve the proposed Travis Olsen Subdivision Minor Subdivision Plan based on the following finding and conditions: in staff report

Finding:

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

Conditions:

1. That the applicant meets the City's Construction Standards.
2. That the applicant address any redline comments in Citizenserve.

Jake Theurer **seconded** and the motion **passed** all in favor.

OTHER BUSINESS

2022 GROWTH BOUNDARY UPDATE

Dave Anderson introduced this item by explaining that he would like the Committee staff to take a proactive role annually and review whether or not we think it makes sense to adjust the Growth Boundary or not. Dave Anderson referred to the Growth Boundary map being displayed and clarified that the dark dashed line is the current Growth Boundary line as of today.

Seth Perrins added that the Growth Boundary line is different from the annexation declaration boundary line.

Dave Anderson stated that the City has made some changes in recent years to expand the boundary as the City accounts for areas within the City that are ready for further development. Dave Anderson further explained that the idea with any proposed additions to the City are areas that the City can serve with the new sewer line.

Seth Perrins shared that the Growth Boundary is a signal to the world that the City is ready to take on more residents. Seth Perrins expressed that leapfrog development is the biggest challenge a City will have, and that is one reason that Spanish Fork has a Growth Boundary; in order to help the City, grow more compactly over the years. Seth Perrins added that he doesn't want to abandon the good things that the Growth Boundary line has done for the City historically.

Michael Clark commented that there are areas shown in the northwest corner of the Growth Boundary that are less serviceable than areas closer to the freeway.

Seth Perrins responded that the Growth Boundary allows the City to focus their efforts to service residents rather than splitting their focus up, and at this time for 2022 he would rather focus on other areas not close to the freeway.

Michael Clark asked how quickly a change to the Growth Boundary can happen.

Dave Anderson answered that any proposed changes would need to go before the planning commission and City Council to be approved.

Dave Anderson followed by saying another part of the conversation is that there are areas in the Growth Boundary that no longer need to be included in the boundary. Dave Anderson also said that it might make sense to scale back the Growth Boundary in some areas.

Brandon Snyder asked if the Growth Boundary is just a help guide.

Dave Anderson responded that it is all about the legislative approval of the zone changes.

Brandon Snyder also asked if the City would be in trouble if they do not follow the Growth Boundary.

Dave Anderson said no we would not. Dave Anderson stated that he is not trying to push for anything right now in regards to the Growth Boundary, but rather just say that a conversation took place about it and call it good.

Seth Perrins shared concerns about transportation challenges west of the freeway, and that he gets uncomfortable about servicing areas with these transportation issues.

Jake Theurer said that he agrees with Seth Perrins; and that it feels like the City is drinking from the fire hose right now in terms of development. Jake Theurer shared that he would like to pull in the reins a little but right now.

Brandon Snyder asked if the City Council approved the northwest corner area for further study.

Seth Perrins replied that they did for a different area.

Dave Anderson ended by saying that they will not suggest any changes to the Growth Boundary right now, and will leave it as it is.

SEPTIC TANK REGULATIONS

Potential amendments to septic tank regulations found in City Code Title(s) 13 and 15.

Chris Thompson asked Brandon Snyder to go over the actual recommendations made in the memo.

Brandon Snyder explained that this issue is the same one the Committee reviewed back in December.

Chris Thompson shared that the recommendations are that the City will take out the lot size section (D) out. Chris Thompson explained that previously the regulations have said in Section G that the applicant would have to pay to connect to the sewer, but this change to the regulation basically says that the customer will start paying the base sewer rate. Chris Thompson added that there are some changes to Title 15 Amendments that the Committee has proposed to go along with the other regulation changes. Chris Thompson clarified that Title 15 currently states that parcels may be approved if the minimum requirements are met; and one new change being added is that a lien will be recorded against the parcel requiring a sanitary sewer system, be connected to the residence at the owner's expense at such a time the city City sanitary sewer system comes within 300 feet of the lot. Chris Thompson said that the Committee also added numbers 4 and 5 to the Title 15 Amendments.

Jake Theurer asked if the City was planning on charging a base sewer rate even if the residents are not using the system.

Chris Thompson responded that yes, because the City is maintaining sewer lines to that lot, whether they connect to it or not. Chris Thompson elaborated that the base rate is there to maintain that connection if ever needed, and that a lot of other cities also choose to do this because it is fair. Chris Thompson explained that there is a big push from the State to get off of septic tanks, and the City doesn't want to make it any more appealing for residents to choose a septic tank when there are reasonable ways for people to connect to the sewer.

Brandon Snyder stated that Vaughn Pickell had previously shared some concerns, and wanted the City to require a sewer connection in the lien itself.

Chris Thompson replied that yes, the City sees the only enforceable option to be the lien.

Seth Perrins moved to work towards approving these changes next week after some grammatical changes are made.

Chris Thompson asked Brandon Snyder to advertise these changes however they need to be in order to get it approved.

Seth Perrins said to table this item until any action needs to be taken.

Seth Perrins **moved** to adjourn the meeting at 11:39 a.m.

Adopted: January 19, 2022

Ashlin Turcsanski
Deputy Recorder