

Adopted Minutes
Spanish Fork City Development Review Committee
40 South Main Street
Spanish Fork, Utah
June 14, 2023

Staff Members Present: Chris Thompson, Public Works Director; Seth Perrins, City Manager; Dave Anderson, Community Development Director; Brandon Snyder, Senior Planner; Kimberly Brenneman, Development Coordination Manager; Vaughn Pickell, City Attorney; Ana Burgi, Assistant City Attorney; John Little, Chief Building Official; Marcie Clark, Department Development Secretary; Jered Johnson, Engineering Division Manager; Zach Hendrickson, Outside Plant Manager; Jake Theurer, Power and Light Superintendent; Tom Cooper, Power and Light Senior Utility Planner; Bart Morrill, Parks Maintenance Supervisor; Jason Turner, Fire Marshall; Kasey Woodard, Division Secretary.

Citizens Present: Mike Devel, Tom Worthen, Jason Rasmussen, Cody Brazell, Sam White, Rob Weber, Ryan Smart, Ryan Hatfield, Soorin Barney, Blake Barney, Austin Barney

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

MINUTES

June 7, 2023

Seth Perrins **moved** to approve the minutes of June 7, 2023.

Ana Burgi **seconded** and the motion **passed** all in favor.

UTILITY IMPROVEMENT PLAN

CANYON CREEK COMMERCIAL CENTER

Brandon Snyder gave a brief explanation of the utility work to be completed along Canyon Creek Parkway along with a sewer line extension project.

John Little **moved** to approve the proposed Canyon Creek Commercial Center Utility Improvement 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 Zoning requirements and Construction Standards.
2. That the applicant addresses any red-lines.

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

SITE PLAN

VERSI RENTALS STORE

Brandon Snyder gave the location of the development. He stated this is located near the airport, and the proposal currently covers two lots. The applicant is looking to combine the lots and develop a rental equipment store with outdoor display areas. He stated there is adequate parking. He then presented the Site Plan and explained the applicant provided maintenance notes on the plan for the vacant future development area. He stated there will be chain link fencing with barbed wire on top surrounding the outdoor displays for security reasons.

Kimberly Brenneman stated the applicant has submitted a minor plat amendment applicant, but the application fee has not been paid as of today and the application will not be routed out for review until the fee has been paid.

Brandon Snyder stated Byron Haslam had made comments regarding the proposed third access in the future and he stated this needs to be discussed regarding the access location and spacing. He feels Byron was concerned with the proximity to the intersection.

Brandon Snyder stated with this approval it would not allow for outdoor storage, just outdoor displays. There was discussion on the difference between outdoor display and outdoor storage and it was stated display items are for sale to the public, and storage items are the company's personal storage of equipment and machinery.

There was further discussion regarding the access point at 1150 West and 3500 North and if 1150 West is a collector road or a commercial road and if it meets the standards.

Chris Thompson asked if this conversation should be postponed for a week for staff to further discuss the road.

Sam White does not like the idea of postponing the discussion.

Jered Johnson is comfortable with this design being able to meet the City standards.

Jason Turner has no comments and is comfortable with this moving forward.

Jake Theurer stated that power will not be installed until the subdivision is developed.

John Little **moved** to approve the proposed Versi Rentals Store 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 Zoning requirements and Construction Standards.
2. That the applicant addresses any red-lines.
3. That the applicant combines the lots and that the amended subdivision plat be recorded prior to the issuance of the Building Permit.

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

DON BENNETT COMMERCIAL LOT 2

Brandon Snyder gave a brief explanation of the proposed Site Plan. He also went through the applicable subdivision redline comments that have not been addressed. He stated the applicant needs to address conditions 3 & 4.

Jered Johnson stated the road needs to be vacated.

Vaughn Pickell stated his advice has been to not vacate the road until the City can be certain there will be a replacement road.

Kimberly Brenneman stated Utah County will not allow this to be recorded until the road has been built. She suggests building the road, then having it recorded with the county.

Mike Devel stated they are happy to build the road, but they are confused as to the order of what needs to be completed first. He looked to Vaughn Pickell on what needs to happen first.

Vaughn Pickell suggested bonding for the road first.

Chris Thompson stated he is okay with this suggestion.

Mike Devel stated he was allowed to apply for a Building Permit, and stated they would like to work on the road at the same time as the building.

John Little stated this is fine as long as the applicant understands a C of O cannot be issued until everything is completed with the subdivision.

Seth Perrins stated the applicant should be aware there will most likely be restricted street parking along the road bend.

Mike Devel understands and agrees that larger trucks and vehicles would not be ideal for street parking on the bend of 250 West.

Jake Theurer indicated the power improvements need to be completed for the subdivision.

Jason Turner has no comments.

There was a brief discussion regarding adjusting the plat at 1600 North as the existing plat only goes to the boundary line, and there is unaccounted space that needs to be included.

Mike Devel does not see a problem with recording the plat as is. He does agree with the suggestion of the Committee but does not see an issue with not including it.

Chris Thompson suggested an additional condition be added to address any remnants.

Chris Thompson **moved** to approve the proposed Don Bennett Commercial Lot 2 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 Zoning requirements and Construction Standards.

2. That the applicant addresses any red-lines.
3. That the subdivision plat be recorded.
4. That the applicant addresses any outstanding subdivision conditions of approval.
5. That the road 250 West is dedicated and bonded for prior to recording the Final Plat.
6. Any remnant area as a result of the vacation of 1600 North road be added to lot one prior to its development.
7. The vacated 1600 North road will not be disturbed until the new road, 250 West, is completed.

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

WASATCH PALLET

Brandon Snyder stated this is an amendment to the previous Site Plan approval. He stated the applicant had previously provided landscaping plans that complied with the City's requirements. He stated the applicant has since requested to use landscaping plans that do not comply with the current standards and he recommends that it not be approved today.

There was discussion about what requirements these new plans do not comply with, and it was stated the submitted plans do not comply with City's previous or current landscaping requirements. It was stated the applicant is looking to reduce overall cost and water consumption.

Tom Worthen stated he needs to have this plan move forward as he is paying for two properties. He stated he does want his property to look nice.

Seth Perrins stated the plans cannot vary from the requirements, and stated the City has recently amended its ordinances and it has been reduced in a lot of ways. He feels that in order to approve modifications to the landscaping plans, the DRC would need to look at further amendments to the City landscaping requirements, as plans cannot be approved that do not meet the current requirements.

Vaughn Pickell stated the applicant already does have plans that meet our City's requirements, but it is stated the applicant does not want to do that plan anymore to reduce their costs.

There was discussion of the previous requirements and the current requirements on landscaping and there is no current minimum requirement for grass, and the applicant stated he does not want to do grass anyways.

Seth Perrins stated this is regarding the City process and the City law. He stated this Committee does not have the ability to change the laws. He stated one of the great things about this Committee is that they are able to discover middle ground.

Tom Worthen asked what he is missing and how can he move this forward?

Dave Anderson stated this plan has a deficiency of about 20% on the landscaping. He stated the solution is easy. He stated to use the most lenient ordinance possible to allow for the applicant to move forward. The applicant was asked to modify the plans to comply with applicable requirements.

Brandon Snyder asked about the parking lot islands and feels that this is a questionable precedent to set for applicants that are not meeting the City's requirements and then letting them be approved.

Dave Anderson understands this concern.

It was stated there has been a final inspection scheduled and the landscaping bond needs to be paid.

Vaughn Pickell asked if landscaping bonds can be paid on private improvements, and it was stated that since this is industrial zoning it would be allowed.

Tom Worthen agrees to this suggestion and agrees to paying the landscaping bond to be able to move forward.

It was decided to table the discussion for 10 days until further conversation can be held on amending the landscaping requirements.

Seth Perrins **moved** to continue the proposed Wasatch Pallet Site Plan.

John Little **seconded** and the motion **passed** all in favor.

TITLE 12 AMENDMENTS

EXCAVATION IMPROVEMENTS AND ALTERATIONS

Ana Burgi gave a brief explanation of the proposed changes to the cleanup of construction sites. She stated there will now be a penalty to those who violate the ordinance.

John Little **moved** to recommend the approval of the proposed Title 12 Amendments to City Council as discussed.

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

TITLE 15 AMENDMENTS

NOTICE OF PIONEERING INTENT

Vaughn Pickell presented the proposed changes to the steps of noticing for a pioneering agreement.

Jake Theurer **moved** to recommend the approval of the proposed Title 15 Amendments to City Council as discussed.

John Little **seconded** and the motion **passed** all in favor.

CONCEPT REVIEW

RASMUSSEN

Brandon Snyder stated this item was discussed last week. It was continued so staff members could have time to review the plans. He stated one of the concerns was with flag lots currently not being allowed.

There was discussion regarding flag lots and that they have not been allowed in Spanish Fork City for a number of years. Concern then fell to public works and Fire/EMS services.

Dave Anderson stated there would be several things that would need to be amended with the City code to allow for something like this. He discussed the option of allowing for private drives.

Jered Johnson stated there are still sewer concerns. He stated the current code does not allow for septic tanks below 5 acres. He stated this would also create 2 non-conforming lots with one of those lots being under 5 acres.

Jason Rasmussen stated he would retain the parcel that would be over 5 acres, but see that the second parcel would not meet the requirements.

There was discussion how this could work if the lots were subdivided.

Chris Thompson suggested the applicant work with his engineer on this concern.

Jason Rasmussen asked if there were any exceptions to this and it was stated there are no exceptions.

There was discussion about the City's code regarding septic tank regulations. It was stated the regulation is a 5-acre minimum and this subdivision does not meet that requirement. It was stated he would need to propose the amendment to the City Council for this and it was stated there would likely not be much support for this.

Jason Rasmussen asked if the City Council would be able to make an exception without the amendment and it was stated that no, there would need to be an amendment to the code.

There was further discussion regarding running a gravity line along the back portion of the property as an alternative. It was stated a discussion with the applicant's engineer would need to discuss this as an option.

Jason Rasmussen stated this may be a more expensive option and ultimately would not be worth it.

There was discussion regarding the placement of a fire hydrant and a water line.

Jason Rasmussen understands the main two concerns are the water line and the sewer line.

DISCUSSION

SUBURBAN PROPANE

Kimberly Brenneman stated this proposal needs Site Plan approval so the applicant can move forward with UDOT, as they will not allow for the applicants to do any improvements until they have Site Plan approval. She stated this has been queued for quite some time due to staff members waiting for revised plans to be submitted by the applicants. She stated there were recent plans submitted, and the purpose for today's discussion was to get all respective staff members and the applicants together to come to a solution together that can allow for the applicants to move forward with Site Plan approval.

Austin Barney stated they have addressed the redline comments and are prepared to answer staff's questions. He then presented the changes to their Site Plan.

Dave Anderson stated the City does require landscaping islands per every 10 parking stalls. He pointed out that the presented design has 2 areas where there are 14 consecutive stalls in a row. He suggested adding 1 parking lot island on each side of the drive entrance. He stated the City is willing to look at this from a couple

different perspectives and they are willing to work with the applicant on this requirement. He then gave a few different options for the applicant on how to make this work.

Austin Barney stated another comment was they needed to add a physical barrier and two feet of landscaping and he stated they chose to do a barrier. He stated they included this decision into the notes on the plan that were submitted in May, and he stated he was told again by staff to separate it without a discussion.

There was a brief discussion on where this barrier would be placed. There was further discussion regarding the boundary lines and the possible discrepancy with the county recording.

Brandon Snyder stated additional concerns regarding the applicants showing existing easements, details of exterior lighting, a trash receptacle as City code requires nonresidential developments to have a dumpster unless the DRC approves roll out cans, and road dedications on the plans.

There was discussion regarding the illustrated north access point, and whether the design illustrates a driveway or fence.

Austin Barney stated they included notes in their redline response that this has been clearly marked that it is not an intersection, and that it is fenced in.

Seth Perrins stated this is illustrated as an access point and if it is not going to be an access point it needs to be changed. He then instructed the applicants to design it to not look like a driveway.

Austin Barney inquired about comments made by Byron Haslam.

Jered Johnson asked if the storm drain overflow concern has been addressed and it was stated that yes it has been addressed.

Seth Perrins asked all department heads to please address the staff in their departments to look at their review process and ensure that all reviews are being completed in a timely manner so that a matter like this does not happen again.

Austin Barney stated they had submitted documents in the beginning of May and did not receive redline comments till the beginning of June.

Seth Perrins apologized for the delay.

Ana Burgi moved to adjourn the meeting at 12:15 p.m.

Adopted: June 21, 2023

Kasey Woodard
Community Development Division Secretary