

Adopted Minutes
Spanish Fork City Development Review Committee
80 South Main Street
Spanish Fork, Utah
November 15, 2023

Staff Members Present: Chris Thompson, Public Works Director; Seth Perrins, City Manager; Dave Anderson, Community Development Director; Brandon Snyder, Senior Planner; Mary Martin, Associate Planner; Kimberly Brenneman, Development Coordination Manager; Vaughn Pickell, City Attorney; Ana Burgi, Assistant City Attorney; John Little, Chief Building Official; Byron Haslam, Senior Engineer; Jake Theurer, Power Superintendent; Kevin Taylor, Senior Power Utility Planner; Marcie Clark, Department Development Secretary; Jason Turner, Fire Marshall.

Citizens Present: Cody Brazell, Wendy Osborne, Jac B. Riley, Timothy Sands, Jason Dodge, Al Switzler, Brent Sadlier, David Simpson, Kaden Cole, Mike Deuel, Brandon Grover.

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

MINUTES

November 1, 2023

Dave Anderson **moved** to approve the minutes of November 1, 2023.

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

FINAL PLAT

Parkway Professional Plaza Condominiums Amended

Brandon Snyder stated that one of the two proposed plats will amend the driveway alignment. The second plat will amend the building footprint for the condo. There are some easement agreements that need to be reflected on the plat.

Dave Anderson **moved** to approve the proposed Parkway Professional Plaza Condominiums Amended Final Plat 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 plats show and describe all easements and agreements including those for cross-access and shared parking.

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

Seth Perrins asked if the conditions clearly resolve any cross-access easements. Brandon Snyder stated they are already recorded. Also, condition three stated that the plat be reflective of all easements and agreements.

Parkway Plaza Condominiums Phase 1 Amended

Dave Anderson **moved** to approve the proposed Parkway Professional Plaza Condominiums Amended Plat Final Plat 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 plats show and describe all easements and agreements including those for cross-access and shared parking.

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

SITE PLAN

TW Progress LLC Remodel

Brandon Snyder stated this is an existing site and the property owner is looking to improve the parking area. The east side of the building will have some improvements to the

loading dock along with enhancements for access to the building. The loading dock would screen the dumpster but it would not be completely out of site.

Jake Theurer stated the existing meter is located on the adjacent property and the Power Department requests that the meter be moved onsite.

Dave Anderson **moved** to approve the proposed TW Progress LLC Remodel 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 the redline comments.

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

Canyon Creek Longhorn Steakhouse Phase 4

Mary Martin stated this item is Site Plan approval for the Longhorn Steakhouse site. There was a question about an easement on Canyon Creek Shopping Center Phase 4, Plat B, Lot eight. The other question raised was making sure adequate parking is installed.

Cody Brazell stated the parking lot will be completed with the site and the easement will be abandoned for part of the sewer line.

Jered Johnson stated a portion of the sewer line will need to be released from the easement.

Vaughn Pickell recommended releasing the easement and then recording a new easement. This is not a disposal and so no public notice is needed. Once the new easement is drafted it should be placed as a consent item on the City Council agenda.

Seth Perrins asked how the parking on the site counts with existing sit-down restaurants in the area.

Cody Brazell stated the site meets the City parking standard and the portion that relates to a future phase will accommodate the flux of parking.

Seth Perrins asked, if the second site were to be developed with the end user being a restaurant, will there be a lack of parking? How are the cross-access parking easements written to allow for overflow of parking? The standard is being met but how does the City handle the parking when the future use is a restaurant, and the restaurant is successful?

Dave Anderson stated that Bart Morrill and Dale Robinson are concerned about the North Park parking not to be monopolized by the retail development.

Cody Brazell stated that it would be addressed in a future phase.

Vaughn Pickell stated it would be difficult to change the sewer easement if the original easement was on the plat. He feels it would be better to file an amended plat.

Dave Anderson **moved** to approve the proposed Canyon Creek Longhorn Steakhouse Phase 4 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 the redline comments.

Jered Johnson **seconded** and the motion **passed** all in favor.

ANNEXATIONS

Stephens-Hill Annexation

Brandon Snyder stated this was brought to the DRC last year. Since then, it has expanded in size and it would be appropriate to discuss the key issues.

Byron Haslam asked if the power issues have been resolved.

Seth Perrins stated he is in favor of accepting the annexation for further study. The power issue will be something that needs to be addressed. He understands there may be those that are opposed, he feels this should be annexed in an orderly fashion.

Seth Perrins **moved** to recommend the City Council accept the Stephens-Hill Annexation for further study based on the following findings:

Findings:

1. That the subject property is located within the City's Annexation Policy Boundary.
2. That the City's General Plan Land Use Designation is Agricultural and Industrial.
3. That the Rural Residential Zone is appropriate for the area at this time.

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

TITLE 15 AMENDMENTS

Title 15 Semi-Annual Amendments

Dave Anderson **moved** to continue the proposed Title 15 Semi-Annual Amendments.

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

Title 15 Day Care Amendments

Brandon Snyder stated there is a definition in Title 15 for Adult Day Care, but it is not listed as a permitted use within any zone in the City. The applicant is requesting to add Adult Day Care as a permitted use in any of the zones where Child Care Services are permitted.

Seth Perrins asked if it could be used to have a facility for individuals that may cause harm or concern to the neighborhoods.

Vaughn Pickell and Ana Burgi both agreed that it is a tricky question. What does functionally impaired mean? Is this a locked door environment where they cannot freely come and go?

Dave Anderson stated he agrees this can be researched more, but he feels comfortable recommending the amendment knowing the proposed zones it would be allowed in. He

proposed changing the definition of Adult Day Care to have verbiage added to address those concerns.

Dave Anderson **moved** to continue the proposed Title 15 Day Care Amendments to allow for more information on what type of facility would be provided.

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

CONCEPT REVIEW

Home Innovations Warehouse Redesign Concept

The owner of the property is hoping to do a Tenant Improvement of the existing building and not construct a new building. The property owner is interested to know what improvements along SR-51 would be required with keeping the existing building.

Chris Thompson stated that typically a road is centered on abutting properties when the access is benefiting both property owners.

Seth Perrins asked for today's discussion the feedback provided is the road network should be constructed the way it is designed for future expansion. He would look to the Community Development Department and Building Department to determine how the road will interact with the existing building.

Chris Thompson is sympathetic to the applicant in that the road right of way improvements along the north property line and SR-51 are triggered with a tenant improvement and change of use on a site.

The question is what is needed for access and what is fair to ask.

Dave Anderson stated that the site is not targeted to a high traffic area and the 77-feet of right of way may be more than needed.

Seth Perrins asked what the long-term plan would be for the area. It is designated on the General Plan as Mixed Use.

The Plan is to work with the City to do landscaping and lot improvements. The property owner is trying to do it in phases. Currently, there is a small office space and large warehouse area. The owners desire would be to convert the warehouse space to more office spaces.

John Little asked about the connection to the City utilities with the site. The site is currently on a septic system and well.

Chris Thompson stated he would be supportive of working on reducing the planter strip width and paving less asphalt and doing a red curb on the north property line.

Dave Anderson feels it should be a residential local street and recommends to follow that standard cross section on the north property line.

There was discussion of the future access of the north road onto SR-51 and removing the south access. It was raised that the property owner would need to obtain legal access to the future north road.

It was determined that the applicant needs to meet with Chris Thompson and Byron Haslam regarding the road design and accesses to create a workable design to bring back to the DRC for review.

Deuel Warehouse Concept

Mike Deuel with Shelby Homes stated when the property was purchased there was a preliminary plat approved. Between losing property and having to have reduced building sizes, he feels it is not feasible to move forward with the approved Final Plat. He is looking for other options that do not require a public street.

Dave Anderson stated that this is a significant road connection for the City. The approval of the right-of-way for the overall subdivision for the Green Tree Preliminary Plat was the road connection. It is a requirement for the subdivision, regardless of if the lot sold was not shovel ready.

Seth Perrins stated that 1400 North was not to replace 1600 North but to help build the ability to move vehicles from east to west. The loss of one of those roads is a non-starter for him. This has been at least 8 years in the works to create a connection of 1400 North.

Vaughn Pickell stated in some ways the infrastructure is the burden of this lot alone.

Jered Johnson stated it is important to move the road away from the railroad. If the applicant kept the intersection where it is they would have to do a diagnostic study with the railroad and improve the crossing.

Seth Perrins asked rhetorically, how did the City get to this situation?

Vaughn Pickell stated that it comes down to being cognizant of the proposed phasing.

Seth Perrins stated the S-curve is ideal, and closing the connection is not an option.

Chris Thompson stated an internal meeting needs to be held to discuss options with Jered Johnson, Byron Haslam, Dave Anderson, and Chris Thompson.

Mike Deuel asked how they can be actively involved in moving this forward.

Chris Thompson said the City will be in touch after the internal meeting.

Seth Perrins moved to adjourn the meeting at 11:32 a.m.

Adopted: November 29, 2023

Kimberly Brenneman
Development Coordination Manager