

Adopted Minutes
Spanish Fork City Development Review Committee
80 South Main Street
Spanish Fork, Utah
January 24, 2024

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; Marcie Clark, Department Development Secretary; Zach Hendrickson, Outside Plant Manager; Jake Theurer, Power and Light Superintendent; Bart Morrill, Parks Maintenance Supervisor; Jason Turner, Fire Marshall; Kasey Woodard, Division Secretary.

Citizens Present: Ryan Phelps, Dave Scoville, Shanice Hone, Ladd Timpson, Cory Andersen, Tate Murphey, Austin Pritchett, Jackie Larson, Mitch Cordner, Ken Cordner, Matt Gertge, Easton Gertge, Dustin McBride, Trevor Dickerson, Tyler Horan, Steven Isaacson

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

MINUTES

January 10, 2024

Seth Perrins **moved** to approve the minutes of January 10, 2024.

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

PRELIMINARY PLAT and ZONE CHANGE

DB INDUSTRIAL

Mary Martin gave a brief explanation of the proposed Zone Change from R-R Rural Residential to I-1 Light Industrial and she stated there are a few remaining concerns regarding access to the site, the installation of irrigation and aligning the utilities to the site.

Byron Haslam stated they still need the easement on the North access and there was discussion on proposing an easement from Sunroc. He stated there was never an easement obtained from Sunroc and he stated they are currently on hold because of it.

Dave Anderson **moved** to recommend the approval of the proposed DB Industrial Preliminary Plat to City Council based on the following finding and subject to the following 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 Development and Construction standards, zoning requirements, and other applicable City ordinances.
2. That the applicant addresses any red-lines.

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

After the motion was made, Seth Perrins asked if this will create a flag lot and he asked if there are any issues or concerns that need to be addressed today?

Chris Thompson stated that it is important that all the frontage of both lots be improved.

Seth Perrins asked if a joint access easement will be required between the flag lot and the driveway?

Dave Anderson stated he understood that this was to be the plan and Byron Haslam agreed this was to be the plan.

Byron Haslam stated two accesses have been proposed, and both lots will be able to use both accesses, including the third property will also have access. He stated this is included in the redlines.

SITE PLAN

SKYLINE NORTH AIRPORT

Brandon Snyder stated these next two items are together. He gave a brief explanation of the proposals. He stated there are no major concerns with either the Site Plan or the Final Plat.

Dave Anderson **moved** to approve the proposed Skyline North Airport Site Plan based on the following finding and subject to the following 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 Development and Construction standards, zoning requirements, and other applicable City ordinances.
2. That the applicant addresses any red-lines

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

Dave Anderson asked Byron Haslam for clarification regarding the bonding and it was stated the City will have the applicant bond for the storm drain.

FINAL PLAT

SKYLINE NORTH AIRPORT

It was stated this is subdividing the lot into 14 condominium units.

There were no other concerns.

Vaughn Pickell **moved** to approve the proposed Skyline North Airport Final Plat based on the following finding and subject to the following 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 Development and Construction standards, zoning requirements, and other applicable City ordinances.
2. That the applicant addresses any red-lines.
3. That the public infrastructure as required for the plat be bonded before the plat can be recorded.

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

CONDITIONAL USE PERMIT

2505 EAST T-MOBILE CELL TOWER MODIFICATION

Mary Martin stated this is making modifications to an existing cell tower.

Brandon Snyder provided current images of the cell tower. He stated this is fully enclosed in the public works compound that also contains power, water, and other utilities.

Vaughn Pickell asked if this is replacing the antenna and Brandon stated that this is upgrading the equipment at the base of the tower.

Dave Anderson **moved** to recommend the approval of the proposed 2505 East T-Mobile Cell Tower Modification Conditional Use Permit based on the following finding and subject to the following 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 Development and Construction standards, zoning requirements, and other applicable City ordinances.
2. That the applicant addresses any red-lines.
3. That the applicant notifies the Power Department prior to work commencing.
4. That work hours be limited to 8 am to 6 pm.
5. Verification with the City that there is a current lease agreement for the area.

Jake Theurer seconded and the motion passed all in favor.

Jake Theurer reminded the applicant to maintain a distance of 10 feet for safety as there is a lot of power in that area.

ANNEXATIONS

WEST MEADOWS ANNEXATION

Brandon Snyder stated there will be a potential name change as there is an existing annexation with the same name at the County. He stated this may come back to the DRC for acceptance with a different name. He stated this is very similar to another annexation that was proposed to the City a year prior. He gave the location of the proposed area that is to be annexed into the City and stated it is within both our Annexation Policy Plan and the City's Growth Management Boundary Plan. He stated the County will need to review this configuration, and the City will need to review the proposal to ensure this does not create any peninsulas. He stated the current designation is Commercial and Mixed-Use and then Urban Density Residential. He stated that it is being proposed that if it is accepted for further study, that only the C-2 and R-R zoning be considered at this time.

Engineering has no comments.

Jake Theurer stated the dual power lines in the area need to be addressed.

Vaughn Pickell stated this proposal does not show any portion of the interstate right-of-way and it was stated that Travis Warren the City Surveyor caught this oversight and it is being addressed.

There was a brief discussion on the boundary line and where Spanish Fork City is responsible for.

Seth Perrins suggested not annexing the freeway. There was further discussion of the matter.

Dave Anderson stated there were properties within this annexation that were looked at being annexed previously, and he stated he had concerns at the time. He stated he does not have concerns with this proposal as he feels the timing is right and some of the concerns can be addressed. He is comfortable accepting this for further study.

Austin Pritchett stated the properties have already been sold to the County and Seth Perrins stated this meets the requirement.

Dave Anderson the road coming up from the south will be a big deal and will be very similar to Canyon Creek Parkway eventually.

Dave Anderson moved to recommend the City Council accept the proposed West Meadows Annexation for further study based on the following findings and subject to the following conditions:

Findings:

1. That the subject property is located within the City's Annexation Policy Boundary and Growth Management Boundary.
2. That the City's General Plan Land Use Designations currently for the annexation area are Commercial, Mixed Use and Urban Density Residential.
3. That the C-2 and R-R zones should be utilized at the time of annexation.
4. That utility and street dedications should be further discussed and addressed with the annexation.
5. That the applicant make any modifications to the boundary that are necessary to the process.

Conditions:

1. That the applicant enters into an Annexation Agreement.

Bart Morrill seconded and the motion passed all in favor.

CONCEPT REVIEW

RUSH FUNPLEX TOWNHOME CONCEPT

Brandon Snyder stated the applicant has provided an updated plat from what was previously reviewed by staff. He stated modifications were made to the location of the apartments to bring some additional units out to the street. He stated the applicants are looking for feedback on taking the north area of the property, and diverting from the City's General Plan designation of residential use, and seeking to have it zoned commercially to allow for the proposed entertainment use that is being discussed.

Steven Isaacson, the architect representing the concept, gave a brief explanation of the modifications that were made to the previously submitted plans.

Chris Thompson asked the applicant to give more information about the Funplex.

The applicant stated they are an entertainment use that offers bowling, arcades, laser tag and other entertainment opportunities. He stated this would be a single-story building that is roughly 75,000 square feet.

Dave Anderson stated there has been previous discussion held regarding this proposal and it was stated that the General Plan has this area designated exclusively for Residential Development.

Chris Thompson stated there are a few concerns regarding the interchange and the need for additional lanes.

Jake Theurer stated there are large distribution powerlines located underground and that will need to be relocated.

Seth Perrins asked what density is being proposed and Steven Isaacson stated that they looked at the City Code and it stated the density is 18-24 units per acre, which would allow them to build up to 100 townhomes if desired. He stated they are significantly under this density by only utilizing about 70-80% of that allowance.

Seth Perrins stated that with the City's higher density range of 18+ units per acre, it has certain requirements that involve street frontages and if the proposed density is under that number, this may not qualify for an R-4 density.

There was discussion regarding the proposed R-4 zoning due to the number of townhomes proposed. It was stated that the current design does not meet the criteria for the R-4 zoning if their density is higher than 12 units per area.

Seth Perrins stated he is interested in what the Planning Commission would have to say. He asked where the closest Funplex would be to Spanish Fork and it was stated there are locations in the Orem mall and in the Jordan Landing area. Seth Perrins asked what the noise levels would be and the applicant stated there is not much exterior noise. He stated the entertainment noises are enclosed within the building.

There was discussion on placing the Funplex next to the residential area and how the parking could impact the residences and it was suggested that a dividing wall should be considered.

Dave Anderson stated that he would like this to be discussed with the Planning Commission in two weeks and to get their thoughts and opinions.

DISCUSSION

RIVER RUN

Matt Loveland rose to speak briefly about the revisions that are being discussed today. He stated he is seeking feedback from the DRC today before this goes back to the Planning Commission.

There was discussion regarding some of the changes from the previous Preliminary Plat design.

Jake Theurer stated the applicants have been great to work with. He stated there is an existing SUVPS powerline that the applicants plan to build under, and he stated that this powerline is planned to be removed. He stated that until that powerline is relocated, if the developer is ahead of SUVPS, there may be costs incurred.

Dave Anderson gave a brief history of previous discussions that were held regarding this proposal. He feels this configuration is very compactly designed. He stated that he is very appreciative of the applicant working well with the City to come up with a better overall design.

Seth Perrins has questions regarding parking and it was stated that the units to the east have full length driveways and there will be street parking for the units on the other side. He states there are elements of the new design that he likes.

Dave Anderson shared other items of discussion including the road between Volunteer Drive and the City Fairgrounds needs to be wider than what is shown on the design.

Byron Haslam stated there was a meeting held that discussed this proposal but it was decided that it would be better kept at 60 feet as a traffic slowing measure.

Matt Loveland thanked the City for this, and stated they do not want traffic speeding through the neighborhood. He stated that Byron Haslam has given wonderful suggestions and been very accommodating.

There was a discussion regarding the City code and it was brought to the attention of the staff that the way the City code reads currently, requires multifamily developments to follow the Commercial Local Standards as they are not looked at residentially, they are viewed commercially, which require a 70-foot-wide road, not the 60-foot-wide road that is required in residential areas. It was stated that the City has historically not followed this standard.

Dave Anderson stated this needs to be reviewed by staff, and he feels that there is not a need for all residential areas to have a 70-foot-wide road. He suggested staff can start looking at this next week.

There was a brief discussion regarding the Griffiths property owners.

THE ORCHARDS MASTER PLANNED DEVELOPMENT

Dave Anderson stated that he has a meeting set up with the developer. He stated this is a follow up conversation from the Planning Commission. He stated he wanted to get Vaughn Pickell's feedback on whether the City is under any obligation to provide any financial compensation for the easement. He stated that the applicant has expressed their thoughts that they would be compensated for a portion of that. He stated it was not his understanding that the City would be providing compensation for the dedication.

Vaughn Pickell stated that this surprises him as it was also his understanding that this was a willing dedication and that no financial compensation will be provided.

Seth Perrins stated that without the Master Planned Development Overlay, the development is allowed 14 lots. He stated that if the City must purchase the land, then the development will go back to 14 being only 14 lots. But if the applicant wishes to be approved for 16 lots, then they can have the 16 lots, but they will need to dedicate the ground. But the City will not be purchasing the land and approving 16 lots.

Vaughn Pickell stated the applicant is entitled to a standard subdivision that allows for 14 lots, but states this is not a standard subdivision and the applicant needs to show the City some benefit for allowing additional lots.

It was stated that if this discussion were for approval, it would be approved either way. But it was stated that the applicant can have 14 lots and be compensated for the land, or 16 lots and dedicate the land. But they will not be getting 16 lots and be compensated.

MCDONALD ZONE CHANGE

There have been previous discussions with the DRC regarding this Zone Change and it was stated that this discussion will be regarding the cross-access easement. It was stated this was recommended for approval of all 3 lots with the condition that the applicant provide

necessary access and parking easements to guarantee the different property owners within the development have adequate access and parking.

Brandon Snyder stated that since the meeting the applicant has reached out with concerns regarding the design layout or use of the bottom two lots. He stated it is the preference of the City to have all three lots rezoned at one time.

Dave Anderson suggested the DRC relents on the condition that with the Zone Change, the applicant provides the easement that provides access between the two lots that are south of the driveway that leads to the townhomes, because the driveway provides access to the two northernmost lots.

There was discussion regarding the lots and it was stated it has been common for property owners to record or split the parcel with the County and not going through the City. So, the subdividing of the parcel is not recognized by the City.

Vaughn Pickell stated he has spoken with the property owner and informed them that all three lots need to be platted as a subdivision rather than just created by deeds recorded by the County.

Brandon Snyder asked for clarification that if the applicant came to the City for any Site Plan or development application, that it would be required for the applicant to apply for a Preliminary Plat for the entire area first.

It was discussed that if any development is to occur, the property owner must first apply for a Preliminary Plat. It is stated in the City's Municipal Code that this must go through the City's process to be recognized by the City.

Chris Thompson suggested not allowing the property owner to subdivide the property until they go through the City's process and the suggested zoning be C-2.

Dave Anderson agreed with the suggested C-2 zoning and recommended that the City allow the Zone Change but suggested the City not allow the property owner to subdivide the property until the plat has been recorded and the right of way be dedicated.

LELAND MEADOWS PHASING PLAN

Byron Haslam stated this discussion is stemming from a previous DRC meeting. He stated there were concerns with 1700 West only partially being built. He stated the applicant has provided a temporary solution to the concerns until the full realignment of 1700 West can be completed. He stated he does not have any major concerns with this proposal as it will be sufficient for the short term.

Brandon Snyder asked if there is a specific time frame when using the verbiage "short term" and it was stated this is regarding the phase lines on 1700 West.

Dean Ingram stated the road will temporarily be asphalt. He stated their plan is to install the curb, gutter, and sidewalk regardless.

Dave Anderson asked for clarification on the order or development.

Dean Ingram gave a brief explanation of their proposed phasing plan.

FIRE CODE REGULATIONS

APPENDIX L

Jason Turner rose to speak about the proposed adoption to the fire code. He stated this proposal would apply to warehouse buildings over 250,000 square feet. He provided a video for the committee to watch that goes over the new system.

Eddie Hales rose to briefly explain what is being proposed. He stated that this adoption could greatly increase fire response times and save firefighters from having to manually carry the air tubes up flights of stairs.

Dave Anderson is in favor of this proposal and would like to see a breakdown of the cost.

Jason Turner stated he has a meeting with The Firefighter Air Coalition the following day and will be getting an estimate that he can provide to the City for review.

Seth Perrins feels this is very beneficial to the high rises as was discussed. He asked how these work with the horizontal warehouses being developed.

Jason Turner **moved** to recommend the approval of the proposed Fire Code Regulations Appendix L to City Council as discussed.

Brandon Snyder **seconded** and the motion **passed** all in favor.

Bart Morrill moved to adjourn the meeting at 12:20 p.m.

Adopted: February 7, 2024

Kasey Woodard
Community Development Division
Secretary