

**Adopted Minutes**  
Spanish Fork City Development Review Committee  
80 South Main Street  
Spanish Fork, Utah  
February 7, 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; **Jered Johnson**, Engineering Division Manager; **Zach Hendrickson**, Outside Plant Manager; **Kevin Taylor**, Senior Power Utility Planner; **Jake Theurer**, Power and Light Superintendent; **Bart Morrill**, Parks Maintenance Supervisor; **Jason Turner**, Fire Marshall; **Kasey Woodard**, Division Secretary.

Citizens Present: William Reilly, Cody Brazell, Jared West, Andrew Pavkin, Kaden Cole, Nate Heaps, Taione Militoni, Nate Reihe, Jamie Sanders, Jayme Powers, Melissa Nelson, AJ Del Pivo, Shauna Warnick, Cory Anderson.

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

## **MINUTES**

### **January 24, 2024**

Jake Theurer **moved** to approve the minutes of January 24, 2024.

Bart Morrill **seconded** and the motion passed all in favor.

## **SITE PLAN**

### **CHASE BANK**

Mary Martin gave a brief description of the location and stated there are no concerns.

Engineering had no concerns.

Dave Anderson **moved** to approve the proposed Chase Bank Site Plan based on the following finding and subject to the following conditions:

Finding:

1. That the proposal 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.

## **FINAL PLAT**

### **WYNDSONG SUBDIVISION**

Brandon Snyder gave the location of the proposal. He stated there are a few questions that need more detail. He stated there also needs to be adequate bonding in place for when lots 4 & 5 are improved.

Chris Thompson asked what the temporary turnaround would look like and Brandon Snyder stated the turnaround would be asphalt.

Bryon Haslam stated there are two SESD poles that need to be relocated along 1350 South. He stated SESD is waiting on the City for design approval.

Chris Thompson recommended making this a condition of approval and he feels SESD would be fine with this condition of approval being added.

Jake Theurer feels the design for the subdivision is ready and echoed the same concerns as Bryon Haslam.

Ana Burgi brought up the concern of the dedication of the public right-of-way. It was stated that this label needs to be added.

Chris Thompson discussed nuisance strips and explained that these are not allowed in the City. He is concerned there is a nuisance triangle in this design. He stated the triangle needs to be deeded to the City's public right-of-way.

The applicant asked for more detail regarding this conversation.

Chris Thompson gave more information on why nuisance strips are not allowed.

The applicant stated they were concerned with the loss of land impacting their square footage average.

It was discussed further on the best way to reserve the most amount of land for the property owner.

Dave Anderson **moved** to approve the proposed Wyndsong Subdivision Final Plat based on the following finding and subject to the following conditions:

Finding:

1. That the proposal 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 a label be added to each 1350 South and Bradford Lane to indicate that the right-of-way will be dedicated to the City.
4. That the applicant will work with SESD to obtain a permit to relocate the poles prior to recordation.
5. That the north lot line for lot 13 be modified to remove the triangle adjacent to Bradford Lane and the remnant land be dedicated to the City as right-of-way.

Vaughn Pickell **seconded** and the motion **passed** all in favor.

## **CONCEPT REVIEW**

### **HEAPS CONCEPT**

The applicant stated they wanted to present this concept to the DRC to gain their feedback. It was stated they attended a meeting with UDOT the day prior.

Brandon Snyder asked if UDOT is comfortable with the lot spacing and it was stated they were not in favor of this option.

There was discussion about the timing of the project and it was stated that if the property owners at 1591 East are not ready to move forward then this cannot move forward. It was stated the applicant needs to coordinate with the neighboring property owners to move forward.

Chris Thompson stated he is not in favor of increasing the density.

Byron Haslam feels there is a lot of work that needs to be done before this proposal can move forward.

The applicant agreed and stated that he feels meeting with the DRC today is both good and bad but he is happy to receive this feedback.

There was discussion on how it has been discussed that building townhomes in this area has not been favorable. There was further discussion on the City's General Plan and what density is allowed for the R-1-6 zoning.

### **PEREZ CONCEPT**

The engineer representing the proposal stated he has been assisting the property owner look for property that he can build his home on. He stated they found this property and there are several concerns with what the City is going to require regarding giving up land for roadway and being required to build the roadway improvements and pay for it and be reimbursed later.

There was discussion regarding the footage that will be required from the railroad right-of-way. The applicant asked if the City would consider using the alternative roadway the traffic study looked at for 3400 East.

Dave Anderson stated there would need to have internal discussions on this request.

There was discussion on whether a roundabout or a traffic signal would be required. It was stated this could be a stop sign.

## **RIDING PARCELS CONCEPT**

The applicant could not be present so it was decided that the discussion will be continued to a later date.

Vaughn Pickell moved to continue the conversation till the applicant can be present to discuss the concept.

Dave Anderson seconded and the motion passed all in favor.

## **SPANISH SPRINGS PHASE 3 & 4 CONCEPT**

Brandon Snyder asked the applicant if this follows the existing phasing agreement that was negotiated and recorded against the property and it stated that no, it does not follow that agreement.

The applicant stated there has been a small modification on the larger building in phase 3. He stated in the original development agreement, this was being done in separate phases but they are looking to combine them now due to changes with UDOT.

The applicant asked if there was anything they needed to do regarding the development agreement and it was stated the development agreement should allow the development to be completed in two phases.

Dave Anderson stated the applicant's next step would be to submit a Site Plan application.

The applicant stated they are planning to proceed with phase 3 which includes buildings C & F and they will wait on phase 4.

Jake Theurer stated the City has requested extra easement for the transmission line that needs to be relocated and stated that UDOT is not providing it, and asks the applicant if they have any updates on where this request is at?

The applicant stated he is unsure now but will provide the Power Department with an update soon.

## **ANNEXATIONS**

### **JIM JENSEN STEPHENS/HILL ANNEXATION**

Chris Thompson asked if this was for approval or for acceptance to study?

Kimberly Brenneman stated this is to review the feasibility study to make a recommendation to the City Council.

Brandon Snyder gave an overview of the proposed area for annexation. He stated this has been reviewed several times, and it has been discussed to utilize Rural Residential as the zoning. He stated there have been several additional properties that have been added to the annexation. He stated the way it is currently written is that it is with the annexation policy plan and is recommended for acceptance with the R-R zoning.

Dave Anderson stated the General Plan and proposed zoning for the area will work.

There was a brief discussion on the general plan being mainly agricultural exclusive. It was discussed that the property owners planned the future use being mainly agricultural but there will be some property owners that may eventually want to rezone their property for industrial use.

Kimberly Brenneman feels the largest concern is with SESD and Jake Theurer feels this annexation proposal is easier for the Power Department to work with SESD on the main concerns with servicing the area. He feels that everyone agrees right now but states there is always the chance things could change. Kimberly stated that in the attachments, the property owners outlined in red have personally voiced that they do not want to be involved in the annexation.

Dave Anderson asked how comfortable property owners will be if their properties are annexed into the City and zones agricultural and it was stated that Jim Jensen has sold his property to an investor for industrial uses and it is assumed the property owner would be upset with this zoning. The other property owners are assumed to be comfortable with this zoning and would prefer the R-R zoning designation.

Dave Anderson feels there is value in opening a dialogue with the property owners and letting them know what the City will need and to ensure everyone is on the same page before this moves forward to the Planning Commission. He wants staff to review the feasibility study.

Chris Thompson asked if he wants this to happen before the DRC makes a motion and Dave stated that yes, he would. He understood that today's conversation was to talk through some of the concerns.

Kimberly Brenneman stated that it was her understanding that today would be discussing some of the concerns and if the DRC felt comfortable then they could make a recommendation to the Planning Commission. But she acknowledges there are additional concerns that have been presented and need to be discussed before this can move forward.

It was discussed that the item would be continued to allow staff additional time to discuss the feasibility study in greater detail.

Dave Anderson **moved** to Continue the proposed Annexation.

Vaughn Pickell seconded and the motion passed all in favor.

## **DISCUSSION**

### **CANYON COURT URBAN**

Dave Anderson stated that he has had previous conversations with the applicant regarding this proposal.

Cory Anderson stated that this has been placed on hold and stated that he would like to get the conversation started again. He stated they have the green light from the Planning Commission to move forward with the rezone and Site Plan approval. He stated he would have attended a City Council meeting to obtain these approvals but the day prior to the meeting they received a contract to purchase the entire site from a user that he feels the City would have been happy with, and stated they have been on hold but then in December the user backed out of the purchase agreement. So, he stated they are now getting back on track to move forward. He stated the end user they are trying to obtain would be a grocery store. He stated they have worked with 3 different businesses, and each one requests a different layout and acreage. So, he expressed how this has made it difficult to submit a Site Plan as he feels that if he submits something he will have to go back to amend it shortly after due to the grocery store requirements. He wants to get the engineering approval for 400 North done and out of the way before the grocery store Site Plan is submitted.

Chris Thompson asked the applicant what advantage does getting the approval from engineering first have.

Cory Anderson stated that it is one less thing he must work through.

There was a discussion on Spanish Fork Parkway and the different access points from the property. It was stated that access from Spanish Fork Parkway would be easier and that 400 North would have more concerns with UDOT and building a roundabout. There was discussion that there has been a level of distrust between the City and developers.

Cory Anderson stated he does not have an issue with installing the needed improvements to the area. He feels this area is good and this property is a prime piece. He feels the main hurdle is the grocery store aspect of the design. He feels that the engineering on 400 North is mostly worked through, but feels getting the roundabout designed and approved would help move things along.

Jake Theurer asked if the applicants are planning to install all the power up front as he feels like if anything changes it would be very expensive to relocate things later.

Dave Anderson stated the property is currently zoned commercially and residentially and he does not feel comfortable moving forward at this point with asking the City Council to adopt the Mixed Use zone the way it is written today. He feels the applicant is seeking a signal from the City that there is a level of comfort with the zoning. He recommends having the residential zoning changed to Commercial sooner rather than later.

The applicant agreed and stated that he liked the Mixed Use zone. He thanked the DRC for their time and stated he has a meeting soon with another potential grocery store buyer, but stated he will remain in contact with Dave Anderson to move forward.

Dave Anderson moved to adjourn the meeting at 11:25 a.m.

Adopted: February 14, 2024

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Kasey Woodard  
Community Development Division  
Secretary