

Adopted Minutes
Spanish Fork City Development Review Committee
80 South Main Street
Spanish Fork, Utah
July 17, 2024

Staff Members Present: Dave Anderson, Community Development Director; **Brandon Snyder**, Senior Planner; **Kasey Woodard**, Community Development Secretary; **Ian Bunker**, Associate Planner; **Vaughn Pickell**, City Attorney; **Joshua Nielsen**, Assistant City Attorney; **John Little**, Chief Building Official; **Byron Haslam**, Senior Engineer; **Marcie Clark**, Engineering Department Secretary; **Jered Johnson**, Engineering Division Manager; **Kevin Taylor**, Senior Power Utility Planner; **Jake Theurer**, Power and Light Superintendent; **Bart Morrill**, Parks Maintenance Supervisor; **Dillon Muirbrook**, Traffic Engineer, **Shawn Jorgenson**, Project Manager.

Citizens Present: Brian Gabler, David Schiess, Mike Clayson, Clayci Crandall, Luis Bedolla, Marli Bedolla.

Dave Anderson called the meeting to order at 10:00 a.m.

MINUTES

June 26, 2024

Jake Theurer **moved** to approve the minutes of June 26, 2024.

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

MINOR SUBDIVISION

BAXTER PLAT A

Dave Anderson stated that the applicant was not present for the meeting and suggested continuing the discussion as there are concerns with the well that need to be discussed. He asked if the Development Review Committee feels ready to act on this approval with how it is currently being proposed.

There was a discussion regarding the well and the easement. There was further discussion on the fencing that would be removed.

Dave Anderson feels that with the information provided today, he now feels more comfortable with this project moving forward. He asked if there are any other concerns and it was stated that the well is the only real concern.

Vaughn Pickell addressed the dedication of the street and stated that it needs to read that it is a public street.

There was discussion on the setbacks surrounding the well and if someone wished to build near it. It was stated that whatever is approved today could impact that buildability of lot two in the future.

There was further discussion on what the well water would be used for and it was stated that the property is stubbed for culinary water, but the property owner is insistent on using the well water for landscaping.

Dave Anderson suggested continuing this project.

Dave Anderson **moved** to Continue the proposed Baxter Plat A Minor Subdivision.

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

FINAL PLAT

WILLOWBROOK COMMERCIAL SUBDIVISION

Brandon Snyder gave a brief overview of the project. He stated there are some remaining redlines that need to be addressed. He stated if the property is developed and trash or debris is found, that environmental regulations would need to be followed and the trash or debris must be removed before any development can take place.

Bryon Haslam stated that Engineering has the same concerns regarding trash being found and that it would need to be removed and disposed of properly.

Vaughn Pickell acknowledged that there are existing PUE's that have been recorded, and so they will need to be converted to MUE's.

Jered Johnson **moved** to approve the proposed Willowbrook Commercial Subdivision 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 applicant follows the City's adopted environmental regulations.
4. That all PUEs must be renamed to MUEs.

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

SITE PLAN

WILLOWBROOK SITE PLAN

Brandon Snyder stated that this is specific to lot 1. He stated this property is zoned I-1 and the applicants are looking to develop an office building. He stated there are identical findings and conditions to the Final Plat application.

Engineering has no comments.

Vaughn Pickell asked if there are any elevations for this Site Plan and Brandon Snyder stated there are elevations included in the application. He stated the north elevations will include the loading docks.

Jake Theurer **moved** to approve the proposed Willowbrook 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.
3. That the applicant follows the City's adopted environmental regulations ordinance.

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

ZONE CHANGE

PACIFIC HORIZON ZONE CHANGE

Brandon Snyder thanked the applicant for being present. He gave a brief description and location of the proposal. He stated the applicant is seeking to rezone the property from R-O, Residential Office, to C-, General Commercial. He stated this property is located on South Main and that Pacific Horizon Credit Union is seeking to have a location on Main Street. He stated that the property to the south was looked at previously by the DRC. He recommends approval based on the finding that this proposal is consistent with the General Plan.

Dave Anderson stated there is an element to this proposal that makes it somewhat time sensitive. He stated that the City has held conversations with the individuals that have plans to develop the property to the south. He stated their proposal was approved earlier this year, and there are zoning codes that have different development standards based on what is located next to them. So, he feels that getting this zoning changed sooner than later is the best option. He also stated the City would also like to clean up the zoning on Main Street with this approval.

Jered Johnson asked the applicant if the main access point will be off Main Street and it was stated that this is correct. He asked if there would be any intention of accessing the site from South Lane?

Mike Clayson stated that it had been discussed, and it would be great if it can work but if it doesn't, they would not need that access point.

Jered Johnson stated the City has discussed abandoning that road in the future and if the second access off South Lane were to be removed, would this hurt the business and it was stated that it would not hurt the business as the main access would be off Main Street.

Jake Theurer wanted to inform the applicant that there is not great power in this area and this information was provided to the developers to the south. He stated that with the rec center expansion there will be access to power across the street that they can tie into.

Dave Anderson asked the applicant if they have a timeline for construction and it was stated that they are hoping to begin by fall but springtime is the deadline.

Vaughn Pickell **moved** to recommend the approval of the proposed Pacific Horizon Zone Change to City Council based on the following finding and subject to the following conditions:

Finding:

1. That the proposal is consistent with the City's General Plan Land Use Map Designation.

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

Dave Anderson stated that this will go to the Planning Commission and City Council in August.

DISCUSSION

30% DESIGN - 2000 EAST US-6 CONNECTION

Dave Anderson stated that this discussion was on a previous agenda but was continued. He stated that he wished that Chris Thompson and Seth Perrins were present today for this discussion.

Dillon Muirbrook stated if there is nothing significant that needs to be discussed with the group that is present today, the Engineering Department can continue to 60% and resubmit with a 60% design.

Dave Anderson stated that staff is very comfortable and is looking to see the design by way of usable space and discuss the land use. He feels that the odds of a dramatic shift in the road alignment is very slim at this point in time.

Dillon Muirbrook stated that the Engineering Department would like to have this back in front of the DRC and include Chris Thompson and Seth Perrins next time.

Jered Johnson stated that their group has met with Chris Thompson and the major concern is with the irrigation structures. He acknowledged the previous conversation and how the area would be zoned and what would be allowed on the buildable side of the road.

He recommends moving forward with the current design and coming back to the DRC with the 60% design. He does not feel there will be any changes with Engineering and stated that however the General Plan comes out, is how this will be designed.

Dave Anderson stated that this information will be shared with Design Workshop for their thoughts and feedback.

OTHER DISCUSSION

There was a brief discussion regarding various topics including hillside development standards, the Sunroc project located on SR-77, and one last proposal. He stated the City received an application that has proposed changes to the current hillside development requirements and this has been previously discussed with the DRC and the Planning Commission. He is wanting to get feedback from staff on a timeline to move this application forward. He stated that if staff feels this is ready to move forward and have the item placed on the August Planning Commission agenda, the Community Development Department needs adequate time to send out public notices for the meeting. He stated if staff does not feel this is ready to move forward, he can look at a September agenda and this timeline would give his department more time for noticing.

Staff agreed that there has not been any change in opinion.

Dave Anderson shifted the conversation to the project that is located at Sunroc and stated that there was a complaint received from the Blunk's about the project and asked Shawn Jorgenson to reach out to the property owners.

There was a brief discussion regarding development standards.

Dave Anderson feels the property owners are just in an unfortunate situation. But stated that was all he was going to say on that subject. He moved on to the third and final topic for discussion. He acknowledged the citizens that were present for the meeting and thanked them for their patience. He stated the gentleman present has a proposal for the south end of Main Street for a used car business to be located at 1819 South Main Street. Currently the property as it is, would require frontage and site improvements, including tying into utilities in order to bring the property into compliance with the current city development standards. He feels that he has been as upfront and clear about as he can be regarding what he thinks the City would require regarding these improvements but he invited the gentleman to the podium to speak to the Committee about his proposal and to receive feedback from the other departmental staff about what would be required.

Luis Bedolla approached the podium and stated that he is a small business owner and he is looking to open a used car dealership at this location. Currently, the properties to the north and south both have automotive uses and he feels that his proposal would fit with the current neighboring uses, and he would like to clean the site up and make it look nice. He feels that the area is a complete mess, and he feels that by allowing him to develop his business there according to his budget, and paint the building and do some paving, it would still benefit the City by making the property look nicer. He feels that the City is trying to make an example out of this small property and making it hard on small business owners trying to start a business. He feels that the City should not be viewing this situation in black and white, and he is asking for the City to help him out by allowing him to only do the improvements he can afford. He stated that there have been previous business owners

operating from the property as it has been and does not see an issue with his business bringing 10-12 additional cars to the property for his business.

Kasey Woodard, the Business Licensing Official, stated that there have not been any prior business licenses issued to this specific property and that the only business licenses that have been issued have been to the north and south properties.

Luis Bedolla asked if this meant that the previous business owners were not licensed and it was stated that no, there have been no City business licenses issued to this property at any point in time.

Dave Anderson stated that this is part of the issue. Business owners do not always apply for a City business license and operate unlawfully. He stated that when the City becomes aware of businesses operating without a business license, the business owner is often notified that they are required to either obtain a license or cease business operations or risk being cited for operating without a license.

Luis Bedolla stated that he is trying to do the right thing and he then asked if the City offers any type of grants for small businesses to assist in site improvements and it was stated that the City does not currently offer any grants of this kind.

It was the general agreement of the Committee that this financial responsibility falls to the business owner to be able to do the required improvements to an undeveloped site in order to develop any kind of business. If the business owner cannot do the improvements, then it is best to find a more suitable site that does not require additional improvements. The business owner was unsatisfied with this information and felt that the Committee was being unfair, but it was stated that Spanish Fork City follows the law and treats all developers and business owners equally. Dave Anderson stated they would love to have the business come to the community, but they acknowledge this is a very expensive undertaking for any developer and that is largely why the property has remained undeveloped to this day. But the City is comfortable leaving the property as is until a developer can undertake the improvement expenses.

Jered Johnson moved to adjourn the meeting at 10:57 a.m.

Adopted: July 31, 2024

Kasey Woodard

Community Development Division
Secretary