

Adopted Minutes
Spanish Fork City Development Review Committee
November 28, 2018

Staff Members Present: Chris Thompson, Public Works Director; Dave Anderson, Community Development Director; Brandon Snyder, City Planner; Seth Perrins, City Manager; Kelly Peterson, Electric Superintendent; Junior Baker, City Attorney; Michael Clark, Staff Engineering; Jered Johnson, Engineering Division Manager; Bart Morrill, Parks Maintenance Supervisor; Dale Robinson, Parks and Recreation Director; John Little, Chief Building Official; Brady Taylor, Lead Cable Technician; Shelley Hendrickson, Engineering Division Secretary; Jessica Burdick, Building Inspection Division Secretary, Travis Warren, Engineering Technician.

Citizens Present: Dylan Young, Chad Hall, Scott Peterson

Dave Anderson called the meeting to order at 10:02 a.m.

APPROVAL OF MINUTES

October 25, 2018

October 31, 2018

Junior Baker **moved** to approve the minutes, with the changes made from **October 25, 2018** and **October 31, 2018**.

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

PRELIMINARY PLAT

Hall Industrial

Dave Anderson began by discussing this project of 26 acres and three lots.

The applicant explained that all three lots will be light industrial businesses, such as storage.

Junior Baker said he talked with Brandon Snyder about this yesterday. There are some title issues with the properties. Some of the grantors were not vested. The Preliminary Plat can be approved, but before a Final Plat can be done, they need to sort that out with the county.

Dave Anderson said there is also a small zoning issue.

Junior Baker said we can correct that clerically.

Dave Anderson explained this land was annexed a few years ago and was zoned Industrial-1, so from a zoning perspective, everything is consistent and easy to approve. He asked if there are any issues with utilities.

Jered Johnson said water is already there, sewer is close, and power is along the frontage.

The applicant said they will not do pressurized irrigation, they will just bond for it.

Jered Johnson said he thought we were bringing PI down and that the City would pay for the portion in front of the house.

There was discussion regarding pressurized irrigation in the area.

The applicant said the City would pay for certain portions.

Dave Anderson asked for clarification as to what the City will pay for, and how that will be funded.

Jered Johnson said John Waters is putting it in his budget.

There was further discussion regarding pressurized irrigation and payments.

Dave Anderson asked if the power is 3 phase.

Kelly Peterson said the City will require the above ground wires to go underground. The applicant will front the money for this and will be reimbursed with impact fees. Kelly explained that he talked with Junior Baker about assigning the Connector's Agreement to the City to obtain power for this parcel. In return, he will sign water rights over to the City in order to get power for his buildings. So, we are horse trading to get him power. Kelly added that, by doing this, we are removing issues with the railroad.

Junior Baker said he will assign his Connector's Agreement to the City.

Shelley Hendrickson asked how this will work.

Kelly Peterson explained that the applicants still have to pay for it, but instead of money going to Chet, it comes to the City.

Scott Peterson asked if the PI is designed or if the applicant was responsible for the design.

Jered Johnson said we do not have a design.

Shelley Hendrickson asked Kelly Peterson and Junior Baker to let her know when that happens.

Junior Baker said it will go to the City Council in December or January.

Dave Anderson asked if there was anything else to discuss.

Mike Clark said the storm drain is tricky. They are trying to work it out. None of the infrastructure is in, so Mike asked where we should put water in the meantime. He added that the applicants are proposing to put a small retention basin on the site until they can connect with LID credit. They cannot do LID here, so they have to pay the fee.

Chris Thompson entered the meeting at 10:11 a.m.

Scott Peterson asked if they will get a deduction in retention.

Chris Thompson said yes, they will.

There was discussion regarding water retention of 10 and 25-year storms, LID, and fees.

Chris Thompson explained that retention is the same thing as LID, so they do not need to worry about the fee.

Scott Peterson said that is fair.

Chris Thompson said to make sure it does not turn into a wetland.

Bart Morrill asked about the Trails Master Plan. It shows a trail along the south side.

Scott Peterson said he is aware.

Dave Anderson asked about the businesses that will be located here. Mr. Brunst's business is more likely to be heavy industrial, but he has talked with him about it.

The applicant explained that Mr. Brunst makes railroad ties out of recycled plastic.

Dave Anderson said this could work in a light industrial zone, but the material to be recycled, if stored outside, will need a wall around it.

The applicant said he told Mr. Brunst he would have to get with the City to make sure it will work.

Seth Perrins entered the meeting at 10:18 a.m.

Dave Anderson said this is a good fit. There is no reason to not recommend the subdivision be approved.

Jered Johnson asked if he should abstain from voting because the applicant is his cousin.

Junior Baker said he does not need to abstain, since he announced his relation to the applicant.

Jered Johnson said he will abstain from voting anyway.

Junior Baker moved to recommend approval to the Planning Commission of the Hall Industrial Preliminary Plat based on the following conditions:

Conditions:

1. Subject to the boundary line agreement issue with the County being resolved.
2. Subject to the applicant meeting the City's Development Standards.
3. Subject to the City running pressurized irrigation through the western end of the existing residential homes on the northside of 1000 North and the applicant running it the rest of the way according to our standards.
4. Subject to the applicant meeting any redlines.

Dave Anderson **seconded**. There was discussion on the motion.

Dave Anderson asked about communication in the area.

Brady Taylor said they will have fiber service.

The motion **passed** all in favor with Jered Johnson abstaining from voting.

Shelly Hendrickson asked if the applicants need to apply for the impact fee reimbursement.

Mike Clark said yes, they will have to apply for it.

Chris Thompson said they have 120 days after it is installed to do that.

FINAL PLAT

Legacy Farms Plat C5 and Plat D

Chris Thompson asked if there are any issues here.

Dave Anderson asked if there are any loose ends for the Final Plats.

Dylan Young explained that the improvement plans show the Parkway, and he asked if they should the revise those plans and resubmit.

Chris Thompson said yes.

Chris Thompson told Jered Johnson we need to get that.

Mike Clark asked about Plat D and the church.

Dylan Young said they will resubmit.

Dave Anderson asked who is putting in the curb.

Dylan Young said the City will be putting in the curb.

There was discussion regarding the curb and timing.

Junior Baker said the timing of the curb would be the first construction season after they get the Final Plat approval.

Chris said we will be ahead of the church. He then asked who constructs the sidewalk, since it is in the right-of-way. Also, we do not want to landscape what the church will be maintaining.

Dave Anderson agrees.

Bart Morrill said they need to match our trees and grass though.

Seth Perrins said we need to coordinate with the church applicant. He asked whether this would be reimbursable with impact fees.

Chris Thompson said that is a good call. The landscaping would normally connect to their meter.

Seth Perrins said we will want to talk with them and maybe let them finish that section.

Chris Thompson said we will do the sidewalk. He then asked Mike Clark about the pedestrian crossing from Legacy Park Drive.

Dylan Young said he thought, from the exhibit list, the City would prepare the standard exhibit for those crossings. But he is not sure if it has been added or not. It is not in the improvement plans.

Dave Anderson said he would like to see the final plans of that.

Seth Perrins told Dave it was passed by the City Council, so he could pull it up.

Junior Baker said we will have to change the type of tree planted there because Rocky Mountain Power will not allow that size of tree in their corridor.

There was discussion regarding the power easement and trees.

Seth Perrins said if certain trees were planted, it could be problematic.

Kelly Peterson said there are power issues with Plat D and the church. Another development, Plat C7, has to be done in order to get power to the church.

Dylan Young said they are aware, and the plan is to do C7 and D at the same time.

Dylan Young asked about Lot 164 in Plat C5. He explained that the lot is too big along the frontage to accommodate any of their home plans. The house he can build there does not meet the size requirement for a lot that size. Dylan asked for a variance from the design guidelines for that specific lot.

Dave Anderson said that is not an option, but that he should talk with John Little.

Kelly Peterson said the homeowner's landscaping will be limited on that lot due to the power corridor.

Dylan Young said he could split the lot, thus creating one smaller lot, and the other part could become part of Parcel A. It would be landscaped anyway because of the pedestrian crossing across the street.

Dave Anderson said we do not want to do that. It can be used as someone's yard. Just because Fieldstone does not have a home that will fit, they can come up with a different design to fit the lot.

Dylan Young said that is fine, they will change the size of the lot.

Dave Anderson asked Dylan if he wants Plat C5 approved as is, or if it should be put on hold.

Dylan Young said that is up to Dave. He added that they could amend the lot size and amend the plat. He just needs to know what to do with this lot.

Dave Anderson said the guidelines are clear.

Seth Perrins asked what Dylan would do, how would he change the lot?

Dylan Young said they would make it smaller and square it off.

Dave Anderson said that would then create a remnant parcel, or a parcel that is not part of a lot.

Dillon Young said it would become part of Parcel A. It would not be a remnant parcel.

Seth Perrins asked for clarification: Utah Power and Light wants more land than their easement shows?

Kelly Peterson said yes.

Seth Perrins summarized that Dylan would like to split Lot 164 leaving a remnant parcel, which would become part of Parcel A.

There was further discussion on the issue of Lot 164.

Seth Perrins asked whether a wall should go along the Utah Power and Light line.

Dave Anderson said all lots that abut the corridor should have a wall.

Seth Perrins said if the applicant can wall off the remnant from the Lot 164 split and make the remnant an obvious part of what we are doing with Parcel A, he is okay with that.

Dylan Young said the trail goes through there anyway as a part of the underpass.

Chris Thompson said he appreciates all the larger lots in the plat, so why is it hard to find a plan that fits on Lot 164?

Dave Anderson asked what minimum house size would be allowed on Lot 164.

There was further discussion as to what Fieldstone could do with Lot 164.

Junior Baker asked Kelly Peterson about building a rambler in the easement area.

Kelly Peterson said Rocky Mountain Power is not comfortable with that. Fieldstone might have to meet with someone from Rocky Mountain Power.

Chris Thompson feels there has to be something custom they can do on this lot. It might improve the area to have something custom here.

Dylan Young said they have no plans with customization. For Fieldstone to go back and get a new plan is not something they want to do. He did not think this would be a problem.

Dave Anderson said that as long as the lot is larger than 15,000 square feet, the square footage must be 2,000 square feet on the main floor.

Dylan Young said their largest home that would fit is 1,900 square feet.

Seth Perrins asked if setbacks are the issue.

Dave Anderson said they are not an issue to him. We have already reduced setbacks in Legacy Farms.

Seth Perrins asked Dylan Young if the home that will go here can change.

Dylan Young said they could add square footage to the house by popping out the back; however, he cannot due to the setbacks.

Seth Perrins asked if he can change the house plan that will go there.

Dylan Young said that they do not have anything to put there. He thought this would just be a lot line change to shrink the frontage.

Seth Perrins asked how much they would have to lose in square footage to get the house to fit.

Dave Anderson said less than 1,000 square feet of the property.

Seth Perrins suggested that losing some of the corner does not sound terrible.

Dave Anderson asked why would we circumvent the guidelines.

Seth Perrins feels that we would not be. The public would get more property that is usable. It is not a remnant parcel. If this is as he is picturing it, and if it is a continuum with land that we are already connected with and maintaining, there is no issue for him.

Dave Anderson said it is an issue for him. We want bigger lots here and bigger lots are needed.

Seth Perrins said he does not see the problem.

Dave Anderson said the standard is what it is. This would be a circumvention of the standards. He feels the applicants do not want to meet the standard.

Seth Perrins sees it differently. He said if we can adjust the lot size, which does not negatively impact the project or the lot, then we are spinning wheels.

Dave Anderson said we could end up doing this in every project. Dylan Young is asking for a variance.

Seth Perrins said he understands where Dillon is coming from. These are the products they have available.

John Little said the rear setbacks can be adjusted, if that is the problem, due to the irregular lot shape.

Seth Perrins suggested they let us look at other plans that might work.

Dylan Young said he would have to go back and check.

John Little again explained that there is some setback flexibility with irregular lots.

[Dylan Dillon](#) Young explained that he sent out an email a month ago asking for a solution for this lot, but he never heard back from anyone.

Seth Perrins apologized that no one responded.

Mike Clark said he never received an email, but he feels if they bump out a kitchen or something, it would work.

Chris Thompson agrees with Dave Anderson. It is not unreasonable to get something to work on the lot.

Seth Perrins said we are talking to a guy that cannot do anything about it. He asked Dylan if he wants DRC to approve Plat C5 today or continue it. Dylan could discuss possibilities with John Little. If irregular lot rules say we can do certain things, then Seth suggests we approve it as is today. And if it does not work, Dylan can come back.

Dylan Young said he is fine with that.

Seth Perrins recommends they look at other homes Fieldstone has to possibly put on Lot 164.

John Little said he did get Dylan's email, and he apologized for not responding.

Chris Thompson asked if there are any other issues.

Dave Anderson asked Junior Baker about any new payments or agreements that need to be discussed.

Seth Perrins explained there is a \$200,000 payment that does need to occur. That is due within a certain amount of days within the contract being signed.

Dave Anderson said sometimes we have things that do not happen. It is just a matter of having things signed and payments paid.

Seth Perrins will see if it has been sent.

Dave Anderson **moved** to approve Legacy Farms Plat C5 and Plat D Final Plats based on the following conditions:

Conditions:

1. Subject to the applicant meeting all the City's Construction Standards, including that the applicant develop the full width of Coachman Lane and where it is adjacent to Lot 1 in Legacy Farms Plat D.
2. Subject to the applicant meeting all the design criteria found in the Legacy Farms Design Guidelines.
3. Subject to the applicant executing everything that is necessary with the amended Legacy Farms Development Agreement and Preliminary Plat approval before the plats are recorded.

Seth Perrins **seconded**. There was discussion on the motion.

Mike Clark discussed the entrances to the church and asked if they are okay.

Chris Thompson said no, we need to do a full road. We do not allow half roads if it is in the Preliminary Plat. If it is allowed in the ordinance, we need to change that. There should not be any cold joint in a road.

Seth Perrins said this is late in the game. The ordinance should not allow for half plus 10.

Jered Johnson said this came up previously with Sierra Bonita Elementary, and they did a full road.

Seth Perrins said they just need to follow the standard.

Chris Thompson explained that special approval by the City Engineer is required to do a half plus 10 feet of road. It is granted when applicants cannot control the people across the street.

The motion **passed** all in favor.

ZONE CHANGE

IHC

Dave Anderson explained that IHC approached us regarding zoning the area being discussed as Business Park. Dave went over the map on screen. He explained that Marketplace Drive and Canyon Creek would be the divisions between the Business Park zone and the Commercial 2 zone.

Dave Anderson **moved** to recommend approval of the IHC Zone Change from C2 to BP.

Junior Baker explained that a few years ago, the City reached an agreement with Woodbury and IHC that would give the City an easement along the north of Market Place Drive, so they owe us a utility agreement.

Seth Perrins said Tom Uriona is representing IHC and he will want, and needs, that.

Junior Baker **seconded** the motion. There was discussion on the motion.

Jered Johnson explained that the MAG Ideal Arterial Grid shows Spanish Fork Parkway going under the freeway.

The grid was brought up on screen.

Chris Thompson said the grid shows Spanish Fork Parkway going through the IHC property, going under I-15, and then connecting to a future freeway west of I-15.

There was further discussion.

Dave Anderson asked about improving connectivity and feels it is important - especially connecting 200 East and 300 West to Main Street.

Seth Perrins said that IHC wants the ability to grow in that entire area between Market Place Drive and Canyon Creek Parkway. They want to grow in that whole area. A year ago, IHC said they were never going to have a four-way intersection between Market Place Drive and Spanish Fork Parkway. Then they have said they would have a private road with an entrance. Seth explained that we have to have a road into the hospital.

Chris Thompson said MAG will have this on their plan. He added that the actualization of the MAG grid is a long time away. Once US 6 connects to the other freeway, MAG has plans for a three-lane belt route around Spanish Fork.

Seth Perrins said functionality wise, Spanish Fork Parkway going under I-15 is a necessity. He then asked when the other properties in the IHC area will be done.

Dave Anderson said they want to get this Zone Change in place by the end of the year, and we will discuss the other properties next year.

The motion **passed** all in favor.

Chris Thompson asked if we should show that on our Master Plan.

Dave Anderson and Seth Perrins said no, leave it off. It is so far in the future, at least 50 years plus.

Mike Clark asked about showing the road under the freeway.

Seth Perrins said yes, keep that on.

ANNEXATION

Eaton

Dave Anderson explained that this is pretty easy. Right now, there is a roads issue. As planned, if someone wanted to access 1600 West it goes from City road, to County road, and then back to City road. Overall, this annexation is a step to get everything out here annexed.

Travis Warren said the biggest issue with this annexation is the buyout with SESD. Mr. Eaton does not know who is paying for the Strawberry buyout. He will not do anything until he has something in writing. He does not want to annex if he has to pay the buyout.

Seth Perrins said we have not decided who will pay the buyout yet.

Kelly Peterson said this is a new concept and the Council is looking at it.

Jered Johnson explained that the City went to all the property owners in this area asking them to join this annexation. The original annexation was the Bowdy Smith annexation. That is why we asked Mr. Eaton and everyone else in the area.

Travis Warren said the buyout has always been the issue with Mr. Eaton.

Chris Thompson said if we pay the buyout, we will have a lot more annexations come to us.

Junior Baker explained that SESD sent us a letter telling us that they intend to service this area. We sent a letter to them in response stating that we plan to service the area.

Seth Perrins said we intend to follow the contract and would not expect to service this area sooner than development would make us serve it. Mr. Eaton needs to hear our side, and we are not ready.

Dave Anderson said this annexation will be in front of the City Council on December 11.

Jered Johnson explained that if the City pays the buyout, we annex this property. If the City does not pay the buyout, we just annex solely the Bowdy Smith property. If the Council has not made a decision, we will just annex a small sliver of the Eaton property at the North.

Junior Baker **moved** to recommend the City Council accept the Eaton Annexation, zoned R-1-30, provided that, based on the Council's decision on the SESD buyout, we pare that back and include just the Smith property.

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

Dave Anderson asked about the properties that are not annexing to the north of this property.

Jered Johnson said it is the buyout holding them back.

Chris Thompson said it would be cleaner to annex the entire area.

Dave Anderson suggested the City propose a large annexation in this area.

Seth Perrins suggested waiting until after March to do so.

Jered Johnson agreed.

TITLE 15 AMENDMENTS

Dave Anderson explained the Title 15 Amendments. The first is allowing churches more leniency in Residential zones so they no longer have to be accessed by a collector or arterial road. The second amendment is no longer allowing churches in Commercial zones. The third change involves allowing for exceptions to be granted when a wall is required where multi-family abuts single-family. The final amendment regards design requirements for residential zones, specifically.

Seth Perrins asked about churches in residential neighborhoods and whether we should clarify the access being required from two or three sides.

Chris Thompson said this is a bigger issue when the church is on an arterial road. We hate pushing all traffic onto the arterial road.

There was discussion regarding churches and drivable accesses, and the need to, at least, stub for enough drivable access.

Seth Perrins thinks we should consider that language.

Dave Anderson said we should take a stab at the language. We can look into what other cities do. We do need to have some flexibility allowed for churches that are not your typical LDS church.

There was further discussion regarding specific churches within the City.

Dave Anderson asked about creating a church zone in which churches would be allowed.

Seth Perrins said that is a possibility.

Junior Baker said we would need to be very careful because there is a federal law relating to religious freedoms.

Dave Anderson said the design standards will evolve, but also, we will look at some standards that would enhance the connectivity to church sites.

Dave Anderson **moved** to recommend approval of the proposed changes to Title 15.

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

Seth Perrins **moved** to adjourn meeting at 11:35 a.m., the motion **passed** all in favor.

Adopted: December 19, 2018

Jessica Burdick
Building Inspection Division Secretary