

Adopted Minutes
Spanish Fork City Development Review Committee
February 13, 2019

Staff Members Present: Chris Thompson, Public Works Director; Tyler Jacobsen, Assistant City Manager, Dave Anderson, Community Development Director; Brandon Snyder, City Planner; Kelly Peterson, Electric Superintendent; Jason Sant, City Attorney; Michael Clark, Staff Engineering; Jered Johnson, Engineering Division Manager; Bart Morrill, Parks Maintenance Supervisor; Brady Taylor, Lead Cable Technician; Shelley Hendrickson, Engineering Division Secretary; Jessica Burdick, Building Inspection Division Secretary. Tom Cooper, Utility Planner; Travis Warren, Engineering Technician.

Citizens Present: Bowdy Smith, Ana Burgi.

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

FINAL PLAT

Bowdy Smith

Chris Thompson asked Jered Johnson if there are any Engineering issues on this Final Plat.

Jered Johnson explained that the only question is regarding the improvements, the frontage.

Chris Thompson asked whether we should do a lien in lieu or a deposit for the curb, gutter and sidewalk.

Jered Johnson suggests we do a cash in lieu because it could take 10 years to get curb and gutter in, and the prices might change.

Bowdy Smith addressed the DRC and stated that there is 104 feet of frontage that would require curb, gutter and sidewalk. He expressed that he has had to deal with a lot of issues that shouldn't have been his responsibility. Mr. Smith said he wants help with the curb and gutter, but if he pays now, who will pay to cover the ditch? It will need to be done because that road will eventually be widened.

Chris Thompson asked Mr. Smith if his concern is that the curb and gutter will eventually be torn out.

Bowdy Smith said yes. He would like to do a lien in lieu, to be given some slack. This has been going on for a long time. Mr. Smith added that he understands the past issues the City has had.

Jason Sant told the Mr. Smith that if we have agreed to something, that's what we're stuck with.

Bowdy Smith expressed that he is not a developer, he just wants to build a home. If he had known about all the money, he'd have to spend to do it, he wouldn't have started this process.

Chris Thompson explained that the City doesn't build curb, gutter or sidewalks. We need to be assured the curb, gutter and sidewalk will be done. In the future, if the surrounding properties develop, we don't want to have a gap in curb, gutter and sidewalk.

Bowdy Smith asked if he pays for it and the City puts it in, will the neighboring properties then be forced to put it in?

Chris Thompson agrees that it doesn't make sense to put the curb, gutter and sidewalk in now because it won't attach to anything. Chris stated that he believes Junior Baker feels we should do a lien in lieu. He further explained that the problem is if a future person owns the property and doesn't have \$30,000 to put curb, gutter and sidewalk in someday, what then? We'd have to put a lien on their house.

Bowdy Smith said he isn't going anywhere.

Jered Johnson said unless the property is developed or sold, lien in lieu has not been effective, nothing is ever done. That's why we frown on them.

Dave Anderson explained that the challenge in the past is that when we're ready to do the work, and we tell someone they have to pay, that's when it's tough to get payment.

Jason Sant said that's why we don't like to do it, but it is still an option.

Jered Johnson said we end up not being able to get the homeowner to do anything. Also, prices go up. Jered told Mr. Smith that they met in Jered's office and Jered told Mr. Smith that this would be a cash in lieu. Mr. Smith shouldn't be surprised by this.

Dave Anderson asked Jered what it would cost if Mr. Smith pays now and we accept responsibility for everything.

Jered Johnson said this could be \$10,000 now or \$30,000 later. He asked Mr. Smith which one he'd rather pay. Jered suggests Mr. Smith pay now and we'll do the improvements for him later when the road widens and we're ready for it. Jered further explained that we'll only charge him for one road frontage, but we need right-of-way dedicated at the East property line because Mr. Smith has frontage there too. That part is an impact fee project so we won't charge him for that. Jered reiterated that it is in Mr. Smith's best interest to pay for curb, gutter and sidewalk now.

Bowdy Smith asked if he can get an estimated amount.

Jered Johnson said yes.

There was discussion regarding the property lines and right of way dedication.

Jered explained that the plat needs to show the property lines shifting to the West.

Chris Thompson added that the plat also needs to show the right of way designation at the East property line, for whatever road that will be.

Chris Thompson asked Kelly Peterson about any power issues.

Kelly Peterson said they've worked through the issues. We've been instructed by the Council to put this in. Our guys will go out to make room for an overhead line. We're coming from the North, and Mr. Smith is responsible to get power from the corner to his property. We are just making sure there is room for a power line and waterline.

Jered Johnson asked about gas.

Bowdy Smith said he'd like to get Dominion gas, but they haven't talked with them yet.

Chris Thompson asked Planning for any issues, and there were none.

Jered Johnson moved to approved the Bowdy Smith Final Plat subject to the following conditions:

Conditions

1. Subject to the applicant straightening out the right of way on the east and west sides of property.
2. Subject to the applicant bonding for the water line to be run down 2000 West.
3. Subject to the applicant doing a cash in lieu for the final improvements for lot 2.

Jason Sant seconded and the motion passed all in favor.

There was discussion regarding a connector's agreement.

Chris Thompson told Mr. Smith to apply for that. He has 120 days after the line is built. It will be recorded on all the properties around and whenever those are developed, they'll pay Mr. Smith back. The gas company has something like this too, but they pay you back within 10 years.

SITE PLAN

Chili's

Chris Thompson asked Mike Clark if there were any issues from Engineering. Mike had none.

Kelly Peterson said there are no issues with Power either. Tom Cooper has worked things out with them.

Mike Clark then brought up the main drive isles. Those cars parked along these main drives will be backing out onto them.

Dave Anderson moved to approve the Chili's Site Plan.

Jason Sant seconded.

There was discussion on the motion. Dave Anderson said that Mike Clark's point is valid and that problem is common throughout the development. But there's not much we can do about it. But it is a good observation. There will undoubtedly be fender benders.

The motion passed all in favor.

1600 North Intersection

Jered Johnson explained that we are well underway with this project. We have the right of way, and are not doing anything to the north east corner because it would have been too close to the building there. Also, we've moved the power pole and it will be realigned. SESD was paid and Chris Thompson's comment regarding the handicap ramp has been addressed and it will now be squared off. Everything is ready to go.

There was further discussion on the project about the image on screen.

Dave Anderson asked about the radius and the vehicles this is intended to accommodate. He asked how comfortable we are that every truck will navigate without jumping the curbs.

Kelly Peterson said we're hoping this will fix that existing problem.

There was discussion regarding the dangers in this area with many accidents that nearly occur.

Dave Anderson feels we could do an island.

Tom Cooper feels that if we add an island, drivers of trucks will figure it out. But without it, it's free game.

Dave Anderson said he likes the proposed plan and feels it will help in a variety of ways.

Chris Thompson said we can do an accident review to see if the area warrants an island.

Mike Clark said there have been 12 crashes here in the last 8 years.

There was further discussion.

Jason Sant moved to approve the 1600 North Intersection design as outlined.

Kelly Peterson seconded, and the motion passed all in favor.

ZONE CHANGE

Leslie Evans

Dave Anderson began by explaining that we usually require a Preliminary Plat before changing the zoning. But, a year ago we looked at some concept plans, and today the property owner is not looking for a plat approval, just a Zone Change. The request matches the General Plan. Dave is comfortable with changing the zoning now, with the understanding that the applicant will have to go through plat planning, etc. We can't provide service to this property until we have a lift station and power out there. The applicant is requesting the zoning be R-1-15.

Dave Anderson moved to recommend the Zone Change from RR to R-1-15 be approved.

Jason Sant seconded. There was discussion on the motion.

Jered Johnson asked if we need any easements.

Dave Anderson said we can get those through the plat.

Jered Johnson explained that we'll need easements to run power down for the lift station.

Dave Anderson feels that is reasonable.

Kelly Peterson said SESD could be an issue.

Jered Johnson feels that it should be a condition of approval that the applicant provide easements for the lift station.

Kelly Peterson said they should provide sidewalk through the frontage.

Dave Anderson asked whether we prepare the easement document.

Chris Thompson asked about doing an agreement stating if an easement is needed to get sewer and power through there, they'll provide that easement.

Jered Johnson feels that should be a condition of the Zone Change.

Dave Anderson said that is an option. He does have a question about the line to Salem and the plan there. There is currently a connectors agreement with Salem for this property.

There was further discussion using the site on screen.

Dave Anderson made an amended motion to recommend that the Zone Change from Rural Residential to R-1-15 be approved, subject to the applicant providing the necessary municipal utility easement along Arrowhead Trail.

Tyler Jacobsen seconded, and the motion passed all in favor.

Jered Johnson moved to adjourn meeting at 10:44 a.m. All in favor.

Adopted: March 27, 2019

Jessica Burdick
Building Inspection Division Secretary