

Adopted Minutes
Spanish Fork City Development Review Committee
March 6, 2019

Staff Members Present: Chris Thompson, Public Works Director; Seth Perrins, City Manager; Dave Anderson, Community Development Director; Brandon Snyder, City Planner; Kelly Peterson, Electric Superintendent; Junior Baker, City Attorney; 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; Jason Sant, Assistant City Attorney; James Darling, Engineering; Travis Warren, Public Works; Josh Robinson, Public Works.

Citizens Present: Andy Spencer, Pete Simmons, Sean Smith.

Chris Thompson called the meeting to order at 10:07 a.m.

FINAL PLAT

Canyon Creek Phase 10 Plat B Amended

Chris Thompson asked Jered Johnson if he has any issues to discuss with regard to this Final Plat.

Jered Johnson said the applicants need to pay the LID fee, but that's all he is aware of.

Andy Spencer said he understands the LID program, they don't like it, but he understands.

Seth Perrins asked Andy what it is that they do not like about the LID program.

Andy Spencer explained that there is a core disagreement that these sites were approved before LID was implemented. The issue isn't with the program itself, it's just timing.

Chris Thompson stated that for 6 years our policy has been that, if you can't do LID, you have to come up with an agreement.

There was further discussion regarding the LID program.

Andy Spencer reiterated that his outlook and core disagreement is that he feels LID is not required to be implemented for every parcel.

Chris Thompson feels that the State is telling us the opposite.

There was discussion regarding the garbage relocation. There are two State agencies that administer differently. There are two entities issuing a similar letter regarding environmental issues on the parcels. There was further discussion.

Andy Spencer stated that they are halfway there.

Chris Thompson asked Dave Anderson whether he has any issues.

Dave Anderson had no issues to discuss. He did ask whether the City would continue to own the property.

Andy Spencer said no. They'll do the land trade and then plat it. Andy then asked about easements on the plats. They'll show core access easements, and they'll take off any easements that aren't fire protection or water easements.

Seth Perrins moved to approve the Canyon Creek Phase 10 Plat B Amended Final Plat,, subject to the applicant working out the LID issues, and subject to the applicant meeting all conditions imposed with the initial Preliminary Plat approval.

Junior Baker seconded. There was discussion on the motion.

Shelley Hendrickson asked when they'll work out LID issues.

Chris Thompson stated that we won't record the plat until they pay the LID fee.

The motion passed all in favor.

Canyon Creek Phase 10 Plat C

Chris Thompson asked Jered Johnson if he has any issues with this final plat.

Jered Johnson explained that LID is an issue with this plat too.

Andy Spencer said he met with James Darling and Shawn Jorgensen and he set up a meeting to discuss any conduits that will need to go in. Andy explained that they'd like to put the conduit in now.

Seth Perrins agrees.

Dave Anderson had no issues to discuss with this plat.

Jered Johnson moved to approve the Canyon Creek Phase 10, Plat C Final Plat, subject to the applicant paying the LID fee.

Junior Baker seconded. There was discussion on the motion.

Seth Perrins asked about the letter for this property.

Andy Spencer said it is covered within the same letter as the other. When they applied, they applied for all the lots in Phase 10. They did not apply for the extra bits on each end that will go to the City.

There was discussion regarding access easements and it was determined that the easements will remain on the plat.

The motion passed all in favor.

SITE PLAN

Legacy Farms Park

Dave Anderson asked if this Site Plan is any different from last fall.

Jered Johnson explained that we made some minor changes by adding some sidewalk.

Dave Anderson moved to approve the Legacy Farms Park Site Plan.

Seth Perrins seconded. There was discussion on the motion.

Brady said we need communication conduit put in.

Seth Perrins added that he also wants conduit and smart park accesses from the pavilion.

There was discussion regarding sidewalk placement, viewing the site on screen.

Seth Perrins asked what type of wall will be placed along the western property line.

Bart Morrill told Seth the wall will be full wrought iron, four feet high.

Seth Perrins asked for the time table.

Bart Morrill said it will be out to bid as soon as he can, we are very close.

The motion passed all in favor.

OTHER BUSINESS

Dean Vincent's Driveway

Sean Smith discussed the Vincent's driveway at 1700 East 2200 South. Part of that new driveway ended up on City property. They have finished retaining and they have sloped the hill, but the driveway became skewed when the excavator assumed that area was the Vincent's ground. Mr. Vincent is requesting that property be given back to him from the City, since they previously deeded it to the City. He has submitted a quit claim deed to Travis Warren. Sean explained that the City should do this because Mr. Vincent will be maintaining the asphalt. Also, Mr. Vincent has reached an agreement with the homeowners to the north to further improve the hillside with rock walls, and mulch. But that depends on if the City will deed the bit of property back to Mr. Vincent.

Chris Thompson said, it makes sense because in order to make slope improvements to work, they would have had to move the driveway down.

Sean Smith said it was probably a better fit which is why it was put where it was. He added that Mr. Vincent would deed some of his property to the owner to the north so they can flatten their back yard out and have a bigger back yard.

Junior Baker said the driveway is long and, on a slope, and we don't want the liability that comes with ownership of that. That's why we should do it, especially since we don't maintain it.

Chris Thompson feels the benefits of the City deeding the ground back to Mr. Vincent are that this whole area can be beautified, and there's less liability for the City.

Seth Perrins feels it tracks what one would assume is the case, but he doesn't like that the excavator just did whatever he wanted, basically re-writing property lines.

Sean Smith said he understands how the assumption was made, also, there were tons of survey stakes out there.

Chris Thompson said this happens often. Sometimes they go with reality over the plans. Chris stated that this would just go to City Council.

Travis Warren told Sean Smith he'd be in touch.

Cell Tower at 1495 East 400 North

Pete Simmons addressed the DRC and explained that Brandon Snyder asked him to come today.

Dave Anderson explained that the issue we need to discuss is height. Dave feels that if we hold a public hearing on this, we'll get a lot of input and opinions, so height is important.

Pete Simmons said he is working with the property owner. This is an owner build. They contact providers and ask them if they want to come onto the tower. These providers want the highest towers possible. Verizon is interested because there's so much development going on, and it will continue in the future. Verizon sees a need in this area.

Junior Baker feels that our ordinance does not allow cell towers to go on private property.

Dave Anderson disagreed.

Pete Simmons informed Junior that cell towers are allowed in AE zones, which is what this property is currently zoned. Pete stated that he has reached out to everyone within the area. He is aware that height is an issue and he's working on getting information on the reason for the requested height of 100 feet. The tower does meet the codes and setbacks, he just needs to justify the height. Peter further stated that if they are looking at four carriers and did only a 60-footer, the last carrier would be below the needed height for reception. The tower needs to be 100 feet. That height allows multiple carriers to have enough height. In summary, the last carrier needs to be above 60 feet, so they are proposing 100 feet.

Junior Baker mentioned that the property is in the flight path for the airport.

Sean Simmons said he is aware and he will talk with them.

Junior Baker said they'd probably be okay at 100 feet.

Dave Anderson said the tallest tower in the City today is 80 feet, it might be a bit taller. Dave asked how 80 feet would work in this situation.

Sean Simmons said they'd eliminate a carrier if they did 80 feet, they'd only get 3 carriers. Sean added that he will provide information to show why they need 100 feet for four carriers. He said that they are planning on Verizon coming onto the tower, but things can change. Sean feels this is a good location and the land owner is interested in doing this.

Dave Anderson stated that the cell tower in this location will be approved, but the issue is height.

Junior Baker said cell towers are a Conditional Use Permit in this zone.

Dave Anderson told Sean Simmons that the Planning Commission will ask how tall these towers are in other areas and they'll want to see some existing towers as examples. The difference with this one is, we haven't done a new tower, close to any homes, in 14 years.

Sean Simmons agrees that they are usually located in Commercial or Industrial areas, but as the need increases more and more will go in residential areas.

Seth Perrins doesn't like that the tower is going right in the middle of the property. This placement dooms the entire property for any potential future growth. Seth asked whether the tower could go in the detention basin, a block away.

Sean Simmons explained that the land owner wants the tower there, that is where the owner wants to put it. Sean added that he cannot put a tower in a detention basin, he avoids them at all costs.

Seth Perrins said he understands, but the parcel at 379 North is just sitting there and he just thought he'd mention this to Sean.

Sean Simmons explained that he does not like that area for a cell tower. It would be right next to the road. The proposed location is the best location for what he's looking at. The City didn't want it north of this property, in the future park area.

Sean Simmons then discussed stealth, or coloring, or painting. Stealth was a big thing a long time ago, but as the years go by, more Cities are saying that stealth just draws more attention to the towers. Eventually the towers become white noise, like power poles. But stealth draws more attention to the tower.

Seth Perrins feels that those who need better cell coverage will be happy, this is a necessary evil. We have to have them if we want those tools.

Sean Simmons said there will be a need if there's not one now. He discussed that there's nothing on this side of town like this yet. He knows it'll be an uphill battle, but it's definitely something that will be needed.

Dave Anderson asked if these towers are ever located on power facilities.

Sean Simmons explained that he has attempted this, but it's gone nowhere. The power companies haven't wanted it. Also, we can't touch Rocky Mountain's power poles. He has yet to work anything out with them.

There was discussion regarding the sizes of towers and boxes etc.

Seth Perrins asked what the land owner might do with the property to the south of the tower.

Sean Simmons said he is not sure.

Seth Perrins feels this will pave the way for a multi-family development because they will say that is all they can do with the property since there is a cell tower there.

Sean Simmons explained that he has talked with Nebo School District regarding having the tower placed on the school property, but they never responded. In the past working with them, they have said no.

Dave Anderson said, timing wise, we'll send notice of the next Planning Commission meeting soon. That's what we're looking at.

Sean Simmons said he'll provide the documentation regarding different height and needs.

Dave Anderson concluded by saying that there is a need for cell towers, but the neighborhood will be pretty sensitive.

Sean Simmons said he understands that.

CONSTRUCTION STANDARDS

Construction Standards Revisions

Jered Johnson discussed the revisions to the Construction Standards:

The first revision pertains to the variety of concrete walls and colors. Jered previously made a recommendation, which was approved by DRC, and that has been placed in our standards.

The second revision Jered discussed is regarding excavation permits. There were no teeth to the \$10,000 licensing permit bond (which was paid by an insurance company), they are impossible to collect, so we now have a \$2,000 cash performance deposit instead of the \$10,000 permit bond.

Chris Thompson asked if there is a City we patterned this after.

Shelley Hendrickson explained that it is similar to American Fork's, but Shawn Jorgensen, Mike Clark and she have the same issues with the same excavators. They felt that the cash for performance would be best. When they're done with the work, they'll get half the deposit back and we will retain half for a year.

There was discussion regarding the costs this will add to excavators. Shelley said we won't double up on them, so once they pay one, that's all they'll have to pay.

The third revision Jered Johnson discussed pertains to the standard of a mow strip under concrete walls. This standard was removed.

The fourth revision discussed pertains to the Storm Water Drainage Design Manual and incorporating that into the construction standards. We have also made several corrections and modifications to it to reflect changing EPA regulations.

The fifth revision discussed pertains to removing of the multi-family sub-local street cross section, and updating the sub-local streets standard drawing.

Dave Anderson asked about a standard for an alley. He feels we need one.

Jered Johnson said we can do it, but that is not in this rendition.

The sixth revision to the Construction Standards discussed pertains to the storm drain system. Flushing the storm drain system will now require a stormwater pollution prevention plan, including a UPDES permit used by the State of Utah.

James Darling explained that if you're going to do any type of flushing, beyond installing a new water line, you have to have a SWPPP.

Junior Baker said the verbiage of the memo needs to be modified.

There was discussion regarding Fieldstone and an agreement from them regarding the trail along Legacy Park Drive dead ending at the north, and connecting over the railroad tracks. We've asked Fieldstone about us connecting the trails across the track.

Travis Warren asked if he needs a full agreement or just something in writing.

Junior Baker asked if this will change their Preliminary Plat?

Travis Warren said yes, the road will be larger.

Junior Baker said we might need an Amended Preliminary Plat.

Dave Anderson does not want to do that. He feels they can show it on the plat.

There was further discussion.

Chris Thompson said we need to get everything in writing, even the items Seth previously discussed with Fieldstone.

Travis Warren said he'll get with them and get it all written up and send it with a memo.

Seth Perrins moved to recommend approval of the Revisions to the Construction Standards, subject to the verbiage of the storm water revision being tweaked, and subject to SFCN adding a 1250 unit wire versus a 1350 unit wire.

Jered Johnson seconded and the motion passed all in favor.

Junior Baker moved to adjourn the meeting at 11:24 p.m. The motion passed all in favor.

Adopted: May 15, 2019

Jessica Burdick
Building Inspection Division Secretary