

**Adopted Minutes**  
**Spanish Fork City Development Review Committee**  
**June 19, 2019**

**Staff Members Present:** Chris Thompson, Public Works Director; Seth Perrins, City Manager; Tyler Jacobson, Assistant City Manager; Dave Anderson, Community Development Director; Brandon Snyder, City Planner; Kelly Peterson, Electric Superintendent; Tom Cooper, Electric Utility Planner; Junior Baker, City Attorney; Jason Sant, Assistant 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.

**Citizens Present:** Mike Demarco, Andy Spencer, Brian Gable (LEI), Mark Stevenson, Britney Steele, Ashley Shepherd, Brad Mabey.

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

**APPROVAL OF MINUTES**

**May 29, 2019**

**June 5, 2019**

Junior Baker **moved** to approve the minutes from May 29, 2019 and June 5, 2019, with the corrections noted.

Seth Perrins **seconded**. There was discussion.

The motion **passed**.

**MINOR SUBDIVISION**

**Maple Leaf Condominiums**

Chris Thompson asked if anyone had any concerns on this Minor Subdivision.

*Dale Robinson and Mike Clark entered the meeting at 10:02 a.m.*

Dave Anderson stated that he doesn't think subdividing the property really matters. It would simply make the units individual units.

Chris Thompson noted that parking stalls won't be parceled up, and asked whether there would be an HOA, he feels they'll need one.

Dave Anderson explained that we haven't seen a plan for an owner's association.

Junior Baker feels that they will need to take care of the parking lot.

Tom Cooper stated that, currently, there are three water meters for the whole campus, but each unit has its own power meter.

Dave Anderson said, if there are future issues, it won't be any worse than dealing with some other issues we've already had. Dave is comfortable approving this today.

Dave Anderson **moved** to approve the Maple Leaf Condominiums Minor Subdivision.

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

Seth Perrins asked, if we have issues left unresolved, who will deal with those issues in the future? The applicants subdividing, or will it fall into the lap of the owners of the condominiums? Will they have to collectively solve any issues? Seth feels the current owner of the property should deal with any issues before subdividing the property.

Dave Anderson said there's no problem, per se, right now. There is a need to balance the tenant mix so that parking works. But right now, it works. If they were to swap out some tenants for more restaurants, for example, we would have an issue to deal with.

Seth Perrins asked who we would deal with at that point?

Dave Anderson explained we would deal with the individual owners at that point. Right now, it's one owner for the whole center, but with this Minor Subdivision, it will be multiple owners.

John Little stated that the building shell is still owned by an HOA, it's just the interior walls that will be subdivided.

Seth Perrins noted that there are two restaurants right now that share a bathroom.

John Little said that's the question, how is it broken up inside? For example, in a mall, they share restrooms, the building code allows for that, but that's up to the tenants.

Seth Perrins feels that the future owners of the units would be better served to have the current owner give more attention to the issues now. Seth feels we should table this discussion.

Dave Anderson withdrew his motion.

Seth Perrins **moved** to continue the Maple Leaf Condominiums Minor Subdivision to the next DRC meeting, subject to the applicant not showing up today.

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

## **TITLE 15 AMENDMENTS**

### **Title 15 Amendment, Events Center**

Dave Anderson explained that we have received an application to amend Title 15 so that Event Centers are a permitted use in the C-2 zone and also to address the parking requirements for that use as clearly as we can. Dave went over the new definition of an Event Center and noted that it will replace the Public Assembly language within the parking requirements table. Dave feels this is appropriate. We might need to look at it more closely, but it works for today's purposes. Dave noted that Brandon Snyder feels we should further expand on the minimum number of parking spaces and some of the language within the table.

There was discussion on the minimum number of required parking spaces for the Event Center use, as well as other issues, using the table on the screen.

Ashley Shepherd there wouldn't be 300 people at one time. There could be maybe 150 people at a time, at most, but it's kind of a come and go thing. The concept plan was brought up on screen. Ashley noted that they have one parking stall per 50 square feet of building, at this point. Currently the total square footage is 9,800 square feet total. So, there plan shows 120 parking stalls.

Brian Gable said, that is if they do build the building that big.

Seth Perrins informed the applicants that they should stagger their parking etc. to keep people from driving through their lot to get to South Lane.

Jered Johnson suggested they move the building north because of the storm drain that will be there. The 20-foot storm drain easement is on their property. It's a major trunk line.

Looking at their plans, they just need to increase their setback to 20 feet.

There was discussion on the storm drain easement using the site on screen.

Regarding the staggering of the parking, the applicant stated that they could put up a gate and have it open only when there is an event.

There was discussion regarding utilities for the property.

Tom Cooper said we don't have power down there yet, that's pending.

Kelly Peterson added that there is a single-phase overhead line that stops there that they can use if it would work for them.

The applicant said that will be fine.

Jered Johnson told Ms. Shepherd that utilities can be pulled from both sides.

There was discussion regarding parking.

Dave Anderson stated that they have a good number of parking stalls to start with.

The applicants said they're meeting with UDOT to discuss their access.

Dave Anderson explained that the City will eventually want that to be a shared access.

Seth Perrins explained that a shared access would help the applicants by removing the landscaping up to a point and pushing the entrance further to the north.

There was further discussion regarding the access and the future.

The applicant asked about the secondary ditch the east side of the property.

Jered Johnson explained that ditch is owned by the Southeast Irrigation Company, and that the applicant will need to get with them for any discussion.

Seth Perrins stated that he might have concerns with the Site Plan, but it's a great concept.

There was discussion regarding what the motion should say exactly.

Seth Perrins **moved** to recommend approval of the Events Center Title 15 Amendments, subject to the City changing the language and putting it in a place for one parking spot per 100 square feet. And subject to City staff looking at the parking table to make sure any/all of the issues within the table are addressed.

Junior Baker **seconded**, and the motion **passed** all in favor.

## **OTHER BUSINESS**

### **Willow Brook**

Dave Anderson feels this development is pretty straightforward and feels it would work well. We want to make sure the applicant and staff are on the same page relative to what works and what we plan to help facilitate. We've spent a long time talking about this. Until they have that end user in mind, with their building footprint, maybe there's another detail we're not at yet. But generally speaking, all the pieces are here. In terms of the use, we want to do what we can do to make this happen. We can talk about utilities or whatever today, but we're ready to give it a seal of approval and work to get it built.

Junior Baker asked if there are any utility issues with the site.

The applicant said they did get comments regarding the access. The development will have only one access and they want to be sure it's no longer an issue. The storm drain could be an issue too. There is a sliver of property that could go to the east, but that property falls toward the west so they can't force it back east.

Chris Thompson noted that LID isn't usable here so they'll have to do a lien in lieu.

There was discussion regarding the storm drain using the map on the screen.

Mike Clark stated that we need to explore shared accesses.

The applicant said in their mind, for Willowbrook, their access is an approved access.

Chris Thompson feels we need to work with the applicant and said there may be a need for shared access in the future, when the property to the south develops. The City does not want another access just to the south of Willowbrook.

Dave Anderson explained that he has talked with Dave Adams about doing a shared access here. It could work depending on Mr. Adam's use. Willowbrook might not want to co-mingle their accesses.

Seth Perrins agreed.

There was further discussion regarding the possible shared access using the site on screen.

The applicant stated that if they and the other development do have similar uses, they could do a shared access, but they don't want to be locked into that. The applicant asked why a shared access is necessary.

Seth Perrins said the City's position is that Willowbrook will have the access where they want, but would like it to be shared between the two sites. We don't want two driveways within 50 feet of each other. That wouldn't serve anyone well.

The applicant stated that he isn't opposed to sharing access, but, under the condition that the designed access they have now stays in place. He doesn't want to go back and redesign it. He said Dave Adams can add to the access, but he doesn't want to redesign it, and he also doesn't want to have to negotiate anything with Mr. Adams.

Seth Perrins told the applicant that he will have the access he is requesting. We're not proposing they change their plans.

Chris Thompson told the applicant to build the access how he wants, but if Dave Adams wants to add to it, Chris asks that the applicant allow him to do so. It would be at Mr. Adam's cost.

Seth Perrins explained that we have had an access issue recently and we want to avoid that in the future here.

Chris Thompson added that if Dave Adams develops industrially, then he would be okay with them not having a shared access.

Chris Thompson continued asking for other issues with the project and stated that one issue could be trails.

The Trails Master Plan was brought up on screen and discussion ensued. There will be wetland trails around the area and a City park.

The applicant is excited about the trail and park. He feels it will add to his project because it creates an amenity. He asked if the trail will count towards his landscaping requirement.

Chris Thompson said it would.

There was further discussion regarding the future uses in the area using the site on screen.

Chris Thompson asked if there are any other issues with this project.

Kelly Peterson explained that the City just rerouted the line for Lowes and asked if there are any poles interfering with the applicant's access.

Andy Spencer said there is not interference. He added that the shared access concept for this project might have a wrinkle because they looked at that with Dave Adams too, and there is a power pole, so that might be a wrinkle.

Seth Perrins asked the applicant for a time table.

The applicant said they want to get started as soon as possible, but he needs to understand the market as everything comes to the area. They'll put a sign in and see how many calls they get.

### Legacy Townhomes

Dave Anderson began by stating that we wanted to talk about shrinking the residential portion of the property with the idea that Salisbury wants 170 units in the development and there have been changes made to their plans.

Mike Demarco discussed some of those changes. The feedback last time was to move the access to a more centralized location, so they moved the main entrance back to the

existing location where it is already stubbed. The units located at the south were relocated and they added a new building to the north. Mike explained that the grading and storm drain issues have been addressed. He also stated that Salisbury is in support of moving the southern zoning boundary to the south, considering the commercial space. But, they do want to stay at 170 units. It's the same density as other projects they've done, and this property is currently zoned R-3. They are supportive of the rezoning.

Junior Baker said Salisbury has 3 acres now that will be zoned commercial. If that goes through, it will add some value to that strip of property. Junior asked if Salisbury gets the same density, would they donate that strip of property to the City?

Mike Demarco said they probably would not do that.

Junior Baker feels they would be getting their cake, and eating it to.

Mike Demarco said they were approached about the commercial zoning after they purchased the property. Commercial development isn't their thing, and they're willing to listen to what the City needs, but they want to build 170 units. If the line needs to move down, we'll look at it with the City.

Seth Perrins asked whether the strip of commercial ground would be sold to whomever wants to buy it.

Mike Demarco said they don't know what will happen with that strip of ground until their townhomes are built.

Seth Perrins said if Salisbury gets 170 units as planned, they'll lose 3 acres of open space. It cuts Salisbury's costs and their utilities cost. So, Salisbury will be saving money. Seth stated that the City has lost open space in the Legacy Farms development two or three times already, excluding this. Lot sizes have gotten smaller.

Dave Anderson agreed; density has increased.

Seth Perrins asked Mike Demarco what is in it for the community. If Salisbury gets increased density, what about the community? How has this project improved the community based on them losing 3 acres? They'd save money. What's better about this development because of those savings?

Mike Demarco said they'll invest more in nice amenities for the project because there's not a lot of greenspace. It's a tricky piece, but they're excited about it, and they're open to the City's suggestions.

Seth Perrins asked, from Mike Demarco's perspective, what is the baseline, what about this development is improved because of their savings?

Mike Demarco said baseline, it's an R-3 zone. They feel like they've balanced well between how many units and how much open space there is.

Seth Perrins knows what they're going to do to get a balance between keeping all units, less to development, sell other acreage off as commercial, profit margin goes up, but it would be on the backs of the community. The community needs to see something.

Mike Demarco understood.

Chris Thompson discussed the roads in the development and how they could be broken up in a manner that would look good, but make the one not so straight. They could put in traffic calming measures.

Seth Perrins reiterated that he doesn't have anything he's proposing, but he'd like to know what does the community get out of it? He wants that addressed.

The landscape plan was brought up on screen and there was discussion using the site on screen.

A rendition of the project was brought up on screen and there was discussion.

Dave Anderson stated that we've recommended that the project be approved for 166 units with the reduced acreage, and to somehow do what we can to ensure the three acres that become commercial don't become residential in the future. We really want to take the long view on that developing commercially. We have the revised plan, with 170 units. The access location changed and the density has changed. So, if we have concerns about the approach, or how we recommend what the Planning Commission does, now is the time. We want to go in front of the Planning Commission next week. Dave stated that his comfort level hasn't changed, but there are things that we need to spend more time on. Adding traffic provisions to the street in this development and the concern about how we treat this project like we have others. That makes sense. We need to get thing memorialized.

Seth Perrins noted that he has stated his concern.

Dave Anderson said if we put this on DRC next week, that should just be a formality, with not a lot of discussion.

Chris Thompson asked Seth Perrins exactly what does he need?

Seth Perrins asked again what is the community getting for the loss of the 3 acres? Are there things that can be identified? The residents need to say later that they got this because they didn't get that.

Dave Anderson said that's part of his perspective.

Seth Perrins feels that the development didn't lose anything. They gained, and that's great, but what's the upside for the residents?

Mike Demarco feels it is advantageous to move the boundary line. There's more parking than needed, an extra playground and a basketball court. The original plan with the 3 acres had less amenities.

Seth Perrins said he'll leave that to them. If there are things they can do, then next week, he'll vote. But what is in it for the community. he's okay with the concept knowing that the community didn't lose anything. It doesn't have to be dollar for dollar, or point for point.

Dave Anderson said he's hearing Mr. Perrins say that there might be a way, that even though there are 3 acres less in the project, if the space the community is provided is more useful that's good. Is the quality greater even if the quantity is less?

Seth Perrins moved to adjourn the meeting at 11:20 a.m. The motion passed all in favor.

Adopted: August 7, 2019

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Jessica Burdick  
Building Inspection Division Secretary