

Adopted Minutes
Spanish Fork City Development Review Committee
April 22, 2020

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; Tom Cooper, Electric Utility Planner; Vaughn Pickell, 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; Kimberly Brenneman, Community Development Secretary; Jessica Burdick, Building Inspection Division Secretary.

Citizens Present: Mike Robinson.

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

MINUTES

March 11, 2020

April 8, 2020

Kelly Peterson **moved** to approve the minutes from March 11, 2020.

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

Kelly Peterson **moved** to approve the minutes from April 8, 2020.

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

PRELIMINARY PLAT

Capitol Properties Warehouse

Mike Clark discussed his redline comments, which are based on the site as a whole. The main issues are the sewer and storm drain. A temporary lift station is proposed to be

placed in the next phase where building one is. Mike feels that a regional study needs to be done in the area to see how this site could flow off to the larger lift station. As to the storm drain issue, their plans show a retention basin, which is fine for now. But looking forward, the master plan shows it going east to a ditch. They will need a change to their storm water discharge because percolation is not good in the area. But that is in the future.

Chris Thompson is afraid this could become a wetland as a result of detention.

Mike Robinson stated he is aware that the Corp of Engineers could consider it a wetland because of the detention, but in the future, there will be a different solution.

There was discussion regarding where storm water can be discharged.

Chris Thompson said retention isn't acceptable here because the water won't percolate out within 48 hours, which is the standard. He suggested the applicant speak to their engineer to see if they can get the water to Canyon Creek.

Jered Johnson agreed. Jered then discussed the sewer and agrees that there is a need for a regional study in the northeast part of the City. He noted that we don't want a bunch of lift stations going everywhere.

Chris Thompson agreed and asked Jered to get the study going.

Mike Robinson said he understands they are pioneering this development, but his goal today is to get approval so they can start construction on the first building, which will be a gravity flow into a new sewer line.

The applicant said we've talked about this in person and that everyone knew they were doing retention; this is the first he has heard they can't do it.

Chris Thompson said a retention pond won't drain water out in 48 hours. He added that the sewer won't slow the applicants down, it's just something we have to discuss to make sure the lines are placed in a way that will work with a future regional lift station.

Mike Robinson asked if he can show that the retention area will be shallow enough to absorb within 48 hours, can that be approved.

Chris Thompson told him we would need an engineer to say it would and Mr. Robinson would have to provide a bond just in case it doesn't.

There was further discussion regarding storm water discharge. It was suggested it would be cheaper for the applicants to pipe to the water way. It would also save them from having a possible wetlands issue.

Kelly Peterson stated that the power is designed and they've submitted the final plans.

There were no comments from Planning. Dave Anderson said he's ready to issue a Building Permit.

Jered Johnson **moved** to recommend approval of the Capitol Properties Warehouse Preliminary Plat, with the conditions that the applicants work out the storm drain issues with the Engineering Department, and that the applicants comply with the future sewer study.

Dave Anderson **seconded** the motion. He then asked for a timeline on the sewer.

Jered Johnson explained that this approval recommendation is just for the first building. For the rest of the buildings/applications, the sewer has to be at depths required by the study.

Chris Thompson added that they'll have the answer as to how deep they have to go by the end of May.

The motion **passed** all in favor.

SITE PLAN

Capitol Properties

Mike Clark noted the same issues mentioned with the Preliminary Plat. Also, there is an issue with the driveway on the east entrance. With future phases, the driveway is really too close to 1950 North.

Chris Thompson feels the driveway should be a shared driveway with the proposed lot to the east, and asked if the driveway can be moved a bit to the east. It would be safer that way.

Mike Robinson noted it is their intent that it be a shared driveway, but moving to the east would be difficult. They do want to be far from Canyon Creek Parkway.

Mike Clark feels it may not be best to move the driveway to the east. He admitted there are pros and cons to both.

Chris Thompson said he'd defer to Mike Clark's decision on this issue.

There was further discussion regarding the driveway and access within the development.

Chris Thompson suggests the applicants get a cross-access agreement, especially since the driveway will be shared between the two buildings.

The applicant explained that the entire development will be owned by one owner, but it's possible that a building might be sold in the future, so he will get a cross-access agreement in place.

There was discussion regarding the development's access and it's spacing, within 50 feet of the intersection at Market Place Drive. It is possible Market Place Drive will be too busy a road for that small amount of spacing.

Jered Johnson feels that it might be fine today, but in the future it won't work. He suggested they do a right in and right out with an island.

Dave Anderson feels the traffic will dictate how important the spacing is, but Dave doesn't think it'll be a big issue. There will be other roads to take the traffic.

Chris Thompson doesn't feel Market Place Drive will have excessive traffic.

There was discussion as to why we are subdividing the property and Mike Robinson explained it is for financing purposes. Each lot will have to be on its own property when financing.

Dave Anderson said the cross-access easement is essential and would be shown with the final plat. Mike Robinson understood.

Dave Anderson **moved** to approve the Capitol Properties Site Plan subject to the applicant addressing any outstanding redlines, and subject to the applicant having a plat recorded prior to the building receiving a Certificate of Occupancy.

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

Dave Anderson is comfortable with the Building Permit being issued within the next two weeks, before the subdivision, but they will need to deed the right of ways to the City. We can put that as a condition to have done before a four-way or something.

Tom Cooper noted that they will be working off of generators, there is no power. Mike Robinson said that is fine. They won't need power for 5-6 months.

Chris Thompson told John Little that he must be vigilant on this matter. We can't let it fall between the cracks. A plat needs to be done before certificate of occupancy, or sooner.

Mike Robinson suggested the time line should be at the point of power to panel inspection.

OTHER BUSINESS

15.4.12.070 Reimbursable Projects

Roadway impact fee reimbursement shall only apply to improvements from curb to curb unless offsite along previously developed land.

Chris Thompson went over the first proposed Title 15 amendment regarding impact fees and reimbursements and the issue of high transportation fees for non-residential projects. The desire is to shift some of the costs to residential developments. For example, walls are put in place to protect residents from regional roads; sidewalks are more of a local amenity. So, we propose that roadway impact fee reimbursements now only apply to improvements from back of curb to back of curb. This would reduce the cost to our impact fee program when residential collector roads are built through a residential area.

All roads along non-residential and multifamily development shall be considered to have local connection to the development.

Chris Thompson then discussed the second proposed Title 15 amendment. The amendment clarifies that multi-family developments are more like commercial and

industrial developments. So, if we have a roadway into a multi-family development, we consider that road a driveway, a local connection, just as a road going into a commercial development is considered a driveway. Therefore, with large, multi-family developments roads considered driveways, the reimbursable part is the upsize from a local street. Chris noted that we've already been doing this in the past, and stated there is a study to estimate what, going back to curb to back of curb, might do to our transportation fees.

There was discussion on the Title 15 amendments and the resulting estimates of costs and impact fees.

Mike Clark stated that if you take out the sidewalk, trail, wall and landscaping, the cost is dropped by 50%. Overall, every year, we have about \$2.5 million of impact fee eligible projects coming in. If we don't do these amendments, we'll be in the hole every year and the reimbursement timelines will be 15 years plus.

Seth Perrins feels this is a good move. He noted that he can't get to his neighborhood without the regional road to get him there, so he likes this change. Also, it worries him to hear numbers of reimbursement up to 15 years. The hole would keep getting deeper and deeper.

Dave Anderson feels this is a good step to take, but we're walking a tightrope trying to balance all the needs, perspectives, and impacts on the system in order to distribute the costs as easily as we can. He feels it is crazy that the non-street improvements cost more per foot than the roadway improvements and said it's ironic that we're making this change so the developers can be reimbursed more quickly. He then asked if we're using recreational impact fees to pay for trails.

Chris Thompson said he didn't think so. The 50% includes landscaping, walls, sidewalks and the land.

Dave Anderson feels we should look at that.

Chris Thompson suggested a change to the language in the amendment to say "improvements and land".

There was further discussion regarding the proposed Title 15 Amendments.

Mike Clark said, with these amendments, each year we'd bring in \$2 million and reimburse \$1 Million. So, the fees could be adjusted a bit. But the surplus is okay because we can pay ourselves back for roads we've done.

Dave Anderson thinks the changes to this section of the code make sense and it's the right thing to do. In his opinion it's just one piece of the discussion on impact fees. Dave is highly motivated to help mitigate impact fee cost increases for non-residential projects. We still need to talk about that side of it, but this is a step in the right direction.

Chris Thompson said we should all be on that same page. Community development benefits all of us so we'll continue that discussion in a different forum. This amendment could mean maybe you don't go to the max, allowable impact fee, it might push it back to 10 years for payback, but if it brings in commercial and industrial businesses to town, that's a great reason for this.

Dave Anderson **moved** to recommend the City Council approve the Title 15 Amendments to 15.4.12.070, as described, with the addition of "and land", and any future improvements to these amendments, as discussed.

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

Dave Anderson mentioned that everyone needs to look at the Barber's application to get that moving. He then moved to adjourn the meeting at 11:34 a.m. The motion passed all in favor.

Adopted: May 13, 2020

Jessica Burdick
Building Inspection Division Secretary