

Adopted Minutes
Spanish Fork City Development Review Committee
June 10, 2020

Staff Members Present: Chris Thompson, Public Works Director; Seth Perrins, City Manager; Dave Anderson, Community Development Director; Brandon Snyder, City Planner; Tom Cooper, Electric Utility Planner; Vaughn Pickell, City Attorney; Jason Sant, Assistant City Attorney; Michael Clark, Staff Engineering; Bart Morrill, Parks Maintenance Supervisor; John Little, Chief Building Official; Brady Taylor, Lead Cable Technician; Shelley Hendrickson, Engineering Division Secretary; Jessica Burdick, Building Inspection Division Secretary; Ariana Lapine, Community Development Intern; Travis Warren, Engineering.

Citizens Present: Bert Bradford, Shelly Jamison, Jon J, TJ Warner, Brandon Wilson, Benjamin Tuckett, Scott Peterson, Daniel Gonzales, Brooklyn Stepan.

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

FINAL PLAT

RB Subdivision

Mike Clark noted that plat would split one lot into two. As the applicant describes it, business in the front, party in the back.

Brandon Snyder noted the conditions on the Staff Report. The Hall Industrial Subdivision, Plat B needs to record first in order to take care of the required dedication, and the Hall Industrial improvements must be completed.

There was no discussion from Power.

Vaughn Pickell **moved** to approve the RB Subdivision Final Plat, subject to the findings and conditions in the staff report.

No second.

The motion passed all in favor anyway.

SITE PLAN

RB Commercial

Mike Clark stated there are some redlines regarding some utility locations, but they're aware of it.

Brandon Snyder highlighted that Bert Bradford will be developing the rear of the property for his contractors' yard, office, and equipment service. In order to meet the landscaping requirements, Mr. Bradford will be doing the landscaping on the rear part of the property and the street frontage so both sites comply with our landscaping requirements. There are some redlines as well, which are part of the conditions on the motion.

Vaughn Pickell **moved** to approve the RB Commercial Site Plan based on the findings and conditions in the Staff Report.

Dave Anderson **seconded** and the motion **passed** all in favor.

Okelberry Trucking, Phase 3

Brandon Snyder noted this came to the DRC a few weeks ago when there were issues with the north access, timing and phasing. Brandon said he and Dave Anderson met with the applicant previously, and today they're looking for approval for a Phase 3A. Also, the owner has indicated some concerns over amending the future phases of the site because he found out that the treatment plant will be relocated. In addition, the applicant wants to amend the City code regarding storage too.

Dave Anderson added that we have people asking about not paving certain parts of sites quite often so perhaps we should be specific in our code's language that says, drive isles on sites like this need to be paved with asphalt or concrete. Also, with regard to the road that leads into this site on the North side, the applicant's engineers talked about how to have that done the soon with the City developing our half in conjunction with this property.

Ben Tuckett, from LEI agreed that the road needs to go in, but they want to put the access through the existing, and then that road is still there with an all-weather surface.

Chris Thompson made it clear that it won't be a road, it'll be a driveway. We had a meeting and this is what was desired, a driveway shared with the treatment plant. The drawing looks good, but the issue is now whether it gets paved with Phase 3A or with 3B.

Dave Anderson feels it should be paved by the time they want a Certificate of Occupancy of a building.

Chris Thompson is in support of the City paving our half at the same time as that's best, instead of having a cold joint.

Dave Anderson and Ben Tuckett agreed. Ben added that they're ready to go on Phase 3A and 3B.

Tom Cooper discussed some concerns with electrical and their electrical design. They've sent it back to their engineers for discussion, but they're working on layout issues and service points. Tom added that we're not ready electrically for this to move forward. They have service to the building on a different building, and lines designed to run underneath the structure, which we don't allow. We're trying to work with LEI on it to get something that works for everyone.

Ben Tuckett said they'll get with Tom Cooper on those issues, but he needs to know about the driveway and, if it needs to go in with 3A, they have to modify the plans.

Tom Cooper said the power needs to go down the driveway too. We don't want to dig up the road in the future.

Ben Tuckett noted that they had sized that transformer and the gear on that one building to handle the second building. They were originally connected, and then because of fire they took out that first phase. The buildings are separated by 200 feet. Everything's ready for that building.

There was further discussion regarding power. Tom explained that when the power was separated, it created a separate structure that has to have a separate disconnect.

Tom Cooper said we can look at this individually, but we need to get it worked through.

Seth Perrins noted that we have some power obligations to the billboards that are towards the back of the property as well.

Tom Cooper agreed, and there was further discussion regarding power and the driveway completion timeline.

Chris Thompson asked if this is something, we can give direction on today, whether the driveway needs to be completed with 3A and 3B, or should we table this to next week.

Tom Cooper feels we should table it.

Ben Tuckett explained that they can run that power around the building if they have to, they can loop it and put the road in with Phase 3B. They can also loop the water too if needed. They feel doing Phase A, then Phase B with the road and conduit would be best.

There was further discussion. Chris Thompson stated the City wants the driveway done with 3A, but we're willing to pay our half on that driveway so it's all completed at once, and we will use the applicant's contractor.

Ben Tuckett then asked about curb on the street and storm drain. There was discussion on this issue.

Chris Thompson said he can see why we'd build the drive approach at the same time of the treatment plant construction, but maybe we hold back the curb and gutter for the driveway, maybe 20-25 feet, and then just have asphalt in between.

Dave Anderson feels having a paved surface for customers is important. We're asked all the time why something needs to be paved. There are exceptions, but what Chris Thompson is describing sounds like Chris Thompson is more concerned with curb and gutter than a paved route.

Ben Tuckett said he'd have to look at it and see what the road is doing as far as slope. There's a chance that when the City paves frontage for the sewer plant, the assumptions made now might not work. We can do it, but it makes more sense to design that curb with the rest of that frontage.

Dave Anderson noted there will be traffic with Phase 3A.

Ben Tuckett feels they could block off with jersey barriers since most traffic comes from the existing paved entrance.

Dave Anderson feels we don't need sidewalk right now, but we do need to follow the standard and have asphalt or concrete.

Ben Tuckett said they could design an asphalt driveway that ties into the existing road and then once the frontage is improved along the sewer plant site, that drive approach can be completed.

Chris Thompson agreed and suggested a cash in lieu, and the city would construct it when we construct the treatment plant. Or they build the driveway with the last 35 feet getting removed when the curb and gutter goes in later.

Dave Anderson feels the latter is best.

Ben Tuckett asked if this can be approved today, with the conditions that the driveway is built with 3A, and the road frontage, and the electrical design is submitted to Tom to get the power plan up to standard.

There was discussion regarding jersey barriers and the site was brought up on screen.

Brandon Snyder noted that, with 3A, we need to get the landscaping and asphalt drive around front and side of 3A. Also, we need to be sure the fire protection is met because if the north access goes in with 3A, we don't need a turnaround.

Mike Clark agreed.

Chris Thompson **moved** to approve the Okelberry Trucking, Phase 3 Site Plan, subject to the driveway up to the east end of 3A being constructed with 3A, subject to the power division changes or redlines being worked out, and subject to the applicant meeting the findings and conditions outlined in the staff report.

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

R&R BBQ

Mike Clark had no issues from Engineering.

Brandon Snyder had nothing to discuss from Planning.

Tom Cooper had nothing from Power.

Seth Perrins stated that the applicants did a fantastic job on this Site Plan. He likes the layout and their drive thru, as well as the patio. He asked where the squawk box will be located because he has noticed in other drive-thrus that there is a lot of wasted space after the squawk boxes, but a long queue before them. He would like to make sure there won't be a lot of wasted space here.

Aaron Smith with Savory Management, described where the squawk box will be located, west of the patio.

Seth Perrins feels that is a great location and again thanked the applicants for the great, clean site plan. He added that we're very excited for this and believes they'll do very well.

Seth Perrins **moved** to approve the R&R BBQ Site plan, subject to the applicant conforming to the City's General Plan and Zoning Map; meeting City zoning standards; addressing any redlines; and subject to the applicant meeting the conditions in the staff report.

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

CONCEPT REVIEW

Ludlow Property

Chris Thompson began by stating we don't allow homes to front onto 1400 East, which is a collector road. He further explained that on a residential collector, on one side you can have frontage, but on the other side there's a trail, and this is the side that has the trail. That's in our standards.

There was discussion regarding the trail connections in the area.

Mike Clark noted the issues he sees with the project. The first issue is that driveways can't face 1400 East. Other issues include a masonry wall that must go along those backyards, the road way connectivity, and we need the east and west roads to align with existing roads.

Chris Thompson feels we need a road connecting this development to the future development to the North.

The applicant explained they're not developing the property to the North and they don't want connectivity to it. It was by design to not have through streets going through the project.

Chris Thompson told him they'll have to connect to the north.

There was discussion using the site on screen.

Seth Perrins noted it might not be necessary for them to connect to the north because said there is some connectivity already there.

There was discussion as to where we'd want intersections and road alignments.

Dave Anderson said the idea is to create a 4-way intersection onto 1400 East. They don't want straight streets that go through the project and these are short runs of street, so travel speed probably won't be a big deal. To tie into 950 South or the other, the applicant would have to redo his design. Dave feels one access, onto 1400 East, will probably work, and also, connectivity to the north project makes sense.

Seth Perrins agreed. There is a lot of east and west connectivity. He asked what the Zone Change request is.

Scott Peterson said they are seeking R-1-9, with a master plan. He feels it's reasonable to not connect to the north. He added that the distance of the block is between 1240 and 1400.

There was discussion regarding widths of blocks.

Dave Anderson said our guide for connectivity is 600 feet. Also, regarding the east west connectivity, people will go east to the signal at Canyon Road. For Dave, he would still fall on the side of a sub-local street to the property to the north. It wouldn't hurt and it shouldn't be a big deal.

Chris Thompson noted this project shows 680 feet between connections. It's hard to argue they don't have good connectivity. Chris is leaning toward not having the north road, but pushing the 1400 East down to 1100 South. In fact, the further south the better. He then noted the

development to the north will have two connections so that makes it more reasonable for these guys to have their connection at 1100 South.

There was further discussion.

Scott Peterson asked for a summary.

Chris Thompson explained they need to line up accesses with the roads. Also, he doesn't like an access lined up with houses or driveways where lights will shine into the homes. They're better off lining up with the 1100 South access. It makes sense to have a 950 South access too. Also, Chris feels the north property could line up to 820 south.

Seth Perrins stated he wants the access for the north property to be as far from Canyon Road as possible.

Dave Anderson said we probably need access at 950 South too.

Chris Thompson stated there should be 1100 South and 950 South connectivity, and then the north property should have connectivity between 820 South and 910 South.

Brandon Snyder feels that we should at least have a pedestrian walkway connection between the north and south properties. The applicant pointed out that they won't have an HoA or anything to maintain a walkway. And Chris Thompson said it would be dedicated to the City and we would maintain it.

Dave Anderson agreed with Brandon.

The applicant asked about the rule on tilt up walls, and whether that rule is strong. Is there a variance to where they can mimic what's across the street of 1400 East? There would be only two parcels with the wall, and they could do hammerhead driveways.

Chris Thompson stated that we haven't had a good experience with the driveways across the road.

Mike Clark agreed, we do not want to do that again.

There was further discussion regarding park strips, planters, curb and gutter and the wall.

Dave Anderson said he'd be happy to meet to discuss these issues, but he had to leave the meeting. Tom Cooper noted that along the west side of the property there is an SUVPS line so clearance will need to be addressed and they'll need approval from the bureau, who owns that right-of-way.

The applicant said they wanted to take that underground but Tom said it's not possible as it would be too expensive.

Swig

Dave Anderson presented two revised site plan concepts for Swig on the screen. He noted his preference is the Site Plan with the drive thru starting to the south of the property and exiting to the south of the property. This makes people enter and exit away, or south, of the Cafe Rio access. And we have a traffic report, in which they're saying that their 85 percentile of queue length has less than 6 vehicles. We need every bit of queueing space as possible designed into the project.

Aaron Smith from Savory Management stated that they have a cross access agreement with VASA, but they have asked that Swig be careful to not disrupt their parking. That is a concern with the southern orientation plan.

Chris Thompson, Dave Anderson and Brandon Snyder feel the south entrance is best.

Daniel Gonzales from Savory Management, stated he prefers the north entrance orientation and described his thoughts on why the queue would be less intrusive with the north orientation.

Dave Anderson understands Daniel's point of view. However, he would embrace the south entrance plan. If we were ever going to have trouble with stacking, that one is best.

Chris Thompson agreed and added that he thinks with the South entrance orientation, the drive isle line could be pushed a few feet to the north.

The applicants said they can do that, and if the south orientation is best, they can accommodate that.

OTHER BUSINESS

Blake Ottesen Building Permit

Chris Thompson began by explaining that, after a discussion last week, the City will now set a more objective distance for the dedication of right-of-way. For example, if you are 1,000 feet away from any improvement, and you're not subdividing your land, then dedication of the easements and rights of way meet the obligations and requirements. We would not mess around with lien in lieu, or cash in lieu, or postponement of development. However, Chris continued, if you are subdividing your land, then you have to give the rights of ways and easements, and you also have to do a cash in lieu for the improvements that would be in front of the lot that is being improved. This is consistent with what we've done in the past, and will now be written into Title 15.

Dave Anderson feels this is a good approach. He asked, given where Blake Ottesen is now, what do we do?

Chris Thompson said that because his property was illegally subdivided, we have no way to improve where that building was.

Dave Anderson feels the remedy for Mr. Ottesen is simple. He should go through the subdivision process and follow the new standard described today.

There was further discussion.

Chris Thompson asked how we can prevent illegal subdivisions. He feels we need something in our review process that researches the subdivisions.

Vaughn Pickell said you can't prevent illegal subdivisions, but if they do happen, you can deny any building permits.

Dave Anderson noted that it's not uncommon for us to research subdivisions. We do look out for that.

Travis Warren stated that the County will let people subdivide via deed for agricultural uses. He asked whether the City will allow for, or have any type of subdivision which allows someone to do that?

Vaughn Pickell said the State Code allows for subdivisions by deed for agriculture and the City has to accept those.

Travis Warren noted that is what Mr. Ottesen is doing here. The remaining portion of the property will be agriculture.

There was further discussion regarding agriculture subdividing.

Travis Warren noted that the County requires people to record agriculture on top of the property.

Vaughn Pickell stated the State Code's definition of subdivision excludes subdivisions that are for agriculture purposes only. So, if this subdivision was done to build a house, the exception doesn't apply.

Chris Thompson asked Vaughn to accommodate that in the ordinance. If an agriculture overlay is recorded on a property, that's not considered a subdivision.

Vaughn Pickell suggested we just require a notice that this was done for agricultural purposes.

There was discussion regarding right-of-way dedications within agriculture subdivisions. The City cannot require those dedications.

Travis Warren described the County's procedure when someone wants to build a house within an agriculture subdivision. They must do a one-lot subdivision on the portion they want to build. From a farmer's perspective, to require dedications on portions that will remain agriculture, is against the spirit of what's it's all about.

Chris Thompson suggested Vaughn Pickell take a stab at a draft and come back to another DRC to discuss it.

Vaughn Pickell said he would work on something.

Dave Anderson feels we need to get the new ordinance in place, and in the meantime work with Blake Ottesen to get a subdivision plat approved. He'll want occupancy of his home, so we'll work out something there, while working out the issues with the subdivision plat. And as part of that plat, we get all of the right-of-way dedications that we need for future road expansions. There isn't a way to sidestep the requirement to legally subdivide the property.

SPANISH SPRINGS BUSINESS PARK

Tom Cooper discussed a proposal he has received from Spanish Springs Business Park. The proposal would create a small piece of land through which we need to run a loop. However, the piece of land is also within Springville City limits. Tom asked how this issue can be addressed. He noted that he hasn't talked with Springville City yet, he wanted to discuss the issue in house first. If the small piece of land stays in Springville, our power will just pass through it. But if it becomes part of Spanish Fork City, we'll want to provide service to it.

The site was brought up on screen and discussion ensued.

Seth Perrins feels that if the piece of land is in Springville, we will not serve it. We need to speak with Springville City because we don't want to be like SESD in any way.

Tom Cooper then discussed the City boundary line in the area. He noted it is very choppy, and the Harwood property has a building that is within Springville City limits, but the storage lot to the West is in Spanish Fork City. Tom feels the property west of the building could have some development in the future.

Seth Perrins suggested he'd be okay if the boundary line be the future road, west of the Green Family property.

Brandon Snyder feels Spanish Fork City would want to keep the storage lot property within City limits if it has future development ability.

Seth Perrins said he'd reach out to Troy from Springville to start the discussion.

Seth Perrins **moved** to adjourn the meeting at 12:11 pm. The motion **passed** all in favor.

Adopted: July 1, 2020

Jessica Burdick
Building Inspection Division Secretary