

Adopted Minutes
Spanish Fork City Development Review Committee
August 19, 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; Jake Theurer, 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: Wayne, Jesse Brimhall, Rob McNeel, Eric Hitzelberger, Scott Peterson, Nate Reiner, Sean, Jacob Woodward, KC, Scott Thorsen, David Peterson

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

FINAL PLAT

Spanish Springs Subdivision Phase 1

Brandon Snyder and Mike Clark had no redlines to discuss. However, Mike feels the DRC should discuss the entire development today, rather than just one phase.

There was discussion regarding the installation of PI along Main Street, which will allow the Utah County Jail to receive PI. Chris Thompson wants both the drinking water and the PI loops done with Phase 1. Then in Phase 3 do a 20% escrow for the Main Street improvements at Phase 6. Jered Johnson agreed.

There was discussion regarding UDOT and the possible improvements they'll make from the future I-15 interchange. Mike does not want the applicant to collect escrow for 2700 North if UDOT is going to end up doing the improvements. Dave Anderson agreed and further explained that if UDOT does not expand the scope, these guys would be responsible for all the improvements from where their road intersects with 2700 North, all the way over to Main Street.

Seth Perrins asked about an intersection in a future phase. He doesn't like the idea of having an intersection right next to a curve in an industrial area. It will make it difficult for larger trucks and semis. Chris Thompson agreed and asked Mike Clark to reach out to the applicant to see if we can make a curve on the north/south road, and the east/west road can T into it. That would be a better design.

Dave Anderson noted the road alignments were approved with the Preliminary Plat, which the DRC recommended approving.

Chris Thompson understood, but said it'll be a problem for the developers, so they might want to change it. He asked Mike to get with the developer to see if that can be mitigated.

Kelly Peterson noted that they haven't yet received the power plan. There might be some tweaks with phasing, road alignments, moving boxes and outages possible. Kelly stated we'll work with them through the development process, but there are some redlines still to work with before we can get fees out.

Scott Thorsen said it shouldn't be too long before everything is sorted out. He is okay if a preconstruction meeting is not held until power is figured out. He added that they can look at that road alignment with the curves too. He'll work with Mike Clark.

Jered Johnson **moved** to approve the Spanish Springs Subdivision Phase 1 Final Plat subject to the following conditions:

Conditions:

1. That the applicant workout the phasing plan with Engineering to include the water line loop with Phase 1 and connection of PI line to 2700 North with phase 1. And with phase 2 that they connect the Main Street PI line. And with phase 3 they start the 20%-25% escrow funding for Main Street and 2700 North, depending on the proposals from UDOT.
2. Subject to the applicant working out the electrical issues with phase 1 and meet any redlines.
3. Subject to the applicant completing the truck turn radius on the intersection discussed today, making sure diesels work there, and come up with a better proposed alignment.

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

SITE PLAN

Spanish Springs Subdivision Lot 1

Mike Clark noted that this is the Site Plan for the Final Plat just approved. There are not issues from Engineering.

Brandon Snyder has some minor redlines from planning, but it looks good.

Kelly Peterson needs load sheets etc., for when they start building the building.

Kelly Peterson **moved** to approve the Spanish Springs Subdivision, Lot 1, Site Plan subject to the applicant meeting redlines and providing a load sheet to the Power Department.

Jered Johnson asked Kelly Peterson to amend his motion to add a condition that the applicant complete everything proposed with the Final Plat in Phase 1.

Kelly Peterson **made an amended motion** to approve the Spanish Springs Subdivision, Lot 1, Site Plan subject to the applicant meeting redlines and providing a load sheet to the Power Department. And subject to the applicant completing everything proposed with the Final Plat in Phase 1.

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

Del Taco

Brandon Snyder noted landscaping reviews are pending, otherwise he feels this is a good submittal.

Jacob Woodward stated that the amended landscaping plans are actually uploaded into Citizenserve. He explained that the building sits below grade, in a hole, and the ordinance calls for trees between the building and Highway 6. Jacob is afraid if they put in too tall of trees, they'll block signage and the building. Therefore, the amended landscaping plan shows lower profile hedge and bushes between the building and Highway 6. Dave Anderson said we can find some trees that will work for the area.

Mike Clark had no issues from Engineering.

Kelly Peterson said power is stubbed to the property, but he needs a load sheet so we can plan transformer and service sizes.

Jered Johnson **moved** to approve the Del Taco Site Plan subject to the applicant meeting any landscaping requirements. And subject to the applicant providing a load sheet to the Power Department.

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

Paul Hitzelberger, the CEO of Del Taco, introduced himself and thanked the City for the consideration. He stated that this will be the 33rd Del Taco in Utah, and they're excited about coming to Spanish Fork. Del Taco is a community involved brand and are very family oriented.

Seth Perrins thanked Mr. Hitzelberger and feels this will be a great location, Del Taco is a great fit.

ZONE CHANGE AND PRELIMINARY PLAT

Gage Canyon

Mike Clark discussed the previous discussions we've had with this project. The biggest issues DRC had been with the streets and how they connect to the east, west and south. Mike feels those issues have been addressed. Utility issues will be discussed with Final Plat. The only thing to discuss is the right-of-way for "Street 6". They have requested that be a sub-local. This works storm drain wise, it's just a matter of whether the DRC wants to see that as a sub-local and just red curbing one side, per the standard.

There was further discussion

Chris Thompson feels that by transitioning to the narrower streets on 800 South, on both the north and south sides, you create something that will look very awkward in the field. It would've been better to do it just on the south side.

Scott Peterson said that's no problem, they can show it on one side. There was further discussion. Chris Thompson suggested restricting parking on the west side of the road, allowing lot 21 to have a west facing driveway. Scott Peterson feels it doesn't matter, as long as one is red curbed.

Brandon Snyder noted this is a great project and a good location. The applicant needs to upload the neighborhood meeting information, and we need a Zone Change application for this project. The one consideration for DRC today, is, with this project, they're doing a Master Planned Development. They show some lots that are less than 9,000 square feet. They're requesting reductions in the setbacks too. Generally, it'll be 10 feet on the sides, and 25 feet on the rear. Here they want to do 5 and 10 feet on the sides and 20 feet on the rear. Planning is okay with that.

Chris Thompson likes the setback reductions because they create bigger houses. Brandon agreed, but feels we should alter it so we don't have a 5-foot setback next to a 5-foot setback.

Kelly Peterson asked whether the applicants have worked with SUVPS regarding the north and west boundaries and the transition lines there. Scott Peterson said they're working on that with them.

Seth Perrins discussed connecting the field and appreciates the applicant doing so.

Jered Johnson **moved** to recommend approval of the Gage Canyon Zone Change and Preliminary Plat subject to the following conditions:

Conditions:

1. Subject to the applicants meeting any City redlines..
2. Subject to the rear setbacks being reduced from 25 feet to 20 feet.
3. Subject to one side setback being reduced to 5 feet.
4. Subject to a note being placed on the Final Plats indicating the side setbacks alternate, so there are not two 5-foot setbacks next to each other.

Vaughn Pickell **seconded**. There was discussion on the motion.

Kelly Peterson noted there is an SUVPS line in the area, and he asked if the reduced setbacks will cause issues with clearance with that line. They require a 30-foot right-of-way throughout the east side of the system. He's not sure what will happen with that. Jered Johnson said the applicant will need to meet the requirements of the easement, but the setbacks can be set as discussed.

Seth Perrins clarified that the SUVPS easements would govern keeping those homes 30 feet away from the pole. Jered Johnson agreed.

Jered Johnson made an **amended motion** to recommend approval of the Gage Canyon Zone Change and Preliminary Plat subject to the following conditions:

Conditions:

1. Subject to the applicants meeting any City redlines.
2. Subject to the rear setbacks being reduced from 25 feet to 20 feet.
3. Subject to one side setback being reduced to 5 feet.
4. Subject to a note being placed on the plat indicating the side setbacks should alternate, so there are not two 5-foot setbacks next to each other.
5. Subject to the necessary setbacks matching the required easement for the SUVPS line, and that being drawn on the plat.

There was discussion on the amended motion.

Seth Perrins noted that we've seen the 5' side setbacks employed before, and with a window well, it leaves you with one foot between the window well and the fence. It's a little tight. John Little agreed, and he appreciates Brandon's comment about alternating the 5' side setbacks.

Dave Anderson pointed out that it isn't a requirement for homeowners to build with these setbacks. They can make that choice.

Scott Peterson said it's a tradeoff. The 5' side setbacks give you a bigger house.

Jered Johnson noted that at least one side has to have 10 feet to get around and that's better than 7.5 feet for sure. There was further discussion about the setbacks and lot sizes.

Scott Peterson stated that the reduction in the rear setbacks helps, but if the City isn't comfortable with the proposed side setbacks, they'll work with that.

Chris Thompson asked why these lots are so small and Scott Peterson explained that this was brought in for a Concept Review previously. Seth Perrins agreed. We can't go back that far, to discuss the size of the lots. This is an R-1-9 with a Master Plan Development.

There was further discussion about the lot sizes in this proposal. Brandon Snyder noted the Master Planned Development gives the developer an opportunity to do some amenities and different housing styles, and if they have enough acreage, they can have different housing products in the same project. But, in the future we can look and see if there should be a minimum bar set. So, if you use the Master Planned Development, maybe we

say 50% or 40% still need to comply with whatever the base zoning standards are. Brandon also told Scott Peterson they should have some elevations or product types or housing styles to show the Planning Commission.

Vaughn Pickell **seconded** the amended motion.

Chris Thompson asked if the Master Planned Development has to be put in the conditions. Brandon Snyder explained that this will go to the City Council and they have findings in the code as to when things like MPD's should be approved. Chris Thompson feels this should be written down somewhere so residents can understand the Master Planned Development and how things can be changed because of it.

The motion **passed** all in favor.

Heritage Farms

Brandon Snyder noted this project is similar to the previous project discussed today. They need to upload the neighborhood meeting information into Citizenserve. Also, they want to reduce the rear setbacks by 5 feet and have the reduction to one side setback. The SUVPS line easements are shown on this plat on the west side of lot 7, 8-17 and heads west between lots 19 and 20 so those setbacks need to go to those identified easements on the plat. As a note, Brandon continued, most of the lots are over 8,000 square feet and a lot of them are well over 9,000 square feet.

Mike Clark had no issues; this match what we discussed in concept review.

Seth Perrins is grateful to the applicants in these two developments for working together and allowing for a connection.

Chris Thompson suggested the transition from a wide to a narrow street at 950 South be lengthened and do it in some sort of an S curve fashion. He also asked about the bulb outs on streets 3 and 4. Mike agreed that all the others make sense.

Kelly Peterson said they've worked with SUVPS and the easement right-of-way. We just need to work with them on the design of the power in the subdivision.

Vaughn Pickell asked about the water availability issue. Chris Thompson said the deed took care of that.

Chris Thompson **moved** to recommend approval of the Heritage Farms Zone Change and Preliminary Plat with the condition that they lengthen the transition on 950 South, with curves in the curb and gutter.

Seth Perrins **seconded**. There was discussion on the motion.

Chris Thompson **made an amended motion** to recommend approval of the Heritage Farms Zone Change and Preliminary Plat, subject to the following conditions:

Conditions:

1. Subject to the applicant lengthening the transition on 950 South, with curves in the curb and gutter.
2. Subject to the side setbacks alternating so every other lot line will be a 5-foot setback.
3. Subject to the rear setback being 20 feet, unless adjacent to the SUVPS line, in which case it would match the SUVPS easement line.

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

The Ridge Phase 6 & 7

Mike Clark discussed phase 6. They're requesting the 52' right-of-way. They want to go narrower there and if that is approved, they'll have to move their storm drains. Also, they added 8 parking stalls, but do they need more? Mike continued as to phase 7, he noted they've changed their layout so the homes no longer face a wall and the front yards to go grass and open space.

There was discussion regarding driveways and cross sections. Our minimum cross-section is 25 feet and here Jesse is showing 26 feet building to building. Jesse Brimhall explained that is what all of his previous designs have been. He asked when the drive width and building location changed because his phases 3, 4 and 5 are all the same as these plans. He's had no negative feedback.

Chris Thompson explained that the standard was developed for the Anela Townhomes and That's what they're doing. 25 feet plus 3 feet to the building. Jesse Brimhall noted that he and Mike Clark met last week and he thought they were okay.

Mike Clark noted that we have standards, and this is a completely new Preliminary Plat. Jesse Brimhall replied that since we've been doing this and it's been part of the design all along, he assumed they could keep doing the same thing.

Chris Thompson asked Vaughn Pickell for his opinion. Mr. Brimhall has been doing 26' from building to building, and it's worked fine, but now our standard has changed to 31' from building to building. Should we change our standard, or have The Ridge Phase 6 and 7 follow the new standard?

Seth Perrins said if it's been done a certain way in the area, it's good to have consistency. If it worked out in earlier phases, it's probably okay now. But he agrees with the concern of the conflict between standards, laws and what we can do. So, if there's room, it's worth considering, but if there isn't, we might have to follow the standard or change something.

There was further discussion.

Chris Thompson said he'd like to see how well everything works in Phase 3 before we change our standards.

Seth Perrins asked Vaughn his opinion. Seth feels our hands are tied.

Vaughn Pickell agreed and said we have a standard in place, this is a new request, so we follow our existing standards that we have. However, we can explore changing it.

Seth Perrins told Jesse Brimhall that he likes his product, the project is great, and he likes the variety, but there isn't anything we can do at this moment because of that standard change.

Jesse Brimhall clarified that his previously approved phases 4 and 5 are tested and approved at the 26'. Jered Johnson agreed, those are vested for sure.

Mike Clark noted this is a Preliminary Plat for the entire project, but they're just adding phases 6 and 7. Chris Thompson noted the loop road in phase 6 is like the little road in the last two projects that we just approved. Phase 7 doesn't meet our alleyway standard which changed a year and a half ago.

There was further discussion.

Jered Johnson suggested Staff look at phases 3, 4 and 5 and make an exception. He doesn't want to change the new standard, but he understands that 95% of this project has been built this way and vested.

Chris Thompson agreed, that is a good option. He asked if we can wait a week for a motion on this. Dave Anderson feels that would put them back a month about which Jesse wasn't happy. There was discussion.

Vaughn Pickell said we can approve it if it complies to the standard, and if we amend the standard, they can follow the looser restriction if it comes along.

Jesse Brimhall doesn't want to be held up if we can help it.

Brandon Snyder discussed the perpendicular parking on High Ridge Drive. There's a suggestion for those to be parallel parking. Also, instead of bringing them in from 18' bring them in to 6-8' and have them all parallel parking on High Ridge Drive. Mike Clark agreed. Jesse Brimhall said he'd design it that way, though he's not sure how it would work out. Mike Clark explained we just don't want people backing out onto High Ridge Drive.

Vaughn Pickell **moved** to recommend approval of The Ridge Phases 6 and 7 Zone Change and Preliminary Plat based on the findings and conditions in the report, specifically that the shared driveways meet the City's standards.

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

ANNEXATION

Swift Creek

Mike Clark explained that access is an issue. It doesn't tie in well to 3400 because we'll be creating islands and the only access north is through private property. Brandon Snyder agreed.

Chris Thompson asked about annexing property that can't be developed right now.

Seth Perrins isn't sure if it's a problem. But Seth said he feels the location of the lines on the plans need to be adjusted. We're setting ourselves up for a challenge, and delays for future developers because of access limitations through county property that we have no

control over. We'd have to work with two different governing parties. He asked why the property to the east is left out of this annexation.

Rob McNeel explained that piece to the north east is owned by Rocky Mountain Power and they don't know if they want to sell. There is an 80' right-of-way easement that comes with that piece. So, they do have that right-of-way easement through the RMP property. As to the property south of the Baums, we can come in there potentially.

Seth Perrins asked if the Baums would ever want to annex. Mr. McNeel said he's trying to meet with the Baum family to see if they want to sell that piece but he hasn't had any luck getting in touch with them. He's going to try to speak with them this week.

Seth Perrins noted that the City is meeting with Rocky Mountain Power too and he will bring this up in that discussion.

Kelly Peterson said there are no SESD facilities servicing customers here, but with the lawsuit, we need to work through the attorneys on this annexation. The Baum property is served by SESD. Kelly asked Vaughn, how things are being interpreted, will this cause issues in moving forward with this annexation?

Vaughn Pickell said no, but if the Baum's come in, there would be an issue.

Seth Perrins said he's not sure he's ready to act on this today. It's not quite ripe for him. Kelly Peterson agreed.

The applicant said he can try to meet with the Baums, and if the City meets with RMP, we'll all have more answers in a week or so.

Seth Perrins added that there is still the access issue too. But, to the Baum family, it would be financially prudent to join the annexation, they wouldn't have any real costs, but they'd receive the benefit of annexation.

Seth Perrins **moved** to continue the Swift Creek Annexation, pending a few more weeks of work.

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

GENERAL PLAN AMENDMENT

Hurst Subdivision

Brandon Snyder explained that the applicants are applying for a General Plan Amendment to go from Low Density to Medium Density Residential. The zoning that will be requested is an R-1-6 zone. This went to the Planning Commission months ago, and they were doing something like Canyon Breeze, but the Planning Commission suggested they scale it back a few units and get some community support.

Rob McNeel said they did have a neighborhood meeting and the only concern was a neighbor who is worried about the traffic in the area. However, this is within a cul-de-sac so traffic won't flow from any other neighborhood. There is no traffic issue.

Sean Hansen explained they're asking for an R-1-6 zoning. There are some lots that will be 6,000 square feet, but most lots are 6-7,000 square feet and even some lots that are bigger. We have considered the different styles of homes we want this to have, and Sean feels it'll fit well. Good for families or households that want a smaller yard, but there are also some bigger yards. Sean added that they're looking at an infill project because they feel it's a good fit. When the neighbors found out it's going to be single-family, the attendees gave a good response.

Seth Perrins asked about the different elevation types of homes shown. He asked if these will be built with these home types, or are the pictures on screen simply a sample of what could go there. Sean Hansen said it's a sample of what will fit well and what they were looking to place on there. Rob McNeel said there are a couple of builders in mind who have shown interest in this project.

Seth Perrins asked about the property line and Rob McNeel said it goes from the bottom of the hill and top of the subdivision to the south. This project starts at the base of the hill.

There was further discussion.

Dave Anderson noted that this is a proposed General Plan Amendment that would go before a Zone Change proposal. Dave feels we should let the Planning Commission decide.

Seth Perrins stated he goes back and forth. He appreciates that the applicants are trying to clean up a farm remnant site. For him, he loves that they will be single-family homes. But there are some issues with the location. It'll be kind of an island so he's not eager to say he loves it. But the opposite too, the length of the cul-de-sac is troublesome. He's neutral on this one as there are positives and negatives.

Chris Thompson asked if we can recommend that the Planning Commission consider requiring certain housing types or some exterior before making a General Plan change or something. Something concrete as to what is built here.

Seth Perrins agreed. If they could say they're going to build it and these are the homes, but they're not the builder.

The applicant said that they aren't the builders, but the builders they will use build attractive homes. He asked if the DRC needs to see solid product ideas with elevations. Chris Thompson said that would be good.

Seth Perrins said, for him, it comes down to the General Plan Amendment. We're changing how this area will look for 10 years or longer. So, for that reason, General Plan changes are serious items. He could give a neutral recommendation.

The applicant asked if they can bring building plans to the Planning Commission and provide them there and Seth Perrins said he can. And he could have one of his builders come in with their plans to present them. This will go on to the Planning Commission no matter what.

Chris Thompson **moved** to recommend the Hurst Subdivision General Plan Amendment not be approved unless the product type and design standards that will actually be constructed are presented and acceptable to the City Council.

There was discussion as to what the City is looking for in order to get approval. Chris Thompson said we want to see what they're proposing and what the final product will actually be.

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

Dave Anderson said we should let the Planning Commission decide.

Vaughn Pickell said that could be approved through a development agreement even though he doesn't love to do them. But we can if we need to. Chris Thompson noted that the City Council gets frustrated because what they approve isn't always what's actually built. Chris added that if these lots matched the other large lots around it, but what's being proposed is higher density.

The motion passed all in favor.

ZONE CHANGE

174 South Overlay

Brandon Snyder noted that we've discussed this several times. The applicants want to utilize the Development Enhancement Overlay to allow them to apply for a permit to convert the existing home into a non-residential use, like an office. But they don't want to have to install or comply with parking or access standards. Also, there is a desire to maintain some of the existing landscaping of the property, but we need to discuss what trigger we should use to require improvements to the site if it does transition fully from residential to non-residential use.

Mike Clark noted the driveway width is an issue, and getting the easements in place. It's a good thing the applicant is trying to do, but safety and standards have to be met. It is a small business, with not a lot of cars. If she keeps it like that, it will work, but If they sell it to a larger business with higher employee or customer count, are we ready to say they can't do that?

Seth Perrins asked what is being enhanced. It's a beautiful home and property and we have raised a lot of concerns and talked them through. But here we are for this Development Enhancement Overlay and he's not sure what's being enhanced. What findings are there to tell us to do this? Is it just the use? Is the City getting anything out of it? Are there any true enhancements or is it just being used to get around a requirement?

Dave Anderson agreed and asked if this is an appropriate use of the Development Enhancement Overlay. It is for the Planning Commission and City Council to weigh in and determine if this is what they have in mind. Dave noted he is anxious to move this forward to get to those bodies so they can chew on it for better direction.

Dave Anderson **moved** to recommend the Planning Commission evaluate the 174 South Overlay proposal and determine if they feel it is an appropriate use of the Development Enhancement Overlay or not.

Seth Perrins recommends that the Planning Commission and City Council not approve this unless there are other findings or conditions that the applicant can provide. And if we're misunderstanding how the overlay should be applied, we need to be educated.

Seth Perrins **seconded** Dave Anderson's motion, with those thoughts. There was discussion on the motion.

Brandon Snyder said we can always in the future tell applicants that they need to clearly identify in their application how the criteria and findings are being met. And if the application is not complete, we won't bring it to DRC before that point.

There was discussion regarding the City's application process for the Development Enhancement Overlay.

Vaughn Pickell agrees with Brandon, applicants need to show us why the application is justified.

Seth Perrins feels this application is underwhelming right now. And he withdraws his second of Dave Anderson's motion.

Seth Perrins **made a substitution motion** to recommend the 174 South Overlay application be denied, with a negative recommendation from this body. It lacks clarity that the Development Enhancement Overlay contemplates it should have

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

TITLE 15 AMENDMENTS

Title 15 Amendments

Vaughn Pickell noted this Title 15 Amendment comes from the Animal Control Officer. It cleans up the penalties section, making the violation an infraction. Also, under the Animal Section, it now clarifies that only the types of animals listed are allowed in the City. This applies to Residential areas.

Seth Perrins said last time the City Council talked about animal rights, it blew up in our face. He noted that with this, in the future, in order to add an animal to the list, Title 15 would have to be amended. Vaughn Pickell agreed.

There was discussion regarding Title 6, which includes chickens and potbellied pigs.

Dave Anderson **moved** to recommend that the proposed amendments to Title 15 be approved.

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

Seth Perrins moved to adjourn the meeting at 12:25 pm.

Adopted: September 30, 2020

Jessica Burdick
Building Inspection Division Secretary