

Adopted Minutes
Spanish Fork City Development Review Committee
August 5, 2020

Staff Members Present: Seth Perrins, City Manager; Tyler Jacobsen, Assistant City Manager; Dave Anderson, Community Development Director; Brandon Snyder, City Planner; Kelly Peterson, Electric Superintendent; Tom Cooper, Electric Utility Planner; Vaughn Pickell, 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: Janean Baker, Clint Garner, Kevin Garlick, Paul Taylor, Shawn Herring, Layne Burningham, Brock Thayne, Shelly Jamison, Brain Gabler, Josh Robinson, Dean Ingram,

Dave Anderson called the meeting to order at 10:02 a.m.

FINAL PLAT

Maple Park Estates, Plat E

Dave Anderson began by stating the City Council approved the Amended Preliminary Plat for this project last night. This the last phase of Maple Park Estates. All we need to discuss today is the specific plan for the new eastern boundary. There should be a masonry wall along that property line, so that needs to extend all the way to 100 South.

Mike Clark agreed. He said it's the railroad boundary, even though it's not adjacent to the tracks.

Tom Cooper noted there are still some electrical redlines outstanding, and they have not calculated the fees.

John Little **moved** to approve the Maple Park Estates Plat E, Final Plat, with the condition that the applicant extend the masonry wall along the railroad property line to 100 South.

Vaughn Pickell **seconded**.

Dave Anderson noted we need to add the outstanding redlines condition in the motion.

John Little made an **amended motion** to approve the Maple Park Estates Plat E, Final Plat, subject to the applicant extending the masonry wall along the railroad property line to 100 South; subject to the applicant meeting the Power Department's redlines and subject to the applicant meeting the City's standards and Construction standards.

Vaughn Pickell's **second** still stands. The motion **passed** all in favor.

Legacy Farms, Phase S2 and Legacy Farms, Phase S3

Mike Clark discussed the wall on the east side as well as the sloping of the yards. The concern is that residents will fill their yards in, eliminating the slope. Mike feels we need to be sure the Building Permits include a berm to keep roof drains from draining improperly to spare basements from flooding.

There was further discussion. John Little asked that we require a final grading plan for the Building Department to use as a reference on permits, it could also address the lack of a retaining wall. Dave Anderson agreed and feels we could also use that grading plan in the future if a homeowner does something they shouldn't with the grading. Jered Johnson agreed that we can ask for that.

There was further discussion. Shawn Herring stated the plat does call out draining notes and berms, it's just not per lot. He said they could add more if needed. Dave Anderson reiterated the long term need for grading to not change. Brian Gabler said they understand and that he has met with the home builder and discussed it. They know there's no retaining wall, just a fence and they completely understand.

There was discussion about homeowners and how the City can be sure they don't change the grade in the future. Vaughn Pickell stated he likes the note on the plat because that is a tool for us, but beyond that, he's not sure how we can monitor the homeowners. Brandon Snyder suggested a separate recording notice as well a note on the Building Permit.

Tom Cooper explained that the electrical is complete for Phase S2, but he just received the electrical plan for Phase S3. That will be reviewed and probably have some redlines.

Jered Johnson **moved** to approve the Legacy Farms, Phase S2 and Legacy Farms, Phase S3 Final Plats, subject to the following conditions:

Conditions:

1. Subject to the applicant meeting any redlines.
2. Subject to the applicant finishing the electrical drawings, and have those approved.
3. Subject to the applicant completing a grading plan for site drainage showing how the lots will work with the buildings, Spanish Fork Parkway and the proposed wall along Spanish Fork Parkway.

John Little **seconded** the motion.

Shelly Hendrickson asked who will follow up with the grading plan, and to whom should it be submitted. Jered Johnson told her that Mike Clark and John Little should receive the grading plan through Citizenserve.

The motion **passed** all in favor.

SITE PLAN

UMPA Solar Project

Kelly Peterson explained that this proposed Site Plan is for solar panels on the old landfill property. He noted that we are working with UMPA and LEI Engineering as well as a consultant on interconnecting this into our power system. It will be a 4-megawatt facility, and an opportunity for businesses and residents to buy into the power from this system.

Mike Clark stated that storm drain might be an issue. He explained that the City has been working with LEI to create a small waterway to get water to the north west.

Brian Gabler explained that the storm drain plan was submitted previously, but Mike Clark hasn't seen it. Brain will get it to Mike. There was further discussion.

Jered Johnson **moved** to approve the UMPA Solar Project Site Plan subject to the applicant meeting the City's construction standards, and subject to the applicant addressing any engineering redlines regarding site drainage and submit a site drainage plan.

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

Dave Anderson stated that this is a great project for the community and for UMPA. Kevin Garlick thanked the City for the help and stated that they go before the UMPA board in August and he is hoping to get their approval. Construction will probably start in the next month or so and may be complete by early 2021.

CONDITIONAL USE PERMIT

2500 East T-Mobile Cell Tower

Dave Anderson noted these are existing towers on City property. The applicants are simply swapping and adding equipment.

Tom Cooper mentioned that he has a safety concern on the 2500 East tower. The clearances on the transmission lines need to be maintained so if the applicants are going to encroach on that clearance, they will need to contact Tom Cooper or Jake Theurer to coordinate the efforts to make sure the appropriate guards are put in place.

Jered Johnson **moved** to recommend the approval of the 2500 East T-Mobile Cell Tower Conditional Use Permit, subject to the applicant meeting the City's zoning requirements and construction standards, and subject to the applicant addressing any redlines.

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

700 North T-Mobile Cell Tower

Jered Johnson **moved** to recommend approval of the 700 North T-Mobile Cell Tower Conditional Use Permit, subject to the following conditions:

Conditions:

1. Subject to the applicant meeting the City's zoning requirements and construction standards.
2. Subject to the applicant meeting any redlines.
3. Subject to the applicant restoring any landscaping to its original condition when installation is complete, including any private property that might be impacted.

4. Subject to the applicant sending reasonable notice to neighboring parcel owners prior to work starting, to include notice of service equipment to be used, timeframe hours and days
5. Subject to any necessary remediation being completed in a timely manner.

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

MINOR PLAT AMENDMENT

Station 62

Jered Johnson noted that the City needed to acquire some property to the north of the new Fire Station, so this plat will amend 3 different plats into one lot.

Vaughn Pickell **moved** to approve the Station 62 Minor Plat Amendment with the finding that the application conforms to the City's zoning ordinance.

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

ZONE CHANGE

Fast Gas

Dave Anderson noted that this application is a part of the Center Street widening project. It is a formality, but is a necessity given how the widening project affected Fast Gas. This is critical to Fast Gas so they can continue to operate in that location. The proposal is to rezone the residential property to Commercial 2. Fast Gas is the owner of the property, and there has been a lot of groundwork laid already with the expectation that this zoning would be changed. Dave noted that the City did receive some correspondence from a neighbor who had concerns about the project and lighting and vehicle emissions. Dave stated we appreciate hearing those concerns. But this is an appropriate land use, to expand on the neighboring property to the west.

Dave Anderson **moved** to recommend the proposed Fast Gas Zone Change, to Commercial 2, be approved.

Seth Perrins **seconded** with comment. He noted that this Zone Change is something the City has anticipated from the outset, and there aren't any other plans to expand the Commercial zoning in this area.

The motion **passed** all in favor.

CONCEPT REVIEW

Modera

Dave Anderson discussed the property on 8000 South, just west of the DAC Swenson property, which was just annexed. The General Plan designation for this property is Mixed Use and is on the fringe of the area we've planned to have some non-residential uses. Dave stated that he met with the applicants a few weeks ago, and he feels it makes sense for this property to be developed residentially. The applicants are contemplating higher density here, abutting some retail uses to the west. Dave explained getting multi-family housing approved, even in this location, may be an uphill battle.

There was discussion regarding the timing of utilities being brought to the area, and the sewer lift station. Tom Cooper explained that power is an issue and impacts the timing of the lift station. He noted that the SESD lawsuit is still ongoing. It may be a challenge to get power to our lift station once it's installed. We should know more at the end of August. This issue impacts this project and the DAC Swenson project.

There was further discussion. Tom Cooper explained that power will come down 1200 West to the lift station. Jered Johnson then said the lift station is going out to bid this month and we're 30% designed on the line, it should be operational by fall 2021. Dave said he thought we'd have a lot of power at the lift station sight. He added that getting power to Modera and DAC Swenson developments will change with the construction of the lift station. Tom Cooper agreed.

Tom Cooper explained that we will bring power from 900 South to the lift station, but due to the legalities, we have a lot of hurdles to overcome. SESD is on every side of us preventing us a clear path. We can't get out there, SESD has us landlocked. Until we get a further ruling from the court, we can't proceed in this area.

Dave Anderson clarified that the Modera parcel would have to be annexed, which we can do, and realistically we're more than a year ahead of when any real construction can take

place. SESD is a big issue that needs to be resolved. Other than that, utility service, water power and sewer will be in the area by the end of 2021. Dave then discussed the layout of Modera project. He noted he likes the fact that 275 feet of land adjacent to 8000 south would be set aside for non-residential development.

Mike Clark stated that a signal will go in at 1400 West, and the roundabout and main entrance should be on the east side. Also, there is a looping condition that is required for fire flow, so whichever project bumps the 50-unit limit first, they will need to loop the system. Jered Johnson agreed utilities are their biggest hurdle, and power is the biggest.

There was further discussion regarding road spacing and zoning. They are requesting R4 zoning. Dave Anderson feels getting close to 20 units to the acre is a big deal for Spanish Fork. He discussed some criteria for R4 Zoning, and stated that the intent of zoning at this density is to accommodate the need the City has for a different type of housing. It wasn't created for affordable housing, just a different type of housing product, something different. The bar is still high in this zone. The expectation is high, as the density is high too.

Seth Perrins noted that this is just a concept review. As he looks at it right now, he doesn't think the Planning Commission or City Council would approve this. The density is too high. In that empty field, that area, this being the first project, they'll be hesitant to go this dense right away. Seth added, as to the DAC Swenson project, he feels there is no creativity, or variety in how it's laid out. It's like a military base with no undulations, or variety. Seth added that he doesn't mean to be hurtful, but he's giving good feedback. He feels some variety and uniqueness is needed, something to make it attractive. That will be important for the Planning Commission and City Council. Dave Anderson agreed.

Clint Garner stated that he's looking at the General Plan and this seems like a good fit with high density. He is aware that there have been concerns with the City lately, but this is closer to I-15, meets the City's intent, and it will be a nice project,

Dave Anderson suggested he or Brandon Snyder sit down and keep the applicant in the loop as far as infrastructure goes. Dave isn't sure when they should submit for annexation. They could do it now, to get the ball rolling to that extent.

Clint Garner added that he did talk to some of the neighbors, and hasn't received any objection. They seem to be okay at this point, from what he's heard.

Dave Anderson said there will be pushback from others in the community.

DAC Swenson

Dave Anderson noted there is now a signal at 1200 West and 8000 South and the General Plan for that corner is Commercial. Also, the Planning Commission recently recommended the denial of a townhome project in the area, and that design was much easier to get excited about than this one. Dave feels they need to start over with something much less regimented because the Planning Commission won't like this. Also, there isn't a building in mind. We don't want to approve projects that are speculative because it doesn't end up well. This is 11-12 units to the acre and the Planning Commission and City Council won't view this favorably with this layout. Brandon Snyder agreed and added that the redesign should anticipate more non-residential uses. There will be a demand in the area for these types of products, but non-residential in the area is important, timing is key for this.

There was further discussion.

The applicant noted that it would make sense to continue the process, but look at redesigning the project before considering the Zone Change. Dave Anderson noted that he doesn't see this project getting approved, and he doesn't want the applicant to spend additional money on this. The applicant thanked Dave and said he'd like to meet with Dave again. Dave Anderson told him to keep in touch.

Powers Property

Dave Anderson stated that he loves the idea of consolidating the properties here into one project. His only question is whether this would be zoned R-1-6 or R-1-8. R-1-6 would be okay, but there's a chance the Planning Commission and City Council would see it differently. They'll want to see what the subdivision itself will look like, who will build it, etc. That would enhance approval of an R-1-6 zoning.

Mike Clark discussed the Mill Race ditch, which could be an expense. Also, the lighting will be an issue with the property owner to the north. Brandon Snyder agreed and added we'll need a turnaround at that north road.

There was further discussion regarding a few lots that need tweaking and what zoning works.

Tom Cooper stated that this property isn't surrounded by SESD, and we can bring power into the development, the problem will be feeding the southwest corner.

Seth Perrins stated he doesn't want to go to R-1-6, and added that he would like them to make a bend around the road at the Hill's home. They need to take care in what the road looks like there. Jered Johnson agreed and said we'll have to do something to South Lane too.

Dean Ingram summarized that the R-1-8 zoning is the most feasible. He asked about the canal and whether it has to be piped. He also asked what he needs to do on the River Bottoms Lane portion. Is this affected by the requirement of a maximum number of units, held up until the other road is put in? Mike Clark told him yes, they'll need a connection if they go over 92 units. Also, River Bottoms Road needs to be improved and widened. And the canal will need to be piped and widened.

Dean Ingram said he is aware SESD will be an issue with this project. He noted the product will be like Anthem Park and will bring in some young families to the area. The homes will be mostly two stories since there will be no basements due to the water table. Dean stated he prefers R-1-6 zoning.

Dave Anderson said Dean would have an uphill battle for R-1-6. There will be push back from the neighbors. Dean Ingram said he'll talk with the owner and see what they want to do. As for the North parcel, Dean said he'd make sure the lighting is dealt with. He is also aware that the road connection bonding could fail and he could potentially not be able to build on this.

OTHER BUSINESS

Renaissance Fence

Dean Ingram explained that at the Renaissance Townhomes, the south side has fencing, and then there's a space, and then the masonry wall. The north side is different because he wanted to match the Wing's wall. During approval, the motion stated that if the Church won't tear down their chain link fence, Dean would have to do a masonry wall. Dean has since talked with the Church's regional guy, and they won't let them touch the fence. So, the chain link fence won't go away. Dean's problem now is he'll have to crane the masonry fence in, and he doesn't think he'll have access to do this. Also, there's no room for equipment to get in around the existing homes. Dean is requesting to have the language changed on that motion.

Seth Perrins isn't sure if that language can be changed. Dave Anderson feels the DRC was out of line when we said a vinyl fence would work. He is okay, though, with the vinyl fence staying. Dave feels our Code is cut and dry, there should be a masonry wall on this property line. But he's comfortable changing that language in the code, or recommending it be changed, to where it would read that a 6' high decorative rock wall be required where any multi-family use abuts another residential use. We'd have to have that language changed in order for us to fix where Dean is at.

Seth Perrins agreed and said not just residential, but commercial and industrial as well. He added that DRC or the Planning Commission should be given the ability to make these types of changes to the Code.

Dave Anderson suggested he and Dean get together to work out the language as Dean should be the one to propose it.

Brandon Snyder suggested we look at the Code in house, with Vaughn Pickell. He reads it as we have opportunities to make amendments to our regulations.

800 North 800 East Intersection

Jered Johnson isn't sure why this is on the agenda. Dave Anderson said Kimberly Brennenman said this should be on the agenda. Jered Johnson said the final plans have gone through.

200 North Main Waterline Replacement

Jered Johnson said this is going out to bid and is just replacing the water line for one block. The plans have gone through the Water Department, but he wanted to know whether there were any other comments from DRC.

Mike Clark had nothing to discuss.

Tom Cooper had nothing. He noted there is underground power for KMA Architects. So, there could be some crossings there, but that's it.

UDOT Resurfacing of Main Street

Jered Johnson noted they're not doing any curb or gutter with this. This should be put off until he talks with UDOT at their quarterly meeting.

Policy 4.39

Jered Johnson said John Waters and Paul Taylor wanted to add these revisions to the City standards. We'll take them all to the Planning Commission next month for approval.

John Waters went over his suggested amendments. Right now, we have two different meters set; one for PI and one for drinking water, both in plastic cans. When driveways or RV parking are put in, the meters get broken etc. And with the narrowing of building lots, the meters have to be in a driveway. Making it a standard and requiring the 48" manhole cone sections will be great; everything will be fine.

There was discussion regarding cost to developers. John Waters said it'll add a bit to their cost, but it is more expensive for them when they have to go back and redo it and pay for a setter twice. Mike Clark agreed.

Jered Johnson explained that this is being made a standard, but the other way can be done. Paul Taylor said we want to, and are, keeping the old standard. Going forward, everything new will follow this new standard.

There was further discussion. Mike Clark noted that the developers he has talked to have said they're fine with the manhole standard. We've had no push back on that.

Dave Anderson stated he is leery to make changes that will increase construction costs. We hear all the time that it's hard to make money in the construction industry. The legislature agrees. But ultimately, he said he is fine with this change in the standards.

Jered Johnson **moved** to add the Policy 4.39 changes to the City's standards.

Tom Cooper **seconded** and the motion **passed** all in favor.

Jered Johnson moved to adjourn the meeting at 12:16 p.m.

Adopted: September 30, 2020

Jessica Burdick
Building Inspection Division Secretary