

Adopted Minutes
Spanish Fork City Development Review Committee
August 26, 2020

Staff Members Present: Chris Thompson, 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; 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: Shelly Jamison, Aaron Robertson, Aaron Jensen.

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

MINUTES

July 29, 2020

August 12, 2020

Vaughn Pickell **moved** to approve the minutes from July 29, 2020 and August 12, 2020.

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

SITE PLAN

Fast Gas

Brandon Snyder had no issues to discuss. He did ask that the DRC consider what type of wall or fence should be required on the west end of the property. There will be a masonry wall on the north.

Mike Clark had no issues from Engineering. He noted that they would lean towards a split rail fence with a mow strip on the west end.

Kelly Peterson had no issues to discuss from Power.

John Little noted that we have a permit application, we're just waiting on their SWPPP and NOI.

Dave Anderson feels there are two items to discuss. The fence and possibly a photometric lighting plan. There are some neighbors who have some concerns regarding light. Seth Perrins agreed. He added that he doesn't want to have the issues we've had with 7-11 repeated here. As to the fence, he believes the mow curb and split rail fence is appropriate on the west property line between Fast Gas and the City property. Jered Johnson agreed.

John Little said the applicant wants to use a monument sign as the last section of fencing. Dave Anderson said that is fine if it can fit in with the landscaping and is out of the sight triangle. Dave continued and said, as for the photometric lighting plan, they need to submit plans for us to review and approve before receiving a Certificate of Occupancy.

Kelly Peterson stated that because this is a family owned business he won't be voting and he recused himself.

Jered Johnson **moved** to approve the Fast Gas Site Plan subject to the applicant submitting a photometric plan for approval before a Certificate of Occupancy is issued and subject to the applicant installing a split rail fence with a mow curb on the west boundary line.

Vaughn Pickell **seconded** and the motion **passed** all in favor, with Kelly Peterson not voting.

ZONE CHANGE

Okelberry Trucking

Dave Anderson explained this project is on the agenda today for a recommendation for approval of the Self Storage Overlay. Dave is comfortable with their proposal and it is based on the fact that it is adjacent to the future wastewater treatment plant. This location is a challenge for other uses. Dave added that he appreciates the conditions

Brandon Snyder has provided in the staff report. After this, the applicant still has to submit a Site Plan, and have that approved.

Dave Anderson **moved** to recommend the Self Storage Overlay Zone be approved for the property identified in the August 26th staff report, subject to the applicant meeting the conditions spelled out in the staff report.

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

Blue Ox

Dave Anderson explained the location of this project, being off of South Main Street, adjacent to the wetlands on the east side of Main Street. The applicant is requesting a Zone Change for small lot single-family development. The Zone Change request is consistent with the General Plan's Medium Density Residential designation, but this is not located within the City's Growth Boundary. Also, utilities are an issue too. Dave stated that staff feels this area is within what has been defined as the River Bottoms. The applicants are aware of the floodplain issue. Jered Johnson stated that this property is in the 100-year floodplain, so it has to meet our code for the 100-year floodplains. They would have to fill the area two feet above the elevations, which is to be determined.

Dave Anderson said the General Plan designates the property Medium Density Residential, so the applicant's density request is consistent with that General Plan designation. Dave continued and stated that the City is reluctant to change the zoning of a property until we know all the issues related to developing it have been addressed. That means that we want some pretty detailed engineering in the form of a Preliminary Plat. The Preliminary Plat application almost always accompanies Zone Change applications. This situation is a little different, but it doesn't change Dave's feelings about zoning, the rights that come with that, and the issues that need to be addressed before the zoning is changed. Dave added that the future plans for the River Bottoms are still in question, and he doesn't want the applicant to spend more money on engineering at this point.

Aaron Jensen agrees with Dave's points. They want to be sure they have all issues addressed too. He stated that they have the contract with the City for development of this property and in that, the City agreed to apply for the UDOT access permit, pay for 50% of the road construction, construct the parking lot next to Butler Springs, and provide sewer access through City property on the North side of the river and through the casings the applicant paid for.

There was discussion regarding the UDOT road and shared access. Dave Anderson feels the road issue could be resolved regardless of the zoning. Aaron Jensen believes they'll need to add a better parking lot and redesign the road, and asked whether they need to buy more property. Jered Johnson said he could draw up a concept of how the access and parking lot would work, but in the end, it won't be a problem. Aaron Jensen wants to be sure that the City will pay 50% of the road, and that he won't have to pay any more than 50%.

Dave Anderson explained that we would take the agreement at face value and operate from there, but that can be discussed offline with Vaughn Pickell.

Aaron Jensen asked about sewer access and stated that Seth Perrins has said he'd provide sewer access through the north side of the river into the casings that they paid for in the purchase contract. Aaron feels they have an agreement where the City will provide sewer easements and he wants to know for sure that they'll have City sewer services. Dave Anderson told Aaron that is an item that should be discussed with Mike Clark or Jered Johnson, but this isn't the forum today.

Aaron Jensen asked for the City's outlook or position on offering sewer service to the area. He said they'll pay for the sewer lines, but will discharging into the City's wastewater treatment system be possible, will the City provide that service? Dave Anderson stated that the City would follow the provisions of the agreement. Jered Johnson noted those are approved with Final Plats.

Seth Perrins feels the applicants are trying to get the City to commit. He noted that we provide sewer services to places where growth is approved. If growth is approved to happen in the area being discussed, we'll provide the services. Seth continued and explained that he had forgotten about them getting access through City property. With the provisions of the contract, we said we'll give them an easement and we'll follow the terms of the contract. If growth is approved in this area, it would be the City's intention to allow them to be served by the City.

Aaron Jensen is glad to hear the City would provide some services if development is approved. He then described the concept and said it is consistent with the General Plan. He then asked about the Concept Plan and asked for the DRC's opinion.

There was further discussion regarding access and neighboring property owners. Dave Anderson explained that the surrounding properties don't have development potential, it is intended to remain agriculture for a long time. He feels it is premature to bother the Halversons at this point. If the Council approves a Zone Change, that would be a germane

issue to work through. Dave added that the applicants shouldn't change their concept at this point. It paints a picture and is helpful, but going beyond this right now would be us acting prematurely.

There was discussion regarding the floodplain and the fact there will be no basements.

Seth Perrins stated that today the discussion is regarding a Zone Change, and in fairness to the applicants and the City staff, he isn't sure it's worth everyone's time and finances to get into all these details. The Zone Change needs to be achieved first, as well as the Planning Commission and City Council's thoughts of the River Bottoms being left undeveloped.

Aaron Jensen understood. He is aware a TDR program is possible and that it will take time so perhaps they are getting ahead of themselves. He was under the impression, though, from previous meetings, that the City needs more information on what they'll develop.

Seth Perrins stated that it is best for us to focus on the Zone Change request today, and we can deal with the other issues in time.

Aaron Jensen understood, but he wants some confirmation that the City isn't going to continue to have concerns about sewer and access.

Seth Perrins said he's not going to commit to anything right now. Based on other discussions and TDRs, it's not worth anyone's time to talk about utilities. The question is, does the City want to develop here today.

Dave Anderson stated we're not going to say with any certainty that the issues can be resolved, or that the Planning Commission and City Council will like the applicant's concept. What is relevant is the Zone Change request. It is in an area outside of our Growth Boundary so it conflicts with the City's General Plan. Dave noted that he is leaning toward this not being the right time to approve a Zone Change. In addition to the Growth Boundary and floodplain issues, there's the issue of the City Council having made an investment into attempting to keep development out of the River Bottoms. Those are three substantial decision drivers for him.

Aaron Jensen thanked the DRC for the discussion. They're happy to focus on just the Zone Change right now.

Dave Anderson explained this is set for the Planning Commission next Wednesday and City Council in two weeks.

Aaron Jensen asked about the possible new design for Butler Springs Wetlands area, according to requirements of the Army Corps of Engineers, as well as the option to allow for a split rail fence and crushed gravel path. He also asked about his responsibility of providing water to the vegetation at Butler Springs.

Dave Anderson asked Jered Johnson and Mike Clark to research these questions and get back with Mr. Jensen. Mike Clark said he'll look at the contract and agreement and whether we want to follow all the provisions that way. Dave said we'll have to discuss that later because we need to take time to research it.

Seth Perrins feels the Zone Change request is premature because of the Growth Boundary issue. The City Council has focused on growth issues, first, east of town; second, west of Main Street; and third, South of the Fairgrounds. We still have a lot of growth to happen in #1 and #2, and are just beginning in #3. The River Bottoms study is taking a long time, but the effort is still ongoing. Any change to this area would undermine that process. Seth feels we need to finish our study and determine whether to develop the River Bottoms. Also, the floodplain needs to be considered very intently because of the concerns that come up in the Spring.

Dave Anderson agreed with Seth.

Seth Perrins **moved** to recommend the Blue Ox Zone Change request, from RR to R-1-6, be denied based on the comments shared today, specifically the expansion of the Growth Boundary, the River Bottoms study process, and the floodplain issues.

Chris Thompson **seconded** and the motion **passed** all in favor.

TITLE 15

Title 15 Amendments

Dave Anderson explained the text amendment proposal. Basically, the new text will allow for vacant retail spaces to rent out their building for temporary uses. The use will have to be benign and unnoticeable and temporary. Specifically, the concept of this amendment originated with the Shopko building. They want to open the building for storage of boats and recreational vehicles. This is a little outside of the box for us, but has been done with some success in other communities. Dave went over the amendment on screen and he said that he and Vaughn Pickell will make some tweaks to it, but Dave noted that it takes time to find tenants that will go into existing spaces, and he doesn't want these property

be taken out of the retail pool, this is to pacify the needs of property owners so they can stay in the game.

John Little asked if the storage would be inside.

Dave Anderson said, Shopko as the example, yes, that's what they've proposed. There was further discussion.

Dave Anderson stated that businesses would be using the shell, but not be able to make improvements to the building. Also, he doesn't see any outdoor uses working because that would impact the neighbors.

Vaughn Pickell agreed with John Little and stated again that no outdoor use or storage will be allowed.

John Little explained that one of his friends uses vacant buildings in this way. It's a good use in the interim since a vacant building does deteriorate much faster. John supports the idea and feels it's a good time to put it in place.

There was discussion regarding whether the doors in the building are large enough to fit expensive toys, like RV's.

Seth Perrins feels it's important that the temporary user not be allowed to change the building. Dave Anderson agreed. He feels we could make them improve the exterior. The idea is to have this result in a better situation than we have now, and some way for someone to use the building.

Seth Perrins feels this is a good concept, so long as they don't cut out a wall and put in a huge garage door. If they can make it work with what they have, this is a good temporary idea.

Tom Cooper said Longview Fiber did this in part of their building, with another storage company. The entire time there was no indication the storage company was there.

John Little agreed. He added that sometimes they do add a door, but it's done with a permit and doesn't affect the front of the building.

Chris Thompson **moved** to recommend approval of the Title 15 changes.

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

GENERAL PLAN AMENDMENT

Transportation Master Plan

Josie Paxton went over the amendment to the Transportation Master Plan on screen. Basically, they have improved usability to the Transportation Master Plan document. Josie went over the map on screen, which citizens will have access to from our website. She then discussed the expansion to our roundabout plans for the future.

Chris Thompson noted we're moving to roundabouts because of their continuous flow, and safety factor. There are more accidents, but they are more minor. This amendment to the Transportation Master Plan memorializes that.

Josie Paxton discussed the trail's plan on screen. We planned for 22 miles of trail in the City, and that's about what we have so far.

Chris Thompson noted all our collector and arterial roads have trails along them and they're shown on the trails map. Each trail is offset to one side of the road. He thanked Josie and Mike Clark for reaching out to Mapleton and Salem to discuss where our trails will connect to those city's trails.

Josie Paxton then discussed the Transit Facilities with UTA on screen, and then the Study's Map, which is in our internal employee map.

Seth Perrins asked Josie about the proposed west Center Street roundabout. Seth agrees that roundabouts and traffic circles result in less severe accidents, and he loves roundabouts, but they don't belong everywhere. Sometimes signals are better. There was discussion regarding certain places Seth and Dave Anderson feel a signal would be better. Seth feels we should not have a roundabout at Center Street by the current football field, or the one at 300 West. Dave Anderson suggested reconsidering the roundabout at SR51 and the one at Spanish Fork Parkway. He feels they might not be a good idea on roads with a lot of volume and multiple lanes. But other than that, he agrees that with roundabouts, traffic speeds are lower and accidents less severe, there's continuous flow, and delays are reduced. He's just more used to them in residential situations.

Brady Taylor noted that there is fiber near the proposed 630 W roundabout, it's basically the spinal cord, so when it's built, there might be outages.

Seth Perrins noted that is a significant comment.

Kelly Peterson noted it would affect the power transmission system too.

There was further discussion.

Jered Johnson **moved** to recommend approval of the Transportation Master Plan Amendment.

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

Seth Perrins **moved** to adjourn the meeting at 11:36 a.m. The motion **passed** all in favor.

Adopted: October 28, 2020

Jessica Burdick
Building Inspection Division Secretary