

Adopted Minutes
Spanish Fork City Development Review Committee
January 27, 2021

Staff Members Present: Chris Thompson, Public Works Director; Seth Perrins, City Manager; Dave Anderson, Community Development Director; Brandon Snyder, City Planner; Jake Theurer, 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; John Little, Chief Building Official; Brady Taylor, Lead Cable Technician; Kimberly Brenneman, Community Development Secretary; Jessica Burdick, Building Inspection Division Secretary.

Citizens Present: Scott Peterson, Jared Warner, Angie Warner.

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

FINAL PLAT

Haymaker Plat A

Mike Clark discussed the issue of the ditch. He doesn't like the idea of it being near homes and he proposes they keep it in the road.

Scott Peterson stated that they would rather place it in the road, but they were told it has to go behind lots 24-26 so that it can irrigate the field to the south. There was discussion about possible remedies, including an easement dedicated to the City.

Chris Thompson suggested we require the easement with lot 23, they can pipe the ditch. He added that the irrigation company has to allow the ditch to be moved as long as it still flows. Jered Johnson agreed.

Vaughn Pickell stated it should be a municipal utility easement.

Brandon Snyder had nothing to discuss from Planning.

Jake Theurer had some issues from Power that need to be looked at.

Bart Morrill stated he will need PI stubbed for landscaping of the easement.

Dave Anderson **moved** to approve the Haymaker Plat A Final Plat subject to the applicant meeting City's construction standards, addressing any redlines and providing a municipal utility easement for irrigation proposed on lot 23.

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

River Point Plat E

Brandon Snyder stated that any approval of this plat should be contingent on Plat D being approved and recorded because Plat D will provide access to this cul-de-sac. He also mentioned that the applicants are still working on getting material sorted and crushed and taken away. He went over some pictures on screen. Brandon feels we need an end date of the crushing, sorting and debris and equipment removal.

Dave Anderson suggested we continue this until we can have the applicant present. There is still a crusher on site. In addition, there is another issue with the plat itself. He explained that the majority of the property was acquired from one family and that goes up to 9th South. Improvements do need to be made on 9th South as the existing home is within this phase.

Vaughn Pickell asked if the trees can be preserved when the improvements are done. But Mike Clark noted that the trees will have to be removed in order to have the road be wide enough. There was further discussion.

Jared Warner stated that his residence is on septic, and he has a whole water shares for irrigation, therefore, Mr. Warner said he does not want to connect to the City's PI.

Chris Thompson said typically the City requires residents to be hooked on to City utilities when they're available.

Seth Perrins noted that the Warners aren't getting the benefit of selling the back part of their property, they weren't privy to all the details with the sale. But they do still have to allow the developer to stub for utilities.

Jared Warner stated that he doesn't want to pay for PI to water his entire pasture. He already has enough water to irrigate it.

Chris Thompson told Mr. Warner that he doesn't have to use it, he can still irrigate, but the City utilities do have to be run to the house.

Seth Perrins discussed 9th South and stated he feels we should improve it now. He is sympathetic to the homeowners, but this is an intersection of agriculture and historical development.

Dave Anderson agrees that we should improve 9th South today, with this plat, if Engineering is comfortable, they've adjusted the road width and park strip width as much as they can.

Jared Warner stated he is fine with the improvements to the road, curb, gutter and sidewalk; but it's inconvenient to them. They didn't get any benefits, but they're stuck with it and the costs. During this whole process they were told it'd be about a 10-foot easement, but now it's 17 feet. He noted that currently there are no survey lines.

Jered Johnson stated it is shown on the plat, and the surveyor has 6 months to get them in.

Scott Peterson said they'll put stakes out there now to mark it.

Jared Warner asked if they can stub the PI and sewer but not connect. Then if they sell or remodel, they can connect then. The facilities they currently have are completely up to date and it would be a significant financial expense to the Warner's, when they have sufficient use now.

There was discussion.

Chris Thompson and Vaughn Pickell agree that there's nothing the City can do. Seth Perrins suggested the Warners talk with the developer and maybe he can do something for them.

Angie Warner asked whether the developer will install a fence at their back property line.

Scotty Halls, a representative for the applicant, stated that they'll put in the fence, and they'll stub the laterals, but the homeowner/builder will take the laterals to the house. That is what is required for all the other lots in the development, and so that's what they'll do for the Warner's lot. Mr. Halls added that they want to be a good neighbor.

Chris Thompson summarized the issues. First, does the developer have to stub and put in the laterals to the Warner's house? Second, if they are required to only stub to the property, but the Warners don't connect to the water and sewer, will the Warners have to pay a bill? He further stated that the State requires homeowners to get off septic when sewer comes within 300 feet of their residence.

There was further discussion regarding impact fees and driveways.

Jake Theurer noted there is an SESD guy wire that will have to be dealt with. It is a new pole line.

Dave Anderson **moved** to continue the River Point, Plat E, Final Plat.

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

ZONE CHANGE

Cottages on 4th Amended

Dave Anderson discussed the issue of this developer installing the wrong type of siding, and the need to tear it out and replace it. Also, he discussed the Rhino wall installation and options the developer has. Dave Anderson feels the only option is to amend the zoning code to allow for Rhino walls. This discussion is already scheduled for the Planning Commission and City Council. That said, we have required the Rhino wall be replaced with a masonry wall.

Kevin Olson feels the City should look at some of his other projects that have Rhino walls and see that those walls are in good shape. He likes the product and would like to amend the zoning text to allow for Rhino walls.

There was discussion.

Dave Anderson suggested that one remedy is to require people to post a bond with the idea that things will come into conformity in the future. Currently, the zoning ordinance requires a masonry wall, and the approved plans showed that. So, Dave feels project approval will have to be amended, and the City ordinance will have to be changed in order to allow Mr. Olson to keep the Rhino wall.

Seth Perrins stated he's impressed with the developer; he has already made changes as discussed last week. But Seth is not comfortable recommending we change the ordinance for this issue.

Seth Perrins **moved** to recommend no changes to the project approval or City Code as it relates to masonry wall requirements.

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

SITE PLAN

Spanish Fork Parkway Meadow Creek Access

Mike Clark explained this access is necessary so the developer can get above 50 units. The access is a development driven project and correlates with our project, but they need it before we do, so we told them to build it. They are on board and have started filling the area.

Jered Johnson stated that UDOT will put the signal in, but the City has to put in the sidewalk and curb and gutter. We need an agreement with Mr. Nelson that will state the City will front the costs and will get paid back.

There was discussion regarding financing using the site on screen.

Dave Anderson asked about the timeline of the railroad crossing. Jered Johnson said that won't begin until, at the earliest, 2022, unless the City closes 3450 East, at which point it would happen sooner.

There was discussion regarding landscaping.

Vaughn Pickell moved to approve the Spanish Fork Parkway Meadow Creek Access Site Plan.

Jered Johnson seconded and the motion passed all in favor.

CONCEPT REVIEW

Double A Properties

The applicant went over his new concept using the site on screen. The proposal is 231 condo units in an R-4 Zone.

Brandon Snyder from Planning noted that they need to watch the square footage, unit counts, total acreage and the requirement for buildings to front onto public rights-of-way.

There was discussion regarding screening parking and changing up the building footprint in order to give something a little more unique.

Dave Anderson believes there could be some push back against this, but he also thinks it has a good chance of being approved. He added that this is the right place for this type of project. He pointed out that the first project that is built in the area will set the tone for the whole look and feel. It will define more of what things look like out there. Whoever developers there first has the pleasure of setting the tone.

There was discussion regarding utilities and storm drain. Chris Thompson said that the first developer or two will have to front the 3.5 million dollars required to get storm drain in the area. There was further discussion.

Dave Anderson feels there are better ways to distribute that cost. The City has bonded for infrastructure before, and he asked if the City can do that here. Seth said that wasn't possible.

Chris Thompson said he would support a phased approach unless there's more than 3.5 million dollars owed.

The applicants said they'll look into it and get back to Dave Anderson to see what they can work out.

Jered Johnson informed them that the City is designing the storm drain in-house and it is going to take us years. He added that perhaps the applicant's engineering can help with its design.

Chris Thompson added that the sewer will not be available until next fall. He suggested Scott Peterson, Mike Clark, Chris Thompson and Jered Johnson meet on this issue.

TITLE 15 AMENDMENTS

Title 15 Amendments

Dave Anderson went over the proposed amendments to Title 15. He first explained that, while asking MTECH their thoughts about their property being zoned Public Facilities, he came to the understanding that the City needs to add institutions of higher education into the Public Facilities Zone. Dave feels it makes perfect sense. The second proposed amendment discussed is regarding the Master Planned Development program. This amendment creates a requirement that projects meet an average lot size that equals the minimum lot size in a specific zone.

Dave Anderson discussed the other proposed amendments to Title 15.

Seth Perrins **moved** to recommend approval of the Title 15 Amendments, as outlined today.

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

Vaughn Pickell **moved** to adjourn the meeting at 12:06 pm. All in favor.

Adopted: March 3, 2021

Jessica Burdick
Building Inspection Division Secretary