

Adopted Minutes
Spanish Fork City Development Review Committee
February 17, 2021

Staff Members Present: Chris Thompson, Public Works Director; Seth Perrins, City Manager; Dave Anderson, Community Development Director; Brandon Snyder, City Planner; Jake Thierer, Electric Superintendent; Vaughn Pickell, City Attorney; Michael Clark, Staff Engineering; Jered Johnson, Engineering Division Manager; Bart Morrill, Parks Maintenance Supervisor; John Little, Chief Building Official; Shelley Hendrickson, Engineering Division Secretary; Kimberly Brenneman, Community Development Secretary; Jessica Burdick, Building Inspection Division Secretary.

Citizens Present:

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

FINAL PLAT

High Sky Estates, Plat B

Mike Clark discussed the traffic circle landscaping and noted he hasn't seen the plans for that.

Brandon Snyder discussed his redline comments regarding the hillside vegetation and fencing and the need to see those plans.

Jake Theurer said they need a resubmittal on the electrical drawings.

Jered Johnson **moved** to approve the High Sky Estates, Plat B Final Plat, with the findings, conditions and recommendations in the Staff Report. And subject to the applicant submitting the electrical plan update, and the landscaping plan for the roundabout. And subject to the two lots along the hill be approved by Planning and Engineering.

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

High Sky Estates, Plat C

Brandon Snyder stated he has some redlines, the main issue being making sure they identify on the plat where the buildable areas are on the lots facing River Bottoms Road. They also need to make sure the walls along 2300 East are correct when built.

There was discussion regarding the hillsides and landscaping. Chris Thompson said we need to make sure there is some sort of hillside matting to protect from erosion. That should be in their geotech study.

Mike Clark agrees that should be a condition of approval.

Jake Theurer noted they need resubmittal of the power plan.

Jered Johnson **moved** to approve the High Sky Estates, Plat C Final Plat with the findings and conditions in the Staff Report, and subject to the applicant re-submitting their electrical drawings and subject to the applicant adding a note on the plat that they will meet the geotech requirements and City's hillside ordinance.

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

River Point, Plat E

Brandon had nothing to discuss but he reminded the DRC that Plat D must record and provide access for this plat before this plat can record.

Mike Clark had nothing to discuss.

Chris Thompson explained that we have to look at this plat, and Lot 41, as part of the Preliminary Plat, it is included in the Preliminary Plat. So, the City has to look at it as if the developer owned this lot, it has to be fully improved. The connections to sewer, and PI laterals must be done. The laterals must be stubbed. With that, the homeowner will be charged the base rate for the PI, but they don't have to use it if they have other water. There's a lot of cost in this, but that's how we treat subdivisions, you can't split off a lot and not improve it. Chris is aware the developer didn't do the unapproved subdivision, but that's how we have to look at it.

The developer asked if the City is forcing them to develop lot 41, and forcing the homeowner to hook up to utilities? Are they being forced to stub all utilities to the Warners property, and to the home, even if the homeowner won't allow it?

Chris Thompson said if the homeowner at lot 41 won't allow it, the developer can pay a cash in lieu.

There was discussion regarding an agreement between the developer and homeowner. Chris Thompson said we have to look at this blindly, and require what we normally require anywhere else.

There was discussion.

Seth Perrins said the issue isn't the City's. It's the landowners and it's between them. We have a subdivision and we need to review and approve if it meets our standards.

The applicant feels there should be a distinction between them and the Warners. It was asked of the applicant to come up with an agreement, which they have done. There is an agreement in place and they want to work with the Warners. They don't want to make this financially injurious to them.

Chris Thompson noted that we have allowed, in the past, a lien in lieu if all easements are dedicated. Maybe there is a way. It's difficult to get curb, gutter and sidewalk in without a lien in lieu. It's kicking the can down the road.

Dave Anderson feels necessity sometimes warrants solutions that aren't ideal. He suggested today we do what Chris has suggested, but if a lien in lieu option becomes available, through some tweaking of our codes, that would be available for this development to utilize. It could be an option forthcoming. Currently the situation doesn't meet our lien in lieu rules.

Seth Perrins agreed.

Chris Thompson also agrees and likes Dave's suggestion if we can work it out. It would be a relief valve, a secondary option.

Seth Perrins feels the dedication for the easement is important so we can get that when we need to, it's an important part of that subdivision.

There was further discussion.

Chris Thompson summarized that we have to look at this as it's been subdivided in the past, it's one big property and treat it as such. That's how the motion will read. We'll rely

on the developer to follow the motion, and we'll see what happens and see if we can make a change to the ordinance at a later time.

Jared Warner said they haven't agreed to anything with the developer.

Chris Thompson said the City doesn't care who posts the bond, but it does have to be paid.

Seth Perrins agreed.

Dave Anderson **moved** to approve the River Point Plat E Final Plat subject to the applicant meeting the same conditions imposed with Plat D relative to garbage and debris removal before any Building Permits are issued, and with the understanding that if the City changes the ordinance relative to the lien in lieu policy, that will be an available option for any improvements to the property lines along 9th South. Otherwise, required road easements and dedications will be enforced with the recording of the plat, as is customary, with the lot on 9th South. And based on the findings in the staff report.

John Little **seconded**.

There was discussion regarding impact fees and development fees. It was decided the impact fees will be paid when the homeowners connect. Seth Perrins said we could put a note on the plat regarding that, in case the house ever sells and the new homeowner doesn't want to pay the sewer impact fee if they decide to hook up.

Dave Anderson made an amended **motion** to approve the River Point Plat E Final Plat subject to the applicant meeting the same conditions imposed with Plat D relative to garbage and debris removal before any Building Permits are issued, and with the understanding that if the City changes the ordinance relative to the lien in lieu policy, that will be an available option for any improvements to the property lines along 9th South. Otherwise, required road easements and dedications will be enforced with the recording of the plat, as is customary, with the lot on 9th South. And based on the findings in the staff report. Subject that all impact fees typically charged with Building Permits would be required to be paid when anyone connects to those services. And subject to any conditions in the staff report not already discussed.

Vaughn Pickell **seconded** the amended motion. There was discussion. The motion **passed** all in favor.

ZONE CHANGE

Quiet Valley and Fieldstone

Dave Anderson explained this discussion is regarding the property between Fieldstone's property and Quiet Valley. The proposal is changing the Rural Residential zoning that is north of the City owned property to R-1-15. This is consistent with the General Plan and the property on the other side of 3400 East just annexed and is zoned R-1-15. So, the Zone Changes are for both Fieldstone's project and Quiet Valley.

Seth Perrins **moved** to recommend the Quiet Valley Zone Change be approved based on the findings and conditions stated in the Staff Report.

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

Seth Perrins **moved** to recommend the Fieldstone Zone Change be approved subject to the findings and conditions in the Staff Report.

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

Schriever Law Office

Dave Anderson went over the proposal, which is to use this property as a law office. The issues with parking, access and landscaping. They don't meet the full 10-foot landscaping requirement but because of how the property is configured, we need to give a little. As to access, Dave likes the idea of the applicant dealing with one way traffic to and from the parking lot. With a condition that would require the applicant to provide an easement to turn it into a shared drive with the property to the North if it redeveloped. A cross-access easement that would come into play.

There was discussion using the site shown on screen.

Dave Anderson suggested the DRC recommend approval of the Development Enhancement Overlay Zone. The City Council could impose other conditions, i.e., the easement and the use. This is a type of business that doesn't generate a lot of traffic and Dave suggested the Council impose a condition that says, if the use changes, the new development must be reapproved with any new use.

There was further discussion regarding masonry walls and fencing.

Brandon Snyder noted we'll need a landscaping plan and there was discussion regarding that.

Dave Anderson stated that, given the small area they have to work with, the type of landscaping becomes really important. And that would require a lot of expertise. So, a licensed landscaping architect will be needed to complete the landscaping plan.

Dave Anderson **moved** to recommend approval of the proposed Development Enhancement Overlay for the Schriever Law Office project, at 174 South Main Street, based on the finding that the application conforms to the findings defined in the Development Enhancement Overlay and subject to the following conditions:

Conditions:

1. Subject to the applicant providing a landscaping plan.
2. Subject to the applicant providing a cross-access easement with the neighboring properties.
3. Subject to the applicant getting Site Plan approval.
4. Subject to any future uses of the property go back through the Development Enhancement Overlay if the language changes.
5. Subject to the language that if the land use changes, they'd be subject to going back through for the Development Enhancement Overlay.

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

PRELIMINARY PLAT

Sunroc Industrial

Mike Clark had no issues to discuss. But he noted there are a lot of parties involved in development in this area. Sunroc wants to get going first, but they're the furthest from the existing utilities. So, there are other things that need to happen before this project can actually begin. There was discussion.

Chris Thompson feels the motion should say the Final Plat can record once all the applicant's share of needed improvements are bonded for. He's not concerned about the district or the City paying their share, so once the applicant pays their share, we'll be fine.

Brandon Snyder stated the applicant needs to note the trails and cross sections on the Preliminary Plat and Site Plan.

Dave Anderson stated he's comfortable taking this step on the Preliminary Plat now, with the understanding that everything is getting there soon enough. This will allow another use to go along Arrowhead Trail, which is good. And with that perspective Dave appreciates Sunroc.

Dave Anderson **moved** to recommend the Sunroc Preliminary Plat be approved based on the Finding that the subdivision conforms with the City's requirements for a subdivision in the I1 Zone, and based on the conditions that the applicant meet all the City's construction and development standards, and address any redlines.

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

SITE PLAN

Sunroc Industrial Site Plan

Dave Anderson asked how far they can develop on the site before all utilities are in place? What is the back stop, occupancy of the building? How far can they go?

Chris Thompson said as soon as they bond for their share of all the offsites, we will let them go. They can do all their on-site stuff then.

Dave Anderson asked if we shouldn't issue permits for any buildings until, they've bonded for their part of the offsite.

Vaughn Pickell feels that's appropriate.

Seth Perrins expressed his concern that no utilities will be in place. He asked if the City has an obligation in case the dominoes don't fall into place. There was discussion.

Chris Thompson said Sunroc (and DWC) pay 45%, GWC pays 45% and the City will pay 10% of all offsites. As soon as Sunroc and GWC pay their bond, we'll let them go with on-site work. So, permits can be approved if the offsite bonding is paid.

Dave Anderson **moved** to approve the proposed Sunroc Industries Site Plan, based on the finding in the approval of the Aggregate Transportation, Storage and Reclamation Overlay and the finding that the proposed Site Plan and uses are consistent with the Industrial 1 Zoning Designation, and subject to the following conditions:

Conditions

1. Subject to the Aggregate Transportation, Storage and Reclamation Overlay being approved.
2. Subject to the subdivision plat being approved and recorded.
3. Subject to the applicant addressing any redlines.
4. Subject to no Building Permits being issued for structures in the project until the applicant bonds for their share of the improvements.

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

Schriever Law Office Site Plan

Dave Anderson **moved** to approve the proposed Schriever Law Office Site Plan based on the findings that the project is an ideal fit for the Development Enhancement Overlay and will be a great use for this part of the community; and subject to the following conditions:

Conditions:

1. Subject to the applicant modifying the parking lot design as discussed.
2. Subject to the applicant addressing any redlines provided.
3. Subject to the applicant meeting conditions proposed with the Development Enhancement Overlay.

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

Seth Perrins stated he's excited for this project, but warned the applicant to be sure to get the correct wall product installed.

PRV Vaults and 400 North Pipelines

Keith Broadhead explained the City is installing 4 PRV vaults for the secondary water system. This is preemptive for the new East side developments.

Mike Clark said this should raise the water pressure, so that's a benefit.

Seth Perrins **moved** to go forward with this project.

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

West Interchange Sewer Trunkline

Jered Johnson explained this project will take the trunk line to the lift station. This project will cause Main Street to close, and there will be a detour. It has to be done.

Seth Perrins noted there will be no business closure, but it is a road closure and we just need to ask for patience.

There was further discussion using the site on screen.

Seth Perrins discussed the residents who live in the county to the west and feels we need to be aware of those residents and the impact to them.

Seth Perrins **moved** to go forward with this project.

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

Canyon Creek Phase 6 Building 6.3 Amended

Dave Anderson discussed the project site on screen. The developer is an ice cream business and they would like to remove some landscaping and put in outdoor seating in its place. He's not concerned about the concept, but they want to put this next to a drive through and along a busy street. It's disappointing to Dave because this is the type of seating the City wanted along the creek and we're not seeing that. In any case, the applicant asked this be continued today, but it relates to the improvements we are asking Woodbury to try to include, features in the outdoor seating that were represented in the overall plan. rep. in the overall plan. For example, have flagstone paving or stamped and colored paving rather than just concrete. And landscaping between outdoor seating and where cars will be to give a little bit of a screening.

Jered Johnson **moved** to continue the Canyon Creek Phase 6 Building 6.3 Amended Site Plan.

John Little **seconded** and the motion **passed** all in favor.

OTHER BUSINESS

John Little discussed detached Accessory Dwelling Units and whether we should charge impact fees for water, sewer and power.

Jered Johnson feels if the ADU's have laterals to the street, then yes, we should charge impact fees.

Dave Anderson said we shouldn't charge impact fees if the ADU is just hooked up to the existing services on the principal structure.

Dave Anderson feels impact fees for ADUs should be looked at per property, not per structure.

Seth Perrins **moved** to adjourn the meeting at 12:12 pm. All in favor.

Adopted: 4.14.2021

Jessica Burdick
Building Inspection Division Secretary