

Adopted Minutes
Spanish Fork City Development Review Committee
40 South Main Street
Spanish Fork, Utah 84660
March 9, 2022

Staff Members Present: Chris Thompson, Public Works Director; Seth Perrins, City Manager; Dave Anderson, Community Development Director; Brandon Snyder, City Planner; Kimberly Brenneman, Community Development Secretary; Vaughn Pickell, City Attorney; Walter Bird, Assistant City Attorney; Michael Clark, Assistant City Engineer; Jered Johnson, Engineering Division Manager; Zach Hendrickson, Outside Plant Manager; Jake Theurer, Power and Light Superintendent; Garrett Elmer, Power and Light Assistant Superintendent; Bart Morrill, Parks Maintenance Supervisor. John Little, Chief Building Official, Kasey Woodard, Division Secretary.

Citizens Present: Mark Stevenson, Andrew Goodman, Brady Jex, Chris Poulsen, Terry Ficklin, Nick Patterson, Jon Jensen, Kaden Cole, David Simpson, Nik Simpson.

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

OTHER BUSINESS

CUWC District

Chris Thompson stated that there are some grants from different agencies for water conservation initiatives. The grants are tied to the applicants adopting a variety of water conservation regulations. Chris Thompson asked for feedback regarding two particular requirements. First, a requirement must be adopted stating there will never be grass in the park strip. He was concerned there may be opposition to the requirement. The second concern was regarding the maximum allowed live turf on a property. Is this something the DRC needs to think about for a week before implementing the requirements into the standards?

Bart Morrill stated he has concerns over the slope restriction as most of the retention basins have a greater slope than what would be allowed, and that is not something that he thinks the City should deviate from. Also, there was language about drip systems and explaining this could be an issue.

Dave Anderson requested the committee that Chris Thompson has created to implement the standards first meet and read through these requirements and vet out potential concerns.

Michael Clark asked if there is an open forum for discussion with the Central Utah Water Conservancy District.

If the committee meets today, it would be beneficial to discuss the requirements and an explanation of why we don't feel that works for the city. If there is a concern is there an adjustment that would work for the City?

SITE PLAN

ACTIVE AUTO

Brandon Snyder pointed out the location on the map. There would be an agreement with road dedication and improvements that would be completed by the District. He noted those improvements will need to be done with this site to move forward and cannot wait for the Transfer Station. There are some redline comments in

Citizenserve, one of which is utility easements that need to be a recorded document and not a note on the plat. Brandon Snyder asked for direction on the trail along Main Street and how it would tie into the ADA ramp.

The applicant asked how the city would like to tie the asphalt trail into the existing sidewalk to the south.

Brandon Snyder stated that the Trails Master Plan has adjusted since the adjacent site to the south has developed.

There was discussion of the trail location and how it parallels the Trails Master Plan.

Tom Cooper stated that if the trail is indeed where it is shown on the proposed plan, the sectionalizer would need to be moved and that would put the adjacent businesses out of power for a period.

Jered Johnson stated that he thought the trail was removed on a more recent Trails Master Plan.

Dale Robinson and Bart Morrill are comfortable with the removal of the trail along the frontage of Main Street.

Jered Johnson stated the right-of-way dedication along Main Street needs to reflect the City's Street Master Plan with the future expansion of right of way.

Chris Thompson spoke to the proposed access and the need for a cross access for the property to the south. This would resolve potential conflict in the future.

Jered Johnson spoke with Bert Bradford about the changes for cross access on the southern site and he stated that Bert Bradford expressed support in working with the City and the property that would occupy Active Auto.

Michael Clark stated there is a CAD file that he will send to the applicant's engineer to make sure the road's right-of-way is in correct alignment.

Dave Anderson stated that the applicant can submit a building permit plan, however, there are enough changes that have been discussed today that it would be best to have these changes made and brought back to the DRC for approval.

Chris Thompson reiterated that the City would really like to get the park strip right and feels the changes discussed would benefit the site.

The applicant asked what the schedule is to get the road built to the north. Chris Thompson stated that the applicant with the Transfer Station would be best to address that.

There was discussion of the north remnant parcels. It was determined that the Transfer Station would work with the applicants for the Active Auto site with regard to timing of the road installation.

There was additional discussion regarding property owned by Utah County and Bert Bradford.

Jake Theurer stated that the electrical design will be impacted by the access and the applicant needs to work closely with Tom Cooper.

Seth Perrins asked if the setbacks meet the current code.

Both Brandon Snyder and Dave Anderson stated that the building does meet the setbacks.

Michael Clark stated there only needs to be a public easement along the front of the property.

Tom Cooper stated the south side has the meter and it would be important to keep the clearance around that.

Dave Anderson **moved** to continue the proposed Active Auto Site Plan to allow the applicant time to make the changes described for access and to update the plans.

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

CONDITIONAL USE PERMIT AND SITE PLAN

SUVSWD ENVIRONMENTAL RECOVERY AND TRANSFER CENTER

Brandon Snyder stated that the review is for the Conditional Use Permit and the Site Plan. A few years back the Council adopted language that a CUP was needed for a use within the P-F zone. It would be important to have a maintenance and operational plan in place and that it be reviewed on an annual basis. Brandon Snyder stated the memo attached to the application stated that there may be some trucks/loaded trailers that may be stored overnight.

The applicant stated that there is a staging site for the loaded trucks until they are taken to the Bay Landfill. The staging site will have adequate drainage and maintenance.

Brandon Snyder stated that his concern is the staging area of the loaded trailers is located on a site that is potentially the closest to neighboring properties. He asked for information regarding if there are any odor mitigation measures in place.

Terry Ficklin explained that the waste is compacted and smell is generally not an issue. The trucks and trailers are generally just cleaned on the outside and not typically the inside. He stated that he has not seen a fire within the compactor.

Dave Anderson asked Terry Ficklin what would be the remedy if there was indeed an issue of odor from the staging site.

Terry Ficklin stated that a solution could be constructing a taller wall.

Seth Perrins asked if it could be staged closer to the wetlands area where there would not be the proximity of a neighboring use.

It was determined that if there were an issue, it most likely would be on a Sunday as the staging area would accommodate garbage from Friday afternoon and whatever is dropped off on Saturday.

Dave Anderson stated that when this was initially discussed with the text changes a few years ago that odor was perceived as the biggest concern. Is there the ability to have the trucks stored and staged indoors for the weekends? Now is the time to think through the "what if's".

Seth Perrins stated that city staff can go and see the site as it is staged today and get a sense of what it would look like and smell like, minus the July heat.

Terry Ficklin stated that with regard to operations, if any trash is left within the building, they are equipped to mitigate the odors. He stated they can start their operations earlier the next day. There are still some operational items that can be worked through. He stated nothing is left on site longer than 24 hours, with the exception of Sundays.

Dave Anderson stated that these are great things to discuss with regard to making the site a great neighbor and it is good food for thought.

Terry Ficklin stated if there indeed was an issue to arise, a secondary building could be constructed to enclose the staging area.

Chris Thompson stated that it would be appropriate to have a condition of approval that should a smell of the staging area be a problem, they will need to enclose the staging area.

Dave Anderson wanted to discuss the uncovered load regulations. He also acknowledged that the Transfer Station cannot control the direction of all traffic, but when the ability to do so is presented, traffic should not use Main Street as the primary access. He recalled a conversation with the uncovered load regulations and the need to have some type of plan in place to police the general area, with the talk of a surcharge being assessed when any load arrives uncovered. The surcharge would cover the cost to remove stray debris around the site. Dave Anderson feels that is easy to do but needs to be defined. With this site needing to have a Conditional Use Permit, it is best practice to have the Conditional Use approved before the site plan can move forward. Not having a clear concise plan of action to present to the Planning Commission in April, could be difficult.

Seth Perrins stated there have been discussions of a surcharge of uncovered loads. This removes the Transfer Station from owning the responsibility of maintaining the site and just cutting a check to the City to maintain. On the other hand, when looking at this, the responsibility of the Transfer Station is to not police stray debris.

It was stated that other districts charge double for uncovered loads.

Dave Anderson recommended that a meeting take place this week to discuss the Operations and Maintenance Plan.

Dave Anderson asked about the masonry wall along the wetlands and recommended that it be removed.

Nick Patterson agreed and stated it will be removed.

Chris Thompson stated the trail is the best boundary between the landscaping and the wetlands area.

The construction of the trail is supposed to be completed by Sunroc. Nick Patterson stated the easement is on the plat, does the trail get constructed with their site or do bonds need to be put in place.

Chris Thompson stated that they should just pay cash in lieu of the improvements, just for the cost of the asphalt.

There was discussion of the timing of the next step. Any improvements the Transfer Station does to the site would be at their own risk until the Conditional Use Permit is approved.

Seth Perrins stated that he is comfortable with continuing the items until some of these items discussed are worked out.

Vaughn Pickell **moved** to continue the proposed SUVSWD Environmental Recovery and Transfer Center to allow the applicant to provide the requested information.

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

ANNEXATION

OBERG ANNEXATION

Brandon Snyder stated this item is looking for a recommendation to the City Council for accepting the annexation for further study.

Seth Perrins stated that he feels there was a productive discussion with the Council last week. He is not in favor of the annexation as it creates an island, and he would council the Mayor and City Council to bring the island into the City. With the intent of a second phase consisting of a resolution that would bring the island into the City; which would take place approximately 6 months down the line.

Jon Jensen stated a memo was sent to the Utah County Attorney Rob Lowe. He stated they are petitioning the City to accept the Oberg Annexation. Rob Lowe responded that a correspondence would need to be sent from the City to Mr. Lowe that the City is okay for the annexation to move forward and create an island.

Chris Thompson asked if conversations have been had with the properties within the potential island.

Dave Simpson stated that yes, he has and the property owners have no desire to be annexed and have not provided a reason for declining annexation.

Seth Perrins clarified the applicant needs to be clear in relaying to the property owners within the proposed island area that those not a part of the Oberg Annexation; the next step would be to sweep them into the City by resolution.

Vaughn Pickell stated the area that would be left as an island is less than 50 acres and would be able to be incorporated into the city by resolution.

Seth Perrins assured that the property owners would be zoned Rural Residential to mirror the uses they have today.

Vaughn Pickell stated that he would feel more comfortable with speaking to the City Council and to work for what the future position would be prior to preparing a letter to go to the Utah County Attorney. He does not want to send a letter of assurance if the Council does not feel that way.

Seth Perrins **moved** to recommend accepting the proposed Oberg Annexation to the City Council based on the following findings:

Finding:

1. That the subject property is located within the City's Annexation Policy.
2. That further study will reveal further insight into whether or not to annex the property.

Jake Thuerer **seconded** and the motion **passed** all in favor.

CONCEPT REVIEW

CAR WASH

The proposal shows the closure of one access. There was discussion regarding where the access should be located.

Chris Thompson stated that a traffic study needs to be completed for the site.

Jered Johnson asked to have cross-access easements drafted and recorded, as it appears there are only prescriptive easements on the site.

Jake Theurer stated there is power on the site that runs along the back side of the development, parallel to I-15, and the lines may need to be rerouted or to make sure there is a PUE in place.

TITLE 13 AMENDMENT

EXTENSION OF UTILITY SYSTEMS

Brandon Snyder stated that Dave Anderson has strong feelings about the first two sentences of the proposed amendment.

Seth Perrins likes that it says no party is entitled. He likes having the word “not allowed” or having the language in extraordinary circumstances. Seth Perrins stated this is meant for extension and not for services to be provided.

Vaughn Pickell stated it would be better to clarify the meaning of extension and connection, and will bring it back to the DRC for review.

The whole impetus for this is to say the City does not favor this practice.

Seth Perrins stated that the change outlines how a person would be getting services. He suggested adding language about emergencies, and that no one is entitled outside of the city to get service.

There was discussion of the best place to have this change implemented within the code.

Seth Perrins **moved** to continue the proposed Title 13 Amendments Extension of Utility Systems.

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

Seth Perrins stated a few weeks ago a property owner came to the DRC to request for a connection. He asked how the delivery of the message could have been more positive.

John Little moved to adjourn the meeting at 11:53 a.m.

Adopted: April 6, 2022

Kimberly Brenneman
Development Coordination Manager