

Adopted Minutes
Spanish Fork City Development Review Committee
40 South Main Street
Spanish Fork, UT 84660
April 27, 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; Michael Clark, Assistant City Engineer; Jered Johnson, Engineering Division Manager; Zach Hendrickson, Outside Plant Manager; Jake Theurer, Power and Light Superintendent;; Bart Morrill, Parks Maintenance Supervisor, John Little, Chief Building Official, Eddie Hales, Fire & EMS Director, Anna Burgi, Assistant City Attorney, Kasey Woodard, Division Secretary.

Citizens Present: Austin Barney, Blake Barney.

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

ZONE CHANGE
GARTH SWENSON

Brandon Snyder stated that last week the DRC had looked at the El Dorado site for a Zone Change, which is adjacent to this proposal. It was recommended to the Planning Commission for approval. This is similar in requesting approval of changing the zoning from R-R to I-1, light industrial. This proposed Zone Change would be consistent with the General Plan. The proposal matches what is existing to the west and what is proposed to the north east. He stated that the only comments that might come up when properties develop, is working through access and improvements and things of that nature.

Dave Anderson stated these syncs up with the El Dorado Zone Change and believes this goes hand in glove with that Zone Change. He will work with Shawn Beecher in GIS to clean up the map and decide what to do with the zoning for the freeway, if Rural Residential will work. He acknowledged that it would simply look weird but be non-consequential.

Seth Perrins suggested creating a new zone for highways and byways.

Vaughn Pickell stated occasionally you'll have streets realigned or vacated at which time zoning would be needed for those properties. He stated that it might be good to rezone it to match the surrounding property, but he doesn't think it really matters.

Chris Thompson stated it is more of an industrial zone than a residential zone.

Seth Perrins questioned the process and if we have a plan that syncs up with the City's General Plan, before the DRC awards the Zone Change does the DRC want to have discussions or review a concept.

Dave Anderson stated they are comfortable with what is currently being discussed, but there is no way to guarantee that someone follows through on their plans. He feels that it would be an excellent fit for the area and the applicant requested the Zone Change to make them feel more comfortable with investing in the property. He stated there was an annexation 8 years prior that involved this property to take advantage of relatively easy access to sewer and power services in the area. He stated that Dave Oyler made it a priority to

work with these property owners to have them annexed into the City and have them zoned industrial. At that time, a few property owners did not want the Zone Change. Dave Anderson stated that he does not see a downside to taking this step to assign Industrial assign Industrial zoning. He agrees it is still always helpful to have plans to review.

Seth Perrins stated he is comfortable with the industrial zone.

Dave Anderson stated the residential zone designation concerned him. He states that he has been comfortable with not having a plan as it fits within the General Plan. He would be comfortable with any of the permitted uses allowed for Light Industrial and the City Council can discuss any appropriate conditions.

Vaughn Pickell requested to amend the motion to recommend the Zone Change be approved provided they amend the boundary to include the portion of I-15 that is adjacent.

Dave Anderson **moved** to recommend approval of the proposed Garth Swenson Zone Change from R-R to I-1 with the inclusion of the I-15 right-of-way to the City Council based on the following finding:

Finding:

1. That the proposal is consistent with the City's General Plan Land Use Map designation.

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

SITE PLAN

WBH FOOTHILL CENTER ADDITION

Brandon Snyder stated this is an existing facility north of the jail and the owner is looking at making an addition on the north side of the property. He stated it is very straight forward, the addition was initially looked at being placed on the west side but they ran into some setback distance issues from the ditch that could not be avoided. The applicant decided to move the proposed addition to the north part of the property. Brandon Snyder stated staff has no real concerns and the property has existing landscaping and parking that meet City requirements.

Dave Anderson **moved** to approve the proposed WBH Foothill Center Addition Site Plan based on the finding and subject to the conditions:

Finding:

1. That the project conforms to the City's General Plan Land Use Designation and Zoning Map

Conditions:

1. That the applicant meets the City's Zoning requirements and Construction Standards.
2. That the applicant addresses any red-lines.

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

OTHER BUSINESS

SOUTH MAIN STREET DEVELOPMENT

Blake Barney stated his son Austin Barney, originally drew the Site Plan to include a drive-thru on the east side of the building and he questioned Dave Anderson if that is what changed the use from retail.

Dave Anderson agreed that was one of the causes of the change by way of new use.

Blake Barney stated they have been working on this development for a year. He stated he spoke with Chris Thompson and he stated that the City will require a 10-foot landscaped area and a 12-foot walking trail. He stated there is only 60 feet from the building to the street.

Chris Thompson stated the requirements were the other way around, the City requires a 12-foot landscaped area and a 10-foot walking trail.

Blake Barney stated they don't have any current use of the building or changes to the structure. He stated Suburban Propane is willing to put in the jogging trail, landscaping and underground drainage. They are also installing the to and through so the electrical will be in place and leave the rest like it is. He stated that Suburban Propane is still currently using that building as an office. He stated that Dave Anderson specified that more landscaping is required and so they will place landscaping trees along the south east property line and they will be placing more landscaping on the corner to get the required square footage. He needs to know what the electrical department needs, and what other landscaping is needed.

Dave Anderson stated these are big steps in the right direction in getting this site where the City could issue a permit. He stated the biggest concern with the use on the site is the driveway is too close to the north west corner and would need to be moved further away to the east.

Austin Barney questioned if the road was planned to be widened, if the City wanted to wait on the curb and gutter a bond could be put up. He stated that he heard it was going to be made into an entryway to a subdivision at some point.

Chris Thompson stated he was unaware of what will happen with the road long term. He stated the driveway cannot be that close to a corner.

Blake Barney questioned if the DRC knows what they want there for curb and gutter.

Chris Thompson stated yes, they know what will be required for curb and gutter, and asked if the driveway could be moved further east, away from the corner.

Austin Barney stated that Suburban Propane is going to retain their use of the storage tanks in the back of the property and there wouldn't be a property line. The line on the concept plan is simply showing the division of uses Suburban Propane would use the property on one side, and they would be using the property on the other. Suburban Propane would fence off their area and have delivery trucks enter and exit through their side further East towards the UDOT parcel. He stated there will be no crossover in traffic between the two. Austin Barney questioned what access the DRC would recommend coming in from the north side.

Chris Thompson stated it is up to them to design. The City has laws stating that a driveway cannot be that close to a corner for safety issues and suggested they speak with Michael Clark for clarification on the specific safety concerns or to look on our website.

Blake Barney questioned if they are going to lose the entrance on the north side of the property. He stated they want landscaping to hide the trucks and propane tanks on the north eastern corner, and if they lose that drive that will be the straw that breaks the camel's back.

Seth Perrins stated this isn't a City street and it is owned by the State. He questioned whether cars coming and going from the access point on the north is even up to DRC, it would be up to the State. Seth Perrins stated he is unclear if the Committee has the ability to say whether or not they can get access from this road. Secondly, he is uncomfortable saying they can't have any access to this site. He stated this is a poor design for access points, and he feels comfortable saying cars can exit from the north point but that it may cause issues if this were a public road.

Chris Thompson stated if the Site Plan were approved, it will bring more traffic to the area and it may never be signalized which could cause cars to back up at the corner. It's the entrance vehicles that are the cause for concern.

Michael Clark stated UDOT road requires 350 feet of spacing and there is only 250 feet to the north access from Main Street on this Site Plan.

Chris Thompson suggested the best entrance would be on the south west portion of the site with the exit being on the north east side of the site.

Blake Barney stated it is too much to ask to lose both the side exit and frontage when Suburban Propane is willing to do so much to meet the City's requirements.

Seth Perrins stated the DRC is trying to keep things up to current standards and this Site Plan, as it is, does not meet the requirements. He thinks the accesses on that road need to be adjusted. He questioned the grade separation between the two buildings.

Blake Barney stated that the grading between the two buildings is good but he does not think the drive-thru is going to happen there. He stated the use is going to remain retail, and there is not going to be a drive-up on the east side of the building. He stated his son drew the Site Plan that way as he thought it would be a smart use for the building. He believes the number of patrons entering from the north will be minimal. Blake Barney stated if he owned the property, he wouldn't change anything or give the 20 feet in the front but Suburban Propane is willing to make the changes and pay for it as well. They originally proposed general retail and possibly a drink shop, and now they have someone interested in putting in an indoor cycling shop.

Austin Barney stated Suburban Propane is giving access to the building for 15 years, part of that being rental credit for the site improvements. He does not see one business staying for 15 years. He sees it being sub-leased to another business. He stated they are looking to potentially remove the drive-through from the concept as there could be several businesses over the years that could sub-lease. They are now looking at this being a general retail use building.

Brandon Snyder stated this completely changes the recommendation of updating the concept and sending it back to staff for review. Staff has spent time reviewing this concept, with the drive-thru and the new proposal will not have the same amount of traffic flowing through, which changes the entire use of the site. He stated it would be the best use of everyone's time if they updated their concept and layout to reflect what they are wanting to do now.

Michael Clark stated he reviewed the concept under the assumption it was a drive-through and without a longer lane it could be more dangerous.

Austin Barney stated they do not want to redesign; he cannot say that a drink shop wouldn't approach them later in time to lease the building.

Seth Perrins stated having a drive-through significantly changes things due to the heavy car traffic. He stated if they are looking for guidance, the access is problematic and moving it further south along Main Street and east along the UDOT road would be the best option for the design.

Michael Clark stated he doesn't want to move the turn lane too far south along Main Street as he likes having it as a deceleration lane to make the turn in. He stated if it is moved too far south, then the vehicle is still in a lane of traffic if you're the second car trying to make a right turn after traveling 40 mph. He agreed moving the turn further south down the property line is the best option, but unless there is a lengthened right turn lane he doesn't know if that might be worse.

Dave Anderson stated the DRC doesn't want to worry about lining up driveways on Main Street and limiting them would be the best thing they could do, as there will be an island built there in the future. He stated if this is more of a traditional retail and there is no drive-up window, they do not need to account for the circulation through the site and will only be discussing parking stalls and traditional driveway access to those parking stalls. Dave Anderson stated he would not be worried about anything to the north east, and if Suburban Propane keeps their access for their uses, he feels more relaxed about the traffic in that area. He stated if it's not a drive-thru restaurant it might be beneficial to move it further to the south so it may be a shared access point later in the future.

Michael Clark stated that if the curb line at the south end of the drawing remains the same the access point can only get one car through at a time. He stated keeping it there could lead to cars cued up on Main Street waiting to turn.

Austin Barney stated he understands that the DRC does not want the north east access where it is currently placed and they will use that area for more parking. He asked for further guidance on what the DRC would like to see with an updated concept.

Blake Barney questioned if the north road had any future plans to be an entrance to a subdivision for the housing that is there. He asked Chris Thompson if it would be the preference of the DRC to extend curb and gutter to the UDOT property.

Chris Thompson stated he recommends extending the curb and gutter to the UDOT property, similar to what was done on the north side as that will likely stub into the McKell property in the future.

Michael Clark stated this is not the City's road but it might be someday. If that is the case, what width would the City want? He stated it has already been set by the north side since it already has curb and gutter placed, but the south side has not been set. He stated 43 feet is the width from the top back of curb on the north to the top back of curb on the south; and the width is not there now. If, or when the City acquires the road, how wide will the DRC want it to be?

Chris Thompson posed the question to Dave Anderson if this is something they would like to come back to at a later date.

Dave Anderson agreed coming back to this at a later date made sense. This is something that the Committee needs to look at more closely.

Brandon Snyder stated he doesn't think that UDOT has never done anything to say it's a private road. He questioned if they are looking to do just the curb to the phase line or do sidewalk to the phase line as well. He

stated if they did the full 43 feet it would make sense to do just the curb because you would get the extension of the asphalt as well.

Dave Anderson stated it would depend on how wide the Committee would want the right-of-way to be, and that would play into whether a sidewalk is part of it now or not.

Chris Thompson stated he does not think you can do the curbing at 43 feet as there is a large powerline in the way.

Blake Barney questioned if they took the drawing and included the sidewalk and curbing to the proposed full right-of-way, if Suburban Propane would be willing to do the requested improvements when that decision is made. He stated he believed Suburban Propane had likely sold propane and accessories from the building previously, and now its main use is for one employee using it for paperwork with possible deliveries. Blake Barney stated the building has not been in real use for around 5 years or more and. Because of that, Suburban Propane is willing to let the building be used for a different use and install landscaping to separate the propane tanks, trucks and shed. He stated Suburban Propane would like the property to look more appealing.

Brandon Snyder agreed the Committee would also like it appealing as well and also to restrict the access near the intersection. He stated the best option would be to continue the curb where the current curb line is and obtain the future dedication, or move it back to allow 43 feet of right-of-way and do the curb. He doesn't think it's wise to not do any curbing.

Dave Anderson stated he is thinking 30-35 feet of asphalt would be a typical local street and it would carry quite a bit of traffic., The area this would provide access to is where they are trying to tie drives into the south to the signalized intersection. They are trying to make the connection to Volunteer Drive from any development that happens in that area.

Dave Anderson stated the clarification this is not going to be a Swig or Sodalicious changes everything for him. He stated the idea to make the required frontage improvements on Main Street is an opportunity that the DRC should try their best to work with the applicant to make sure it becomes a reality. It also would allow them to be able to use the existing access where it's at, and redesign the parking lot without the entrance to the north moving. The burden described from trying to separate the retail use from Suburban Propane makes sense. Dave Anderson stated the DRC should take a day or two to think about what they want that north road to be, and then to reach out after they have had more time to give the new concept thought. He stated he felt very uneasy about the access, but this new concept may work very well.

Austin Barney stated he feels placing curbing all the way back may be a deal breaker for Suburban Propane due to the number of larger trucks going through that area.

Dave Anderson stated it is important for them to find a way to get curbing along the frontage being improved. Otherwise, he does not feel the concept would work.

Austin Barney stated he will wait to hear back from the DRC on the improvements needed then give the information to their engineer for the redesign.

PROPOSED POWER IMPROVEMENTS

Dave Anderson stated he spoke with Jake Theurer and a property owner a month ago about development. He stated the property owner received an email from SESD a week ago, asking if he would have any concerns with SESD placing power poles for a new power line along his eastern boundary.

Seth Perrins stated he thinks SESD is trying to create a loop back up to the substation and utilize the existing facilities.

Jake Theurer stated SESD has a couple existing lines in the area, and the City does not want a third line; he can't guarantee what the owner will do.

Dave Anderson is concerned SESD will put power poles in the county right-of-way when development happens on the property, the road may be expanded, forcing the developer to move all of it.

Jake Theurer stated he reached out to the County to see if they could pull the excavation permit but he hasn't heard back from them.

Seth Perrins stated the City already has plans for that road to be adjusted, so it would be the proper time for the City to have a conversation with SESD and if the lines in fact need to be there.

Dave Anderson agrees if they can have SESD place them correctly now, they will not need to have them moved later.

Dave Anderson moved to adjourn the meeting at 11:00 a.m.

Adopted: May 11, 2022

Kasey Woodard
Division Secretary Community Development