

Adopted Minutes
Spanish Fork City Development Review Committee
40 South Main Street
Spanish Fork, Utah 84660
May 26, 2022

Staff Members Present: Chris Thompson, Public Works Director; 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; Shelley Hendrickson, Engineering Division Secretary; Zach Hendrickson, Outside Plant Manager; Jake Theurer, Power and Light Superintendent; Bart Morrill, Parks Maintenance Supervisor. John Little, Chief Building Official, Kasey Woodard, Division Secretary.

Citizens Present: Josh Jackson, Jonathan Van Wagner, Troy Anderson, Heather Scott.

Chris Thompson called the meeting to order at 9:00 a.m.

SITE PLAN
ALRIG-OIL CHANGERS

Brandon Snyder stated that all items today are related to the Canyon Gate Development, which is located north of the neighborhood Walmart. He stated that there are 4 of the remaining 5 pad sites that are looking forward to site plan and building permit approval. He said there have been a few items that have held up the process from moving forward. There are questions on utilities, power, improvements and looping in a second access road. He stated that staff has worked more in depth with issues related to potential future parking composition of the development, and if it develops at a higher parking rate it will create occupancy issues. He feels the most important concern to be discussed today will be the second access, it was his understanding they are close to coming to an agreement with the property owner to loop back through and make the connection to pad F. He stated that the direction that the DRC has given is that the City needs an agreement in place that will allow for construction for access so there will be no concerns if they obtained occupancy.

Chris Thompson stated that the main access needs to be on the plans and in place and the access needs to be paved completely in order for them to open. He said they cannot have the main access to the stores coming from the back parking lot of Walmart.

Josh Jackson stated that Heather Scott who is representing Alrig has agreed to front the cost to install pad E based on previous conversation he has had with her. He stated the agreement they need in place is being drafted by Heather Scott's attorney and should be completed soon. He stated there will be an agreement in place from the developer that would allow them to build the road, be reimbursed. The understanding is that the Certificate of Occupancy for Pads E, F, G and Iceberg will be tied to the road being installed, allowing them to open up.

Vaughn Pickell said he doesn't know if all the pads need to be included as one of the pads already has multiple access points.

Chris Thompson said there are going to be customers that cannot gain access to the pads due to an island being in the way and they will be forced to drive through Walmart's parking lot to access them. He said there are times where semi-trucks or commercial vehicles are even blocking the access points and it becomes a cause for concern as other traffic slows. He feels this is a bad traffic plan and agrees that this agreement is what is needed to make this work.

Brandon Snyder said there needs to be continued coordination between Alrig and Iceberg, for example he is hoping there will be a shared dumpster agreement in place. Otherwise, he suggests staff ensure that will be secured, and ensure that each developer has the others latest set of plans to avoid any discrepancies.

Chris Thompson asked if all sites have shared access. It is stated that they do.

Dave Anderson stated that he would like to have someone representing power speak on each of the different pads to ensure all parties understand the expectations from the City.

Jake Theurer said two pads have power and have been completed for phase one of the development to the middle of Iceberg's lot and needs to be completed to pad F.

Troy Anderson said their electrical engineer showed a transformer on the plan, and they were under the assumption that it was the City or power company, or whoever built the transformer to be back billed for the power installation.

Jake Theurer said this was the responsibility of the developer and should have been completed in phase 2 with the rest of the development, but was never installed. He stated this was never completed with phase 2 of this project, and he feels the developer did not see it being necessary to finish it out at the time and then sold off the lots before power was installed and the City would like to see this completed. He stated that there is power that needs to be installed and there needs to be discussion of what the shared cost will be to the pod owners.

There was discussion on whether the City had suggestions on how to complete this without a developer and Chris Thompson stated they would complete it the same way they are doing the road. It is stated all of the owners of the undeveloped pads need to pitch in extra money to cover the cost of the power installation that should have been completed by the developer in phase 2.

Dave Anderson said when staff talks about phase 2, they are referring to requirements that will be imposed with the site plan level because they did not require these as part of the subdivision. He said the subdivision proceeded, the lots were created, and the understanding staff had with PMJ was that all the issues being discussed today would be addressed with site plans. He stated that there was the expectation that the developer would be playing the role of the master developer and for whatever reason they are no longer playing that role. He stated that it was not expected and now the responsibility falls to the individual lot owners that purchased the lots from the developer.

Chris Thompson stated that in order to build they need all power systems throughout the developments. They cannot have power coming from one direction and then dead ending at Iceberg. He stated that because of that all the pad owners need to work together all to power in for very similar reasons to why they are building the road.

Jake Theurer stated that the City can install the power and then do a pioneering agreement on it if all the property owners can work together and then they will be reimbursed.

Vaughn Pickell stated that if you buy an unimproved property, you must improve it before you are able to develop on it.

Jonathan Van Wager said they will have to work together with the other pad owners to come up with an approved power plan by the power department in place and have it brought to the council.

Dave Anderson said he believes the pioneering agreement for the power will be easier than the pioneering agreement for the road. He thinks it will be the easiest solution for all parties involved.

Chris Thompson said that whoever needs the power will fund the cost and then be reimbursed as other developments tie on. The City needs two directions to provide the power threshold. He believes that this would be the most financially fair solution to all lot owners.

Jake Theurer said he believed Tom Cooper had already quoted the costs for the power plans but did not include the conduit installation.

There was discussion that there can be no permits issued without fees being paid and Dave Anderson stated that the city is understanding of the lot owners that were sold unimproved lots and he appreciates their patience.

Chris Thompson stated that they should allow for the first building permit to apply for the pioneering agreement so the City knows how much to charge with each building permit as long as the road access and power are either paid or bonded for.

Josh Jackson asked if it is possible to assess the fees specific for each pad and Chris Thompson said there can be an amendment to the agreement later. But he states that he is unsure on whether that will be enforceable or not. The City will try.

Brandon said there will be a hydrant that will be relocated and his suggestion is making sure any landscaped curb and curb radiuses are coordinated into the plan so that it does not need to be resolved in the field, it can be resolved now.

There was discussion that Alrig's use does not produce a large amount of trash to necessitate a dumpster being on their property and ask if Iceberg can have their own separate enclosed dumpster for their property.

Brandon Snyder said that it was discussed that there was a shared parking plan in place as well as shared dumpsters in place. He stated that pads F and G could share a dumpster and that would free up 2 additional parking spaces, but if they place a dumpster on Iceberg then there are lost additional parking spaces. He suggests revisiting the parking plan for the site and scrutinize future uses as they come to ensure there is still adequate parking available.

It was discussed that the island on Icebergs property could be removed and have a dumpster added to the plan instead.

Brandon Snyder stated that Iceberg is an irregularly shaped lot and there will be additional landscaping that will be required along Highway 6.

Troy Anderson stated that Iceberg has a large amount of landscaping included into their plans and he doesn't feel it is unreasonable to scale the landscaping back to accommodate one dumpster and Dave Anderson agreed and stated that it is not ideal but it can work since Alrig does not need a dumpster. Iceberg said they could incorporate their own dumpster and asked if they could be given leeway of 150 square feet in landscaping to accommodate a dumpster.

Michael Clark said there is an ADA accessibility, but does not go anywhere to Alrig. It goes in front of where cars will be parked waiting for an oil change.

Vaughn Pickell **moved** to approve the proposed Alrig-Oil Changers Site Plan based on the following finding and conditions:

Finding:

1. That the application conforms to the City's General Plan Designation and Zoning Map.

Conditions:

1. That the applicant meets the City's Zoning requirements and Construction Standards.
2. That the Site Plan allows for the City to have a traffic study to evaluate circulation and access needed.
3. A second access be provided prior to occupancy.
4. The power will be completed before the Building Permit may be issued.
5. The applicant may apply for a pioneering agreement for reimbursement for the remaining unimproved lots that will be initially estimated cost which could be amended later to the actual cost.
6. They applicant either build or bond for the road and power improvements with the project.
7. That the applicant addresses any red-lines which includes relocating the curb between Alrig and Iceberg or whoever is first to develop.
8. The applicant coordinates ADA access with the eastern neighbor and adds 3-4 ADA ramps on their own sites to give pedestrian access to the south.

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

CANYON GATE PAD G

Brandon Snyder stated that this pad is the pad to the west of the existing fuel station, the applicant is looking to rearrange the existing access and have it shifted to the south. He said there was a drive through added that was not on the original design. He stated that staff would need the enclosure details included with the building permit.

Jonathan Van Wager said this is going to be a soda mix/cookie drive through and it is stated that they need to have larger truck turn areas as there are larger trucks in Spanish Fork.

Jered Johnson **moved** to approve the proposed Canyon Gate Pad G Site Plan based on the following finding and conditions:

Finding:

1. That the application conforms to the City's General Plan 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.
3. That the Site Plan allows for the City to have a traffic study to evaluate circulation and access needed.
4. That a second access be constructed prior to occupancy.
5. The power will be completed before the Building Permit may be issued.
6. The applicant may apply for a pioneering agreement for reimbursement for the remaining unimproved lots that will be initially estimated cost which could be amended later to the actual cost.
7. They applicant either build or bond for the road and power improvements with the project.

Dave Anderson **seconded** and the motion **passed** all in favor.

CANYON GATE PAD F

Brandon Snyder said this pad is located north of Walmart and the applicant would be completing connections and would have a standalone building and parking.

It was discussed there could be a possible restaurant built on this pad.

Josh Jackson stated that there has been talks of a fitness center on two of the spaces, a small restaurant on one that has drive through access. He stated that nothing is finalized that he has heard from the owners of the pads.

Jered Johnson moved to approve the proposed Canyon Gate Pad F Site Plan based on the following finding and conditions:

Finding:

1. That the application conforms to the City's General Plan 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.
3. That the Site Plan allows for the City to have a traffic study to evaluate circulation and access needed.
4. That a second access be constructed prior to occupancy.
5. The power will be completed before the Building Permit may be issued.
6. The applicant may apply for a pioneering agreement for reimbursement for the remaining unimproved lots that will be initially estimated cost which could be amended later to the actual cost.
7. They applicant either build or bond for the road and power improvements with the project.

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

ICEBERG DRIVE INN

Brandon Snyder stated that the current plan from Iceberg would need to be updated to include the additional landscaping beyond the trail.

It was discussed that Walmart is in the process of updating their landscaping plan on their frontage as well.

Tom Cooper said the frontage along the west side of Iceberg will have the impact from installing power, and so that work needs to be completed before any grading or landscaping can be started.

Josh Jackson asked who they would coordinate with for the bond and pioneering agreement in regards to power and road access. It was stated that they will coordinate for Michael Clark in engineering.

Jered Johnson **moved** to approve the proposed Iceberg Drive Inn Site Plan based on the following finding and conditions:

Finding:

1. That the application conforms to the City's General Plan 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.
3. That the Site Plan allows for the City to have a traffic study to evaluate circulation and access needed.
4. That a second access be constructed prior to occupancy.
5. The power will be completed before the Building Permit may be issued.

6. The applicant may apply for a pioneering agreement for reimbursement for the remaining unimproved lots that will be initially estimated cost which could be amended later to the actual cost.
7. They applicant either build or bond for the road and power improvements with the project.

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

Dave Anderson moved to adjourn the meeting at 10:08 a.m.

Adopted: June 22, 2022

Kasey Woodard
Community Development Division Secretary