

Adopted Minutes
Spanish Fork City Development Review Committee
40 South Main Street
Spanish Fork, Utah 84660
June 15, 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; Ana Burgi, Assistant City Attorney; Michael Clark, Assistant City Engineer; Marci Clark, Engineering Department Development Secretary; Jered Johnson, Engineering Division Manager; Tom Cooper, P&L Senior Utility Planner; Zach Hendrickson, Outside Plant Manager; Travis Warren, City Surveyor; Kasey Woodard, Division Secretary.

Citizens Present: Sam Drown, Gary Miner, Brock Wilson, Steve Wilson, Danny Lange, Gavin West, Mike Horan, Grant Lefgren, AJ DelPivo, Trent Beesly, Cris Child.

Chris Thompson called the meeting to order at 10:00 A.M.

MINUTES

May 4, 2022

May 11, 2022

Vaughn Pickell **moved** to approve the minutes of May 4, 2022 and May 11, 2022.

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

FINAL PLATS

SKYE MEADOWS PLAT B

Brandon Snyder stated that this is the first phase in the development originally named Fritz, that has been renamed Skye Meadows. He stated that there are a few redline comments to be discussed with the Committee. He stated that he thought there was a plan to remove the ditch along the east side of the property, he believed there was going to be pressurized irrigation provided and asked if there was a status update on that. He stated that he does not recall seeing a finished grading plan and would like to prevent any potential grading issues from occurring adjacent to any existing properties along Arrowhead Road or to the east. He stated that with this proposed plat, there will be a future road with improvements to be installed at a later date.

Chris Thompson stated that he does not like this idea and asked how the applicant would improve the sides of these lots.

The applicant stated that they have eliminated mass grading. They stated that they are open to doing the improvements as a part of this phase. They can do sidewalk, curb and gutter to match what is done in the subdivision.

Dave Anderson asked if the applicant is proposing just sidewalk or if they are planning on curb, gutter and no asphalt. He stated that this proposal appears to just propose sidewalks.

Chris Thompson recommended doing at least curb and gutter, and stated that he could be talked out of asphalt.

The applicant stated that he is not involved in all conversations, and it's stated that the Fritz building is not scheduled to be torn down for around 2 years.

Chris Thompson stated that there is concern with doing the improvements for Phase 1 while the Fritz building is still intact. He stated that it does not make sense to leave something so expensive till the last phase and asked if there are any plans in place to avoid being stuck with leaving the unsightly building intact.

Dave Anderson stated that a development agreement was done with this concern in mind. It ensures the Fritz building will be removed and any environmental issues on site will be taken care of before the developer is able to progress beyond a certain point.

Chris Thompson stated that there are some very expensive things involved in this first phase, and asks if there is an escrow or bond in place for those things.

Dave Anderson said not with this. The idea of escrowing funds was not contemplated in the agreement. He stated that there is a lot of potential revenue to come from this kind of density, but it cannot go very far until the building comes down. He stated that there are no guarantees given how the economy could change very quickly.

Chris Thompson asked if the economy did go downwards, would the City want a masonry wall bond put in place to separate the building from the houses.

Dave Anderson stated that he would feel comfortable with moving to approve this subject to that detail being addressed later.

Chris Thompson asked the applicant for an update on the irrigation ditch Brandon Snyder mentioned earlier and the applicant stated that the ditch will be filled in and they will run pressurized irrigation to the neighboring homeowners.

Chris Thompson stated that with this approval the City will require them to pipe this ditch, unless Lonestar can have an agreement on abandoning the ditch signed by the neighboring property owners.

Jered Johnson **moved** to approve the proposed Skye Meadows Plat B Final Plat based on the following findings and conditions:

Findings:

1. That the application conforms to the City's Zoning Map.
2. That the application is consistent with the approved Preliminary Plat.

Conditions:

1. That the applicant meets the City's Zoning requirements and Construction Standards.
2. That the applicant addresses any redline comments in Citizenserve.
3. That the applicant supplies plans to show the ditch has been piped and services the properties; or, have the agreements in place for the pressurized irrigation for each individual lot along Cal Pac road.
4. To include in the agreement that there is a condition that if this becomes the last phase there is a masonry wall constructed (adjacent to lots 8 and 9).

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

RIVER RUN TOWNHOMES PLAT C

Brandon Snyder stated that this is the third phase located to the west of Annie's Acres, this phase will add 40 additional townhomes that were discussed with Plat B. He stated that there is a restriction on how many units are able to utilize South Lane's connection to Main Street. It is necessary with this approval that any agreement and bonding needed for Volunteer Drive to be constructed be provided.

Sam Drown stated that they have a temporary construction easement that will allow them and Annie's Acres to build the road and it is ready to be signed. He stated that they are looking for clarification from the City since it is only a temporary easement and not a purchase of the right-of-way. Their concern is that if they proceed and build the road, and meet their obligation to the City, their Building Permits and Certificates of Occupancy wouldn't be withheld. He stated that this is a large investment and the property owners would prefer to maintain full control, build the road, include a second access and then dedicate it to the City rather than. sell the right-of-way up front.

Vaughn Pickell stated that he believes there is an agreement he has reviewed, but it was different than what is being proposed. It stated that the right-of-way would happen up front. He asks if the applicant can send a copy of that over to him for further review.

Chris Thompson asked Trent Beesly if there would be a scenario that he could think of where price could become an issue and he would block off this road.

Trent Beesly stated that is the concern Sam Drown has. He stated that by having this easement, it will allow them to get started now as there is a certain amount of time it is going to take. He stated that ultimately if the property owners are going to front the cost of this road, as it is necessary for this area, they believe the only way it will work is to have a partial Zone Change of that area. He stated that they have already applied for that but have to come back with design plans.

Chris Thompson stated that this can't be something that will be held over the City's head until they get the zoning they want. The access cannot be temporary, it needs to be a permanent access.

Trent Beesly stated that this is the best option they have been able to come up with that allows for them to get started now, but they are open to suggestions from the City.

There was discussion about if the agreement states the City will always have access to the road. It is stated that since it is a temporary construction easement it does not. It was stated that since it is temporary, there are 3 conditions to be met or it will expire. One being if they have not entered into a

purchase agreement. Secondly, if the road is not built within one year. And lastly, if the right-of-way is not dedicated it will expire. It was stated that these three conditions give concern to the property owners and the developers.

Dave Anderson stated that there are two options, coming from the change in prior discussions. He stated that the City could re-approve developments and take away the limit on the number of units that could be built before a second connection is made. He does not think anything other than dedicated right-of-way works.

There was discussion that this is not what was included in the initial discussion and it needs to be clear in the agreement that if the right-of-way cannot be dedicated within the 12 months, it will still be used for public access. It is stated that the agreement will need to be reviewed further before anything can move forward.

Dave Anderson stated that he feels this needs to be continued as there are several staff members that feel that the agreement has changed from what was initially proposed and there needs to be further review amongst staff members.

Dave Anderson **moved** to continue the proposed River Run Townhomes Plat C Final Plat.

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

ANNEXATION

MINER ANNEXATION

Brandon Snyder stated that it is proposed that this annexation proposal be accepted for further study. The site is along the railway that borders Mapleton.

Dave Anderson asked if a zoning designation is anticipated for the site.

Brandon Snyder said R-1-15 zoning is anticipated for the site.

Dave Anderson stated that this zoning makes the decision very easy for him as this would be a resolution as it is currently part of an island and is less than 50 acres.

Travis Warren stated that the issue that he runs into with the County, is annexations need to go to the center line on the right-of-way of the railroad otherwise there are gaps.

Chris Thompson stated that there will eventually need to be a railroad right-of-way for a second track.

Dave Anderson **moved** to recommend the City Council accept the proposed Miner Annexation for further study based on the following finding:

Finding:

1. That the subject property is located within the City's Annexation Policy Boundary.

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

SITE PLAN
ACTIVE AUTO

Brandon Snyder stated that the applicant has asked to be continued to a further date as they are not prepared with an updated Site Plan.

Dave Anderson **moved** to continue the Active Auto Site Plan.

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

PRELIMINARY PLAT
SF NORTH AIRPORT INDUSTRIAL

Brandon Snyder stated that this site is located at the end of the airport runway in the I-1 zone with 23 industrial lots. The applicant would like to subdivide the property. He stated that there were a few redline comments and one condition pertaining to avoiding conflicts with the airport's master plan.

Cris Child stated that they will take another four months to have the airport layout plan updated, and about six months until the FAA approves it. He stated that the length of the runway is adequate for the aircraft that are currently using it. He stated that having the Provo airport so close, it does not make sense for them to have a larger runway since they do not have larger aircrafts using it. He stated that there is concern with boxing in the end of the runway when it could end up being longer in the 20-year plan.

Chris Thompson stated that there can be a condition made that no lots can be developed that are within the ALP until the ALP is updated. And if for some reason the FAA rejects any conditional ALP that will restrict development there, then those lots will be offered for sale to the City.

Dave Anderson stated that he believes they will find out within six months whether the FAA will approve amending the plan so the runway does not get extended or the City will discuss acquiring the property so the runway can be extended in the future.

Cris Child stated that it is very unlikely that the FAA would approve a through the fence agreement.

Dave Anderson stated that there are future plans for a road that is further west of the airport.

Chris Thompson asked if they would consider moving the road further south and Brock Wilson asked how far south, they would propose moving the road. Chris stated that he is fine with where the future road is planned currently, but he said that the further south it is moved the less likely it will end up an industrial cul-de-sac.

Michael Clark stated that his concern with a large property such as this is that they will want to front the collector road on the west. If the property owners are private builders and not corporate builders, they will not want to be responsible to front it.

Dave Anderson stated that they do not know how the West will develop in the future. Any future buyer would be responsible to front the cost of the road before they are able to build on the property.

Tom Cooper stated that Sunroc is in the area and trying to pave the 1150 West area. He would like them to consider stubbing in power. This is the prime time to do it to avoid road cuts and Brock Wilson stated that he believes that power has been stubbed into the area but will double check to be sure.

Steve Wilson stated that they plan to cut in 2 phases. Phase 1 will be by Lots 1 & 2 and Phase 2 will be between Lots 5 & 6.

Tom Cooper stated that they are working with GWC and Rocky Mountain Power. RMP has a 46kv line running through the area and will not allow anything through the 60-foot easement there. He stated that GWC may be reaching out to them for participation.

Chris Thompson stated that they need to show the road and the powerline on the plans. The powerline cannot be within the public right-of-way as marked by the curbs, so they may need to shift the road to ensure it is not within that space.

Dave Anderson **moved** to recommend approval of the proposed SF North Airport Industrial Preliminary Plat to the City Council 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 Construction Standards.
2. That the applicant addresses any redline comments in Citizenserve.
3. Within 12 month there will be an ALP agreement in place or the City will offer to buy the land.
4. That updated plans show all power poles, power lines and power easements in the vicinity of the projects, including plans to move roads if necessary to avoid any conflicts with power infrastructures.
5. That a phasing plan be provided to demonstrate how any conflict with current or future airport master plans will be avoided.

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

TITLE 15 AMENDMENTS

DEVELOPMENT REVIEW COMMITTEE

Brandon Snyder stated that this pertains to staffing and voting members of the DRC. The proposal is to change the Public Safety Director position to the Police Chief, and Fire Chief as we no longer have a

Public Safety Director. An alternate member may be designated by each member, who has the authority to attend and vote in the absence of that member.

Vaughn Pickell **moved** to recommend approval of the proposed Title 15 Amendments as presented to the City Council based on the following findings and conditions:

Findings:

1. That the application conforms to the City's General Plan Designation and Zoning Map.
2. That the application is consistent with the approved Preliminary Plat.

Conditions:

1. That the applicant meets the City's Construction Standards.
2. That the applicant addresses any redline comments in Citizenserve.

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

REIMBURSABLE PROJECTS

Chris Thompson stated that this proposal is an attempt to scale back what is an impact fee project, typically for roads and intersections. This proposes to only allow 28% of 600-amp electric lines reimbursable through impact fees. This amendment also clarifies the methodology of calculating impact fee eligibility for intersection improvements to be the average of the two intersecting streets. Eligible projects will become reimbursable once they are added to the Impact Fee Facilities Plan (IFFP)

Chris Thompson stated that these Title changes will be taken to the City Council in December and effective January 1st.

There was discussion of whether waiting 180 days is too long of a period and if that time frame should be shortened due to if the Council chooses to hold a developer to the currently pending new standard and how that could cause a potential problem.

Dave Anderson stated that he thinks Brandon Snyder and Michael Clark are great point people for development review and he trusts their judgment with smaller changes and tweaks to plans versus having to take every change to the City Council.

Dave Anderson **moved** to recommend approval of the proposed Title 15 Amendments as presented to the City Council based on the following findings and conditions:

Findings:

1. That the application conforms to the City's General Plan Designation and Zoning Map.
2. That the application is consistent with the approved Preliminary Plat.

Conditions:

1. That the applicant meets the City's Construction Standards.
2. That the applicant addresses any redline comments in Citizenserve.

Tom Cooper **seconded** and the motion **passed** all in favor.

DISCUSSION TOPICS

Brandon Snyder brought up next week's DRC agenda topics:

CUP for AT&T at Hunters Crossing - or Canyon Road Substation

Active Auto has submitted a Site Plan but they are currently waiting on their landscape architect

Leland Meadows and Juniper Ridge Zone Changes and Preliminary Plat

Agriculture protection Title 15 amendments

Construction Standards and Transportation Master Plan 22.03

Tom Cooper moved to adjourn the meeting at 12:13 P.M.

Adopted: June 29, 2022

Kasey Woodard
Community Development Division
Secretary