

Adopted Minutes
Spanish Fork City Development Review Committee
40 South Main Street
Spanish Fork, Utah
August 24, 2022

Staff Members Present: Chris Thompson, Public Works Director; Seth Perrins, City Manager; Dave Anderson, Community Development Director; Kimberly Brenneman, Community Development Secretary; Vaughn Pickell, City Attorney; Ana Burgi, Assistant City Attorney; John Little, Chief Building Official; Michael Clark, Assistant City Engineer; Marcie Clark, Engineering Department Secretary; Zach Hendrickson, Outside Plant Manager; Jake Theurer, Power and Light Superintendent; Tom Cooper, Power and Light Senior Utility Planner; Bart Morrill, Parks Maintenance Supervisor; Jason Turner, Fire Marshall; Kasey Woodard, Division Secretary.

Citizens Present: Nate Reiner, Jenny Neilson, Leo Betz, Clark Conway, Gary Miner, Matt Brown, Jerry Carroll, Kaden Cole.

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

MINUTES

August 10, 2022

Seth Perrins moved to approve the minutes of August 10, 2022.

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

FINAL PLAT

EL TENEDOR LOGISTICS CENTER - PHASE 1

Dave Anderson stated this is a plat that will create 2 lots. He stated this is step one and the more challenging utility issues have been addressed. He stated that when staff sees a site plan it will be more on the onsite improvements and possibly traffic circulations and ensuring that everything fits.

Michael Clark in the Engineering Department has no comments.

Jake Theurer in power has no comments.

Dave Anderson **moved** to approve the proposed El Tenedor Logistics Center - Phase 1 Final Plat 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. Key Issues
2. That the applicant addresses any red-lines.

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

MINOR SUBDIVISION

NELSON MEADOWS SUBDIVISION PLAT A

Dave Anderson stated in the last discussion, staff stated they did not want lot 3 to be accessed by Canyon Road. He stated it has been redesigned and there will be an easement to provide access to lot 3 from 1700 east.

There was discussion of the existing garage on the lot.

Seth Perrins stated he feels like there is an attempt to squeeze something into a small space and he does not care for it. He wants to know how this is going to play out? He stated this is not a Zone Change.

Chris Thompson stated the property owner will be building a house on the corner lot and moving the driveway.

Dave Anderson stated they need to meet every standard setback requirement, and if they can do that, they have the right to subdivide their property.

Tom Cooper asked if the property owner is still running a business from this location and it was stated they can have a Home Occupation but they cannot use this space for commercial business purposes.

Kimberly Brenneman stated they must obtain a Spanish Fork Business license to conduct business within Spanish Fork.

Dave Anderson asked the Committee how they felt about continuing this until the applicant can prove their final plans before the Committee can approve to ensure the house is in the right place and that it meets standard setback requirements.

Seth Perrins agrees to continue as he would like to see if the Committee's concerns can be addressed.

Dave Anderson stated in his opinion this is what the City has asked for, and they want to ensure that whatever lot the applicant wants to build the house on, that it meets the setback requirements.

Matt Brown stated he believes this information is on the civil plans that were submitted.

Chris Thompson stated he would like to see the plans for the driveway and be able to believe in it. He wants it shown on the plan.

There was discussion of the garage and the plans for the driveway and house.

Seth Perrins stated he was under the impression that the house was just needing to be pushed back slightly, and there would be a shared driveway.

Dave Anderson **moved** to recommend Continuing the proposed Nelson Meadows Subdivision Plat A Minor Subdivision to the City Council based on the following finding and condition:

Finding:

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

Condition:

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

Vaughn Pickell **seconded** and the motion **was Continued** all in favor.

SITE PLAN

LELAND SUBSTATION

Jake Theurer stated it is very costly to bring the necessary 5 lines across the freeway is not the best option.

Chris Thompson asked if it can be oriented parallel to the freeway so that the lines can run along the freeway and have it serve as a buffer to single-family homes.

Jake Theurer stated the location itself is a pretty good buffer, he does not feel the orientation will make a difference.

There was discussion about the transmission line that runs from 2000 West to 1600 West.

Chris Thompson asked if there will be curb, gutter and sidewalk, and asked how they plan to landscape the site and asked if there is water in the area.

There was discussion about the future landscaping and the placement of the trail.

Chris Thompson asked Michael Clark how this will fit into the Master Plan.

Seth Perrins feels it's best to wait to do the improvements until the future brings it.

Dave Anderson stated he would like to have additional discussions regarding City projects in order to resolve any potential issues.

Vaughn Pickell **moved** to approve the proposed Leland Substation 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.

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

DISCUSSION ITEMS

MINER ANNEXATION FEASIBILITY STUDY

Dave Anderson stated he has some concerns with annexation proposals that arise at the end of the annexation process and thinks this helps fix some of those concerns. He gave a brief recap of previous concerns that arose in prior DRC meetings and he would like to establish feasibility studies that can be used as a useful reference. He hopes the Committee will be open to reviewing this information so that the Committee can all be on the same page.

There was discussion about the complication if the future intent is to annex all of the island at some point, the property owners that are willing to join are joining now, that leaves fewer people willing to join later. And it is eroding the ability to annex the remaining parts of the island if there is a considerable amount left that are not interested in annexation. It was stated if it is possible, bringing in the entire island at once is the best option by waiting till all property owners are in agreement before bringing them in.

Chris Thompson stated Spanish Fork City law states when a home is annexed, they must start to pay a storm drain fee, as well as they must go on Spanish Fork garbage service and he stated it makes more sense to annex properties incrementally and not create worse peninsula situations.

There was discussion of the property that is not interested in annexing into Spanish Fork. It's stated that the property owner is elderly and of ill health and the surrounding neighbors do not want to cause them any stress.

Seth Perrins stated that according to the maps, if the property owner needed emergency services it would need to be Mapleton that responded to the property owner, despite Spanish Fork City limits being located across the street as he is technically located in Utah County.

Dave Anderson suggested having someone from the City reach out to the property owner to have a discussion of the pros and cons of being annexed into the city. And to see what the property owners' hesitation is to annexation.

It was suggested to approach all the property owners about annexing all the properties into Spanish Fork.

Gary Miner stated the City came to the property owners first as the City needed to build utility lines.

Seth Perrins suggested taking a pause to address the concerns

Dave Anderson stated there needs to be a solution to allow the property owners to continue to live as they have been. He wants to find some reassurance in writing to help address property owners concerns with utility needs. He stated the City will take a soft approach to reaching out to the property owners that are not interested in annexing into the city. He stated he does not see an issue with getting Gary Miner's property annexed into the City in the near future.

Gary Miner stated he has concerns that when he is annexed into the city, that ordinances may change. He stated they currently follow Spanish Fork Ordinances.

Seth Perrins stated he believes that this shouldn't be an issue as he feels it's best to analyze potential concerns before any action is taken.

Dave Anderson stated he does not foresee Gary Miner needing to do anything further than what he has already been doing.

OAKRIDGE COVE PHASE 2

Dave Anderson stated this discussion went to the Planning Commission back in May of 2020, and it was stated the neighbors were concerned with changing the zoning to accommodate the number of homes that were originally being proposed. He stated this conversation is picking up where that left off. He stated there were conversations about getting additional land.

Vaughn Pickell pointed out that there are 3 lots, with lot 3 being structurally disconnected. He feels this is strange but intentional.

Dave Anderson stated there is a new buyer, which he stated may be an improvement.

Vaughn Pickell stated there are other complications with this and there are issues of encroachment by the City on real property. And he stated there is also the dam study that the City completed and the recommendations from that study were to do improvements to Osprey Way to channel the water to the east or to the west and not north through the lot. He stated there should be an irrigation line that crosses their property, and he believes the City should have permission to do this or there should be an easement for this.

There was a discussion on if Vaughn Pickell, the City Attorney recommends this and he stated he does recommend this as this was what was negotiated.

There was further discussion about the floodwall and where it will be built and it was stated it will be built on the north side of the trail along Osprey Way and it will flow down the trail out to Snell Canyon.

Chris Thompson stated there is no cross section where the parking lot is.

Seth Perrins asked how many parking spaces are going to be included and it was stated close to 40 spaces.

Vaughn Pickell stated because of the dam breach study, mitigation measures are on the City to pay for. He states the City is also paying for half of Osprey Way because we are the adjoining property owner.

Michael Clark stated who pays for the road is subjective. He stated a road is not a barrier for flood protection.

Vaughn Pickell believed part of the mitigation was to raise the elevation of Osprey Way or do a wall of some sort.

Dave Anderson suggested waiting until it is approved and recorded and the City owns the land and he stated his office will start public noticing.

Vaughn Pickell moved to adjourn the meeting at 11:28 a.m.

Adopted: **August 31, 2022**

Kasey Woodard
Division Secretary