

**Adopted Minutes
Spanish Fork City Development Review Committee
40 South Main Street
Spanish Fork, Utah
September 28, 2022**

Staff Members Present: Chris Thompson, Public Works Director; Seth Perrins, City Manager; Dave Anderson, Community Development Director; Brandon Snyder, City Planner; Kimberly Brenneman, Development Coordination Manager; Vaughn Pickell, City Attorney; Ana Burgi, Assistant City Attorney; John Little, Chief Building Official; Michael Clark, Assistant City Engineer; Marcie Clark, Engineering Department Secretary; Jered Johnson, Engineering Division Manager; 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.

Citizens Present: none.

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

MINUTES

September 21, 2022

Jake Theurer **moved** to approve the minutes of September 21, 2022.

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

SITE PLAN

SPRINKLER SUPPLY

Brandon Snyder stated the development is proposed on a lot within the Green Tree Subdivision. There was a development agreement executed with this subdivision. It is important to note that before a Certificate of Occupancy can be issued, the completion of the infrastructure improvements per the subdivision need to be completed. The applicant has provided elevations of the proposed building. Brandon Snyder stated there will be product stored inside the structure and outdoor storage as well. The applicant is asking for the dumpster enclosure requirement to be waived and to have the dumpster placed within the outdoor storage yard.

Dave Anderson stated that the enclosure is basically built with the wall for the outdoor storage area. He stated there are ways to effortlessly build a dumpster enclosure or have it built with not much more additional cost.

Brandon Snyder clarified the addition of a couple wing walls could be added to meet the enclosure requirement.

Dave Anderson **moved** to approve the proposed Sprinkler Supply Site Plan based on the following finding and conditions:

Finding:

1. That the application conforms to the City's Zoning Map.

Conditions:

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

Vaughn Pickell **seconded** the motion.

Seth Perrins stated that as long as the dumpster has lids on it and the dumpster is screened from the public, then the requirement is met, but just not in the typical enclosure provided with most sites. He is more concerned with how the garbage would get to the dumpster enclosure from the building.

Brandon Snyder suggested that if the City does not require the wing walls, to have the applicant show where the dumpster would be placed on the site to make sure it is not by any open gates into the outdoor storage yard.

Chris Thompson stated it is best that the dumpster be on a concrete pad and shown on the Site Plan.

Dave Anderson **moved** to amended his motion of approval the proposed Sprinkler Supply Site Plan based on the following finding and conditions:

Finding:

1. That the application conforms to the City's 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 applicant adds to the plans, a description for where an appropriately sized concrete pad will be constructed within the enclosed area for the dumpster to be placed.

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

SITE PLAN

LEAP AHEAD CHILDCARE

Brandon Snyder stated that the applicant is proposing to convert an existing building from a bar/restaurant to a daycare within the industrial I-1 zone. The applicant has provided a Site Plan, a floor plan of the building, and landscaping plan for review. There were comments provided from the Building Official with regards to a gazebo that was placed on the site without a building permit. The Site Plan designates additional parking stalls, landscaping and the location of the existing dumpster enclosure. There is a small parkstrip between the curb and sidewalk that will have some landscaping installed.

Chris Thompson stated he would like to see the north drive access be a shared drive access.

Chrissy Mugleston has indicated they plan to run a fence along the north property line to the front sidewalk adjacent to the north access.

Chris Thompson stated from a traffic engineers' perspective, he would like to have an option in the future to combine the north access with the adjacent property by having a cross access easement created with this application.

Chrissy Mugleston has a desire to keep the child care business separate from the adjacent industrial uses. They plan to plant trees along the north to keep the sites separated.

There was discussion of the parking configuration related to the various businesses in the area and the adjacent properties.

There was general discussion regarding the landscaping plan and if street trees were preferred at this time. Tom Cooper stated that the Power Department prefers to not have trees planted under power lines.

Michael Clark asked for direction from the DRC to determine if the City should require the property owner to dedicate the future right of way along 300 West and install the improvements.

It was determined to not require dedication of the right of way until it is determined that the area is best served with a wider road.

Explanation was provided to the applicants with regard to the need for a Building Permit due to the change in use in addition to the Site Plan application.

There was discussion of the impact fees that might be charged based on the change from bar/restaurant to a daycare. Michael Clark stated he will look into those fees.

John Little confirmed that the applicant can submit one application for both the gazebo and the primary structure.

Dave Anderson **moved** to approve the proposed Leap Ahead Child Care 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 applicant provides a cross access easement for the access to the north off of 300 West. This will be in the name of (favor of) the City so that in the future, when appropriate with a change of use, it can be relinquished.

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

PRELIMINARY PLAT

EAGLE HAVEN SUBDIVISION AMENDED

Brandon Snyder stated this proposal is an amendment to an existing Preliminary Plat in order to accommodate the development of the property owned by Jerry Carrol. The parcel is north of the previously approved and recorded Eagle Haven Subdivision. Brandon Snyder gave the history of the initial approval of the Eagle Haven Subdivision stating it was approved as a Master Planned Development. He stated that Jerry Carrol has requested that the subdivision's Preliminary Plat be amended in order to allow him the ability to develop his property as a Master Planned Development. The amended subdivision would add 7 single-family lots. A Master Planned Development must have a total of 5 acres within the R-1-15 zone. The applicant is requesting a reduction in setbacks with the proposed amended subdivision. The initial approval of the Eagle Haven Subdivision did not require a modification

to the setbacks. The City Council required that the standard setbacks of the zone apply. Brandon Snyder stated as part of the Master Planned Development there are required design standards that must be met. These are usually addressed with Building Permits. With that in mind, staff members are waiting for the plans to be provided by the applicant clarifying the materials on the garage that will be added to the existing home. There have been many discussions regarding a proposed retaining wall outside the front of the existing home. This needs to be clarified on the plans in regards to height, drainage, and the materials to be used. It is standard practice to review connectivity of neighborhoods with streets or pedestrian trails.

Jerry Carrol shared his opinions on a few of the discussion items. Seth Perrins stated that as a fundamental thought to say a lot is lost with the need for a street, as the project has not been approved, is not accurate.

Dave Anderson echoed Seth Perrins thought and reiterated that this is a standard practice from the City to require connectivity and has been discussed with numerous developments over the years.

Seth Perrins stated that an email was received from the State of Utah Property Rights Ombudsman's office regarding a complaint that was filed by Jerry Carrol. He feels it is appropriate to have discussion on this item, but to not act on the application until a ruling from the Ombudsman's office is received. In essence, at the end of the discussion held here in the DRC, he feels the item should be continued until the Ombudsman's office issues a decision. Potential placement of a street stub to the north was discussed.

Jerry Carrol is opposed to providing a dead-end street to a field for a future development, stating that could be 20 years.

Chris Thompson agreed that if the Ombudsman's office is to issue a decision as to what the City can and cannot require with a Master Planned Development, it is best to not take action on this item.

Vaughn Pickell asked for clarification as to if the applicant was required to have the development be part of a Master Planned Development or if the applicant would be able to have the subdivision approved as a standard subdivision.

Brandon Snyder confirmed the applicant could have the parcel he owns approved as a standard subdivision but the applicant has elected to apply for approval as a Master Planned Development. He estimated that the standard subdivision would probably accommodate roughly up to 5 single-family lots.

Jerry Carrol feels that he is meeting all the requirements of the City for a subdivision. He stated that the existing home will sit below the road about 4 feet. There needs to be re-routing of any water runoff.

Dave Anderson asked for clarification of where the retaining walls would be placed, how tall they are proposed, and what the walls will look like. The idea of a stub road to the north should be necessary to plan for; this item is still outstanding.

Chris Thompson stated that the frontage for lots 20, 21, 25 and 26 are so narrow.

Seth Perrins does not like the narrowness of the design and will look to the Engineering Department to determine if the width of those lots will work adequately with the utilities. He does not feel the connection road should run through lot 23 and should continue from one of the existing roads, either 2580 East or 2670 East. The treatment of the exterior of the existing home and drainage of water needs to be resolved with the development application materials.

Tom Cooper stated that the utilities were stubbed for the roads, 2580 East or 2670 East, to go north. It would be best from the utility standpoint to extend the west stub street, 2580 East.

There was discussion of what accesses could exist should the property to the north develop residentially.

Matt Brown stated he agrees the connection is needed, but is a third access really needed. He shared thoughts that there will be added traffic for the Eagle Haven Subdivision with the additional access to the north. He also stated that if connectivity was a concern to the City then a stub road within Eagle Haven should have been required to the south.

Discussion regarding connections continued.

Dave Anderson summarized if the DRC is not comfortable with what is designed, it needs to be made very clearly now. If the west road, 2580 East, was extended to the north, then potentially lots 20 and 21 could be reconfigured with better frontage.

Chris Thompson would like to complete more research on the width of lots 20, 21, 25 and 26. He really does not think they are viable widths in regards to utilities and best design practices.

Dave Anderson **moved** to continue the proposed revised Preliminary Plat amendment for the Eagle Haven Subdivision until an advisory opinion is received from the Ombudsman's office or until the request for an advisory opinion is withdrawn.

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

GENERAL PLAN AMENDMENT

TRANSPORTATION ELEMENT OF THE GENERAL PLAN 22.04

Brandon Snyder stated that the exhibits are not very clear in illustrating the changes proposed. This would be helpful when moving forward to the Planning Commission.

Chris Thompson summarized the amendments. There were a few minor changes to the trails.

Dave Anderson **moved** to recommend approval of the proposed Transportation Element of the General Plan 22.04 to the City Council with the changes as proposed but with the exhibits in the memo being updated.

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

CONSTRUCTION STANDARDS 22.03

Michael Clark summarized the proposed changes stating most of the changes are intended to create clear direction to contractors and inspectors.

Seth Perrins **moved** to continue the proposal in order to allow for additional time to review the changes.

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

John Little moved to adjourn the meeting at 11:40 a.m.

Adopted: **October 12, 2022**

Kimberly Brenneman
Development Coordination Manager