

Adopted Minutes
Spanish Fork City Development Review Committee
40 South Main Street
Spanish Fork, UT
December 7, 2022

Staff Members Present: Chris Thompson, Public Works Director; Seth Perrins, City Manager; Dave Anderson, Community Development Director; Brandon Snyder, Senior 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; Dale Robinson, Parks and Recreation Director; Bart Morrill, Parks Maintenance Supervisor; Jason Turner, Fire Marshall; Bill Bushman, Buildings and Grounds Division Manager; Cody Hanks, Facilities Maintenance Leadworker; Travis Warren, City Surveyor; Josh Robinson, Engineering Designer.

Citizens Present: AJ DelPivo, Shane Williams, Cory Andersen, Taylor Cherrington, Monte Bingham, August Trapper Bigelow, Joseph Earnest.

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

MINUTES

November 16, 2022

Seth Perrins **moved** to approve the minutes of November 16, 2022.

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

CONCEPT REVIEW

CANYON COURT CONCEPT

Cory Andersen presented the revised concept plan. He wanted to discuss a new element which is vertical mixed-use buildings with office or commercial on the bottom level and residential units on the upper levels. The site would also have stacked condos that would be for sale. As per the FHA standard, about 50% have to be non-rentals.

Seth Perrins asked how the 50% is regulated?

Cory Andersen stated that there is a document recorded with the purchase of the unit and additional regulations with the FHA loan process. There are also regulations with the HOA and property management group. FHA regulations state that one owner cannot own more than 10% of a development. In this case, a single property owner could not own more than 10 units.

Chris Thompson asked what happens if the residential units get built and the commercial doesn't get built; what stops the applicant from coming back and saying instead of commercial let's finish out the property as residential.

Seth Perrins stated he would answer that question by requiring the commercial to be built prior to any residential. He does not want any residential on the site, but if he is out voted he would want to ensure the commercial is developed first.

Cory Andersen stated this project will also include a subdivision plat and intends to sell off the retail lots to the end users. He has been in contact regarding a grocery store that would like to build on lot 1. He does not like the idea of being held back on developing the residential if the grocery store that buys lot 1 delays building.

There was discussion that the Zone Change could be approved with a development agreement in place with a phasing plan. Which would require the commercial and improvements to be built with the first phase.

Cory Andersen stated he is not planning on phasing the development and all infrastructure and utilities would be in place prior to selling the lots.

He believes it will take 3 years to build out the residential component.

Seth Perrins stated with the layout he thinks the residential looks more like a commercial development the way the driveway aisles and parking stalls are laid out. The greenspace is on the edges mainly. What elements can be added to lessen it feeling like a commercial complex for these residential buildings?

Cory Andersen stated the units will all be 2 bedrooms and based on their other projects this proposal is over-parked. He would like to take out about 15 or so parking spaces. With the removal of the parking, he would be able to add more open space. Cory Andersen said apartment complexes offer many amenities, and from what he has seen they are not often used. He tries to keep the HOA affordable and have generous open space with no pool or clubhouse for up-keep.

Seth Perrins could see a cross parking easement in place with the adjacent commercial property, which would allow for a reduction in parking stalls.

Cory Andersen stated that they do regulate how many unrelated adults can be in one unit. They also have parking restrictions and parking passes are given to each unit. He thinks based on research of other projects he has completed, that there should be parking of about 1.8 stalls per unit, not 2.5.

Cory Andersen stated the grocer is looking to build about 60,000 square feet on lot 1.

Brandon Snyder stated there are not many elements of the Commercial Urban Village zone shown on the plans.

Dave Anderson stated that in the original form and language of the Commercial Urban Village, it was to mirror the River Bottoms in Provo. He feels that the text for the Commercial Urban Village needs to be

revised and that it is important to get staff support of this concept before modifying the text of the zone. Currently the zone text states that 30% of commercial to residential needs to be maintained with each phase. At final buildout, that ratio would also need to be met, but for phasing the applicant will need to make sure they are aware of those criteria. It is key to making sure the development feels as one development not as separate developments.

Shane Williams stated the traditional home ownership desire has shifted and this product is a result of that shift. The architecture is trying to address the strip mall feel by creating a uniform look with how the buildings will be clad.

Brandon Snyder stated that there is no emphasis on pedestrian traffic. There are no design elements that play to the Commercial Urban Village zone. Vaughn Pickell recommended adding a central thoroughfare with walking paths.

Seth Perrins and Dave Anderson asked if the applicant were to keep the same number of units and build four story structures instead of three, if that might add to the available open space.

Brandon Snyder reminded the DRC that the Planning Commission was clear that they did not like four story buildings in the earlier concept layout.

Shane Williams stated that the increased density of residential will help to support the proposed small businesses. Shortening the walking distance and increasing density strengthens the commercial element.

Dave Anderson stated that reducing the parking from 2.5 to 2.25 or even 2 parking stalls could allow for a more pedestrian friendly development by adding walking paths and eliminating a vehicle driven development.

Cory Andersen stated they have been focusing more on the architectural element but adding the walkability will be easy.

There was discussion about the need to relocate the proposed Sodalicious drink store further west to provide space from the residential. Some felt moving it south of the grocery store would be the best location. The DRC discussed the round-a-bout and potential accesses on 400 North into the development.

BINGHAM CONCEPT

The current zoning is R-1-15 and R-1-12 which is consistent with the General Plan. The applicant would need to amend the General Plan as well as the zoning to allow for the proposed development.

Tom Cooper raised the concern of how the lots are backed up to the Rocky Mountain power line corridor easement and that the property line of the residential lots should be at the easement line.

Bart Morrill expressed interest in the Parks and Recreation Department buying or maintaining a linear park under the easement, similar to what is done to the north and south of the proposed development.

Dave Anderson stated that the current design is too aggressive and is not consistent with the General Plan. The proposed lots should be about the size of the lots in Legacy Farms to the north, which would be R-1-8. The Commercial zoning on the corner makes sense for a service station if access works. Access will need to be off of Spanish Fork Parkway and align with the access proposed to the east. The layout of the lots is not great, and there are too many triangular shaped lots. Many DRC members agreed that R-1-8 would be a better fit.

Monte Bingham stated there is a lot of infrastructure that needs to be put in and the frontage improvements along 400 North, Slant Road and Spanish Fork Parkway. This is part of the reason for trying to get a little higher density with a R-1-6 zone.

Travis Warren asked about the acquisition of the Rocky Mountain Power easement.

The DRC expressed concern with the power easement and proposed lot layout. They continued concept review until the applicant Julie Smith and a representative from Atlas Engineering could be present. It was recommended that the plans be revised prior to additional review.

HIGHWAY 6 STORAGE UNITS CONCEPT

Joseph Earnest stated that this site has challenges with elevation changes and access to Highway 6. He is confident that UDOT will allow for a right in right out access on Highway 6. As proposed, there would be about 65 storage units. The exterior will look the same or better than the storage units across the way on Highway 6. He also stated that UDOT is working to have the access from Canyon Road to Highway 6 closed, which will allow for a second access but would limit any potential commercial use.

Dave Anderson stated that over the years there have been many proposals for residential or small commercial development on this site.

Chris Thompson stated that the proposed Highway 6 access is on the wrong side of the curve.

Staff is unsure about having storage units on both sides of Highway 6 as a gateway to the community. This could have a negative aesthetic impact.

Seth Perrins asked if this is a parcel that anything should be allowed. The hillside, the interactions with the properties below, the narrowness of the property; it just does not make sense. This should be an open space area.

Based on the sight lines, speed, and utilities, it may be best for the City to have a conversation with the property owner about what could be viable. The current zone is Neighborhood Commercial.

Seth Perrins thinks the zone should be changed to not signal the idea that commercial development could occur on the site.

Jered Johnson stated that the Central Water District was clear when the City was doing some utility work on the parcel that no trucks could be on the canal. If development were to occur it would be likely that the canal would need to have a new box put in. Other utility challenges were also discussed.

SITE PLAN

FIRE STATION 61 TEMPORARY HOUSING UNIT

Travis Warren stated that the buildings were slid to the west to allow for the 15-foot clearance from the power lines.

It was discussed that the dumpster will be relocated. Travis was reminded to follow the Municipal Code requirements in regards to the new enclosure location and materials.

Seth Perrins **moved** to approve the proposed Fire Station 61 Temporary Housing Unit Site Plan.

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

FAIRGROUNDS MILL RACE CANAL ENCLOSURE

Josh Robinson stated this is needed to allow for a future building to be placed on the site north of the Mill Race. The previous building proposal that was presented to the DRC is currently being modified.

John Little asked if there have been any studies completed that show that piping the Mill Race canal and any associated potential blockages will not affect or flood any properties upstream.

There was discussion of the need for a study and what that looks like.

Josh Robinson stated that they will be laying multiple conduits for utilities across the canal.

Cody Hanks stated that the roadway drain issue that exists will be fixed per Seth Perrin's concern.

John Robinson stated that Westfield Irrigation does not want grates on the outlet pipe. Also, the Westfield Irrigation does not want the railings on the headwalls.

Seth Perrins asked for engineering staff to work out the issue and possibly review a solution with URMA.

Jered Johnson **moved** to approve the proposed Fairgrounds Mill Race Canal Enclosure Site Plan subject to the following condition:

Condition:

1. That the pipe exit grates and the railing along the headwalls be removed.

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

GENERAL PLAN AMENDMENT

TRANSPORTATION ELEMENT OF THE GENERAL PLAN 22.06

Chris Thompson **moved** to continue the proposed change to the Transportation Element of the General Plan 22.06.

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

Dave Anderson moved to adjourn the meeting at 11:35 a.m.

Adopted: **December 14, 2022**

Kimberly Brenneman
Development Coordination Manager