

**Adopted Minutes  
Development Review Committee  
October 29, 2003**

The meeting was called to order at 10:05 a.m. by Richard Heap.

Staff Members Present: Richard Heap, Engineering/Public Works Director; David A. Oyler, City Manager; Richard Nielson, Assistant Public Works Director; Jeff Foster, Electric Superintendent; Marvin Banks, Public Works Superintendent; S. Junior Baker, City Attorney; Keith Broadhead, Public Works Inspector; Ryan Baum, Public Works Inspector; Joe Santos, Public Works Inspector; Doug Short, Chief Building Official; Shawn Beecher, GIS Specialist; and Connie Swain, Deputy Recorder.

Citizens Present: Robert Pittelli, Jim Biesinger, *Desert Storm*, Aaron Cloward, *Cloward Office Building*, David Cloward, *Cloward Office Building*, Curtis Miner, *Cloward Office Building*, Mike Morley, *Expressway Business Plaza*, Leon Harward, *Expressway Business Plaza*, Jason Barker, *LEI/Gateway*.

**Minutes**

Mr. Baker made a **motion** to approve the October 22, 2003 minutes of the Development Review Committee meeting with changes as noted. Mr. Nielson **seconded**, and the motion **passed** with a unanimous vote.

**Cloward Office Building**

Mr. Heap reviewed the redline changes. The sidewalks will need to be continuous through the drive approach. The site is located west of the Mt. America Credit Union.

Mr. Oyler asked if a letter was obtained from the residential property owner next to the site approving a vinyl fence.

Mr. Cloward said he has a letter from the neighbor and will get a copy to Emil Pierson.

Mr. Baker made a **motion** to approve the Cloward Office Building Site Plan on the following condition(s):

1. The office building and site are to be built as shown on the site plan.
2. The sidewalk is to proceed through the drive approach as per the America's with Disability Act.
3. A vinyl fence is allowed next to the residential area contingent upon a letter of approval from the neighboring property owners, and
4. Any electrical poles moved are to be relocated at the owners expense.

Mr. Foster **seconded**, and the motion **passed** with a unanimous vote.

## **Zoning Ordinance Amendment - Windmill Ordinance**

Mr. Pittelli said he objects to the 1000 foot setback requirement from a residential zone. He said 22.9 acres would be required.

Mr. Baker said the requirement would not be from property line to property line but from residential use.

Mr. Pittelli also said he objects to the height restriction. With a square acre the height of the windmill could not exceed 84 feet. He also asked if additional zones could be included or if he could change the zoning of his property to I-1.

Mr. Baker said the Planning Commission most likely would not approve a rezone of Mr. Pittelli's property due to noise restrictions.

Mr. Pittelli said there will be very few areas in which the ordinance will apply.

Mr. Baker reviewed the areas within Spanish Fork City in which the ordinance would apply as drafted.

Mr. Pittelli said the ordinance is too restrictive.

Mr. Baker said the ordinance was drafted in accordance with standards from the industry experts.

Mr. Baker made a **motion** to recommend adoption of the draft windmill ordinance as prepared with a recommendation the Planning Commission consider specifically, the size of the property and including additional zoning districts. Mr. Nielson **seconded**, and the motion **passed** with a unanimous vote.

Mr. Baker said Emil Pierson performed extensive research in connection with the windmill ordinance drafted.

## **Gateway Commerce Plat C**

Mr. Heap said Gateway Commerce Plat C is located at 3450 North 200 East and consists of one building lot. The redlines have been reviewed and corrections need to be made including a temporary turn around. The temporary turn around will need to be 84 feet in diameter and surfaced with compacted road base or better.

Mr. Baker reviewed the possible locations for the turn around.

Mr. Oyler made a **motion** to approve Gateway Commerce Plat C on the following condition(s):

1. Make corrections to the plat as outlined on the redline drawings.

Mr. Baker **seconded**, and the motion **passed** with a unanimous vote.

## **Desert Storm Plat A**

Mr. Biesinger said he gave Marlo Smith a copy of the corrected red lines.

Mr. Heap said he will review the corrections.

Mr. Foster said he has electrical improvement requirements.

Mr. Biesinger presented his copy of the corrected red lines.

Mr. Nielson said he met with the developer of the Black Horse Run Subdivision concerning the electrical layout and they will adjust the lines and will make sure the main electric line is in front of the sidewalk when it gets to the Desert Storm Subdivision.

Mr. Foster said he does not like transitions on a main electrical line. He would like the main line to remain in the planter strip. His main concern is that it does not happen again.

Mr. Heap said Black Horse Run is the only development with the main electrical line not within the planter strip.

Mr. Biesinger said the wall was moved to the sidewalk due to maintenance issues. He also said he has talked with the developer of the Black Horse Run Subdivision concerning the electrical layout.

Mr. Baker made a **motion** to approve Desert Storm Plat A on the following condition(s):

1. Receive approval from Jeff Foster of the Electric Department concerning the electrical design and transition, and
2. Redline corrections are to be verified.

Mr. Foster **seconded**, and the motion **passed** with a unanimous vote.

## **Domain at the Meadows Amended Preliminary**

Mr. Heap said the developer of the property is taking one big lot in the development and making two lots.

Mr. Nielson reviewed the utilities needed.

Mr. Oyler said he has been contacted by a resident of the cul-de-sac and there have been problems with vandalism in the area and there needs to be a street light.

Mr. Morley said the graffiti occurred six months ago.

Mr. Oyler said the owner of the property went with Mr. Oyler to the area and pointed out the new graffiti on the utility box. The resident wants a street light and the weeds in the area to be cut down.

Mr. Foster said there is not a street light currently since the street is it less than 600 feet. He recommended installation of a street light now since Mr. Morley said the cul de sac is currently left open to allow Mr. Jex access to his property if he chooses to develop.

Mr. Heap asked if a street light could easily be added near the transformer.

Mr. Foster said the street light could easily be added at a cost of approximately \$1,500 to \$2,000 including installation and the light.

Mr. Baker reviewed the density in the area.

Mr. Heap said, according to Emil Pierson, they are below the maximum density allowed.

Mr. Baker said with the plat amendment every owner will need to sign off on the plat or a public hearing will be required.

Mr. Heap said they can sign the final plat.

Mr. Baker said Mr. Morley could get the final plat signed by the property owners on the cul-de-sac since it is a distinct neighborhood.

Mr. Morley said he will get the final plat mylar signed by the property owners.

Mr. Oyler asked who owns the lot with the weed problem.

Mr. Morley said he knows the property owner and will get the property cleaned up.

Mr. Nielson said the seal coat on the asphalt needs to be a type two slurry seal. He asked Mr. Morley to fax information concerning the materials used for the seal.

Mr. Baker made a **motion** to approve the Domain at the Meadows Amended Plat on the following condition(s):

1. Get property owners to sign the amended plat or hold a public hearing to approve the amendment, and
2. Install a street light toward the west end of the subdivision at a location to be approved by Jeff Foster of the Electrical Department.

Mr. Foster **seconded**, and the motion **passed** with a unanimous vote.

### **Expressway Business Park Preliminary Plat**

Mr. Nielson said there were a few items on the red lines. The new asphalt needs to meet the standards, the landscape plan needs to be approved, and he had questions concerning the existing storm drain easement to the north into the wetlands area.

Mr. Morley said the easements are in place, the city has copies of the easements, and the storm drain is in place.

Mr. Nielson also said the water meters need to be relocated unless the garage doors are relocated.

Mr. Morley said he would prefer to flip the garage doors and not relocate the meters.

Mr. Nielson said all of the corner units will have access with an overhead door. It would not work. He said, depending on our policy with URMMA, it may be better to use traffic rated meter lids rather than relocate 27 water meters.

Mr. Oyler advised Mr. Nielson to contact URMMA.

Mr. Nielson said there is a potential for problems in the future if the meter issue is not resolved before construction begins. Maintenance of the water system belongs to the city up to the meter.

Mr. Oyler said if it is a benefit to the city and URMMA approves the meter locations then leave the meters in their current locations. The concern is if the meter reader does not tighten the lid after reading and it becomes a hazard.

Mr. Baum said there are lids designed to minimize the lid slipping.

Mr. Neilson asked if Emil Pierson has a copy of the Covenants, Conditions, and Restrictions.

Mr. Harward said he was told they were not needed yet.

Mr. Shorts wants to make sure excavated materials are not put back in the trenches.

Mr. Nielson referred to the Department of Environmental Quality (DEQ) letter, second paragraph.

Mr. Heap said the developer is required to put in a two-foot clay liner.

Mr. Morley said the DEQ will accept areas not disturbed. He will have the DEQ sign off on all plans.

Mr. Oyler said any materials moved or unearthed are to be relocated according to specific conditions as contained in the letter from the DEQ.

Mr. Harward said he can provide a letter of approval from the DEQ.

Mr. Oyler said we want to make sure the DEQ is involved continually throughout the project.

Mr. Morley anticipates inviting the DEQ to observe the project continually throughout construction. He will also work closely with the State and the Engineer over the project. There

will be ongoing inspections throughout construction and a final sign off. He will insist they observe construction during the installation of the methane distribution system and the footings.

Mr. Heap said the area looks much better.

Mr. Nielson asked concerning the plans for the remaining portion of the property.

Mr. Morley reviewed the plans for additional business units, storage, and hopefully in the future an outlet mall on the remainder of the property.

Mr. Baker said when water and sewer laterals are dug the materials need to be covered or removed as required.

Mr. Foster said some electrical boxes have been damaged and need to be replaced. There will also need to be larger conduit run to have three phase power. He reviewed the areas where three phase power is available.

Mr. Baker made a **motion** to recommend approval of Expressway Business Park Preliminary Plat, on the following condition(s):

1. Obtain a letter of approval from the Department of Environmental Quality and The Utah County Health Department approving the methane distribution design system and disposal of excavated materials,
2. Install a cap over the landfill in accordance with the engineering design,
3. Use traffic rated meters subject to approval by Utah Risk Management Mutual Association (URMMA),
4. Receive approval of the electrical layout from Jeff Foster of the Electric Department,
5. Complete former punch list for Spanish Fork Ranches as coordinated with the public work's department and,
6. Meet current construction and development standards.

Mr. Heap **seconded**, and the motion **passed** with a unanimous vote.

### **Other Business**

None

### **Adjournment**

Mr. Baker made a **motion** to adjourn. Mr. Nielson **seconded**, and the motion **passed** with a unanimous vote. The meeting adjourned at 11:22 pm.