

**Adopted Minutes
Development Review Committee
June 23, 2004**

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

Staff Members Present: Richard Heap, Engineering/Public Works Director; Emil Pierson, Planning Director; David A. Oyler, City Manager; S. Junior Baker, City Attorney; Ryan Bagley, Electric Department; Keith Broadhead, Building Inspector; Marvin Banks, Public Works Superintendent; Dee Rosenbaum, Public Safety Director; Ryan Baum, Public Works Inspector; Shawn Beecher, GIS Specialists; Connie Swain, Deputy Recorder.

Citizens Present: Perry Frandsen, *Spanish Fork Associates, LLC*, David Adams, *Providence Realty*, Vic Hansen, *Dunn Construction*, John Smiley, *Quail Hollow*, Burtine Baum, Mike Dunn, *ESAD Investment*, and Russ Fotheringham, *UVEDA*.

Minutes

Mr. Baker made a **motion** to approve the April 28, 2004 minutes of the Development Review Committee meeting with changes as noted. Mr. Pierson **seconded** and the motion **passed** with a unanimous vote.

Mr. Baker made a **motion** to approve the May 19, 2004 minutes of the Development Review Committee meeting with changes as noted. Mr. Pierson **seconded** and the motion **passed** with a unanimous vote.

The remaining minutes were passed until the end of the meeting.

Spanish Fork Associates Annexation

Mr. Pierson said the property is located at 2400 East 1000 South and consists of 87.72 acres. Spanish Fork Associates is requesting to annex the property into Spanish Fork City, to be zoned Light Industrial. The property is required to have adequate water, sewer, and storm drain services.

Mr. Baker asked concerning the plans for the property.

Mr. Frandsen said the plans for the property consist of flattening out the bottom of the old gravel pit. At this time there is a heavy demand countywide for light industrial property. Mr. Frandsen said he has contacted Union Pacific Railroad and they are in favor of putting in two rail spurs to the property. With the rail spurs the area could become a light industrial property. With the potential rail service the plans are still sketchy at this time. Construction of the rail spurs is estimated to cost approximately \$1,000,000. The possible railroad design was reviewed.

Mr. Oyler said there is a steep grade on the property going into the railroad trench.

Mr. Frandsen said they would probably not bring the line into the trench. Two railroad spurs would be installed allowing two separate industrial developments.

Mr. Oyler is concerned with the usability of the additional spur on the other section of the property. Most industrial companies the city has dealt with require the railroad spur to extend into the building.

Mr. Pierson said it would depend on the company interested in the site.

Mr. Frandsen said industrial companies will not even consider looking at the property until it is zoned industrial.

Mr. Oyler asked Mr. Heap for the utility restrictions of the property.

Mr. Heap said they usually do not look at the specific utility capacities until they have a site plan. The type of industry will determine the capacity required.

Mr. Baker asked if there is capacity available for some industry.

Mr. Heap said there is some capacity available but he does not have the exact numbers at this time.

Mr. Frandsen said he met twice with Richard Nielson concerning the utility capacity available. There is a 10-inch sewer line that services the area and capacity is available. He said Richard Nielson was satisfied the capacity was there.

Mr. Heap said there is capacity available but not enough for industries such as a company the size of Stouffers, for example.

Mr. Oyler said a sewer line capacity maximum could be placed on the property.

Mr. Frandsen said the industry interested in a section of the property is similar to a distribution facility.

Mr. Pierson asked if Mr. Frandsen, Mr. Heap and Mr. Nielson could sit down and meet to find the exact numbers for the utility capacity.

Mr. Frandsen said he has met twice with Richard Nielson and he was already satisfied with the capacity available.

Mr. Oyler said the Develop Review Committee and Planning Commission need the existing capacity limits.

Mr. Pierson said the Planning Commission will not meet again until July 14, 2004.

Mr. Bagley said there are concerns with peaks on the electric substation.

Mr. Oyler said we may need the information concerning capacity within the annexation agreement.

Mr. Frandsen said he has a letter from Jeff Foster of the Electric Department stating the electric capacity. A portion of the property is crossed by Utah Power and Light and Strawberry Electric lines.

Mr. Oyler asked for the location of the nearest city power line to the property.

Mr. Bagley pointed out the location of the power line.

Mr. Heap said he gets concerned with capacities and reserving a portion of the capacity for possible development.

Mr. Oyler said the city needs to understand the capacity available for the industry that may come to the area. A portion of the capacity will not be reserved for future development.

Mr. Frandsen reviewed the storm drain issue and the permeability of the soil.

Mr. Oyler said near the property is an old excavated area which was developed. The development was built upon a clay level and is experiencing drainage problems. He does not want the problem repeated.

Mr. Heap said the railroad crossing in the area near Highway 6 needs to be upgraded.

Mr. Frandsen reviewed the planned road upgrades.

Mr. Heap asked concerning a nonconforming use.

Mr. Baker said the property owner will not be operating a gravel pit. Therefore, the property will not be nonconforming.

Mr. Baker made a **motion** to table the Spanish Fork Associates Annexation until the July 7, 2004 Development Review Committee meeting to allow additional time to review the following items: sewer capacity, Canyon Road sewer line, electric substation capacity, percolation testing, and soil conditions. Mr. Broadhead **seconded** and the motion **passed** with a unanimous vote.

Mr. Oyler said there may also be concerns with wind and dust.

Mrs. Baum said there is still dirt blowing from the property. Fifteen years ago she and her husband filed a law suit against the property owner. At that time the property owner was

required to install a berm around the area, however, he did not. She is anxious to see the property developed.

Mr. Oyler said the city does not want to inherit the problems the county has dealt with. The dust issue needs to be dealt with.

Mr. Frandsen said he understands Mrs. Baum's concerns and the problems. He is sure she would like to see the property developed.

Mrs. Baum said she can stand the dust if she knows something is going to be done with the property.

Mr. Frandsen said the property will be covered when developed.

Mr. Oyler asked what happens if the property does not develop for 10 to 30 years.

Mr. Frandsen said he is certain the property will develop soon. The property will never be considered residential.

Mrs. Baum said she lives at 7526 South 2400 East on the county road adjacent to the annexation property. She requested to be included in the annexation. She also asked if a batch plant could ever be built on the property in question.

Mr. Oyler said Light Industrial Zoning does not permit an asphalt batch plant.

Mr. Baker said Light Industrial Zoning does not permit a cement batch plant.

Mrs. Baum said her property consists of 7.5 acres and she asked if her property tax would increase if annexed into the city.

Mr. Heap said she would still be in the green belt and her property taxes will not increase due to the annexation. He asked if the Baum property could still be added to this annexation petition.

Mr. Baker said yes.

Mrs. Baum said the three-corner piece south of her is Hansen's property.

Mr. Baker said without Hansen's property she cannot annex into the city.

Mrs. Baum said she does not want to develop her property, she just wants to annex into the city.

Mr. Heap said Mr. Pierson can look at the possibility of adding the Baum property to the annexation.

Mr. Oyler asked Mr. Frandsen if he had a problem with adding the Baum property to the

annexation if it is possible.

Mr. Frandsen said no problem.

Quail Hollow Final Plat D

Mr. Smiley said the land agreement with Dave Hughes to trade one corner of his property to the north and east with a corner of the Quail Hollow property has been accepted. This will allow River Cover and Quail Hollow to each have one complete lot.

Mr. Broadhead asked if there needs to be an amended plat.

Mr. Smiley said the County requires a vacation of the lot. An amended plat will not be necessary.

Mr. Baker said if that is what the County accepts, he has no problem with that process.

Mr. Oyler made a **motion** to approve Quail Hollow Final Plat D. Mr. Baker **seconded** and the motion **passed** with a unanimous vote.

Quail Hollow Final Plat E

Mr. Baker asked concerning payment of the bridge. The bridge bonding and recording need to occur along with Plat E.

Mr. Heap said he has not received a report showing the armorment of the river bank.

Mr. Smiley said a copy is in his file.

Mr. Heap said he wants to review the plans for the river bank armorment.

Mr. Smiley said rocks are to be delivered soon.

Mr. Heap said he needs to see the plans to insure the river banks will be stable.

Mr. Broadhead said the punch list needs to be amended with respect to the detention basin.

Mr. Baker asked concerning the odd shape of one of the lots.

Mr. Smiley said the odd shape creates enough frontage for a cul-de-sac lot.

Mr. Oyler asked for the location of the emergency access.

Mr. Smiley said there will be a graveled road to the west providing an emergency access. The original emergency access road to the east was abandoned.

Mr. Heap said he cannot remember abandoning the original emergency access road.

Mr. Oyler said he thought the all-weather emergency access road was in as previously required. He asked who is responsible for monitoring this issue.

Mr. Banks said he viewed the area and saw neither emergency access road to be in nor usable.

Mr. Beecher located the preliminary plat conditions including the emergency access road requirement.

Mr. Smiley said during the discussions with Mr. Hughes it was determined the emergency access road to the west of the property was the best location.

Mr. Oyler said regardless of the location an emergency access road needs to be in today.

Mr. Smiley said the emergency access road is there, however, it is not of an all-weather surface.

Mr. Smiley said they will resolve the issue.

Mr. Heap recommended tabling this item until next week to allow the armorment report to be reviewed.

Mr. Bagley recommended Bruce Hall hire someone to prepare the preliminary plat electrical design since Mr. Hall has been complaining about the time it has taken the city Electrical Department to complete the design.

Mr. Smiley said the city staff has already completed the design and another design is not necessary. He said he would like the opportunity to prepare the electrical design for their next project.

Mr. Oyler asked if the comments made by Bruce Hall were concerning all of the plats or only Plat E.

Mr. Bagley said in general comments were made concerning all plats.

Mr. Baker suggested waiting for the next preliminary plat to allow Mr. Smiley and Mr. Hall to submit an electrical design.

Mr. Broadhead said the new standards state the city prepares all of the designs.

Mr. Smiley said Plat A took an excessive amount of time. It took 90 days. The problems seemed to have been resolved.

Mr. Smiley said originally Plat B did not include a sectionalizer. The plans now show a sectionalizer servicing the River Cove Development.

Mr. Bagley said he understands the developer will stub for the sectionalizer and the city will install the box.

Mr. Smiley said he will meet with Mr. Foster and discuss the requirements regarding the sectionalizer. He also asked concerning a Master Planned Development.

Mr. Baker said the development is still a Master Planned Development.

Mr. Smiley said they are building the bridge. He asked if they still need to bond for 125 percent of the bridge.

Mr. Broadhead said bonding for the foot bridge is part of the punch list.

Mr. Heap told Mr. Smiley to discuss the matter with Mr. Pierson.

Mr. Oyler said the items to be discussed are the electric sectionalizer, the emergency access, the river armorment, and the vehicle bridge bonding.

Mr. Baker made a **motion** to table Quail Hollow Final Plat D. Mr. Broadhead **seconded** and the motion **passed** with a unanimous vote.

The Villas at Spanish Vista Final Plat A

Mr. Baker said there are set back problems with Plat B and Mr. Pierson had suggested to him this item be tabled.

Mr. Vic Hansen said they are going back to Centex to work out the set back problem.

Mr. Baker told Mr. Hansen to work closely with Mr. Pierson.

Mr. Heap asked concerning the road dedication with this plat rather than the next phase of the development.

Mr. Adams said the road dedication in being worked out.

Mr. Oyler said these plats cannot be recorded without a temporary turn around, unless the other plats will be recorded first.

Mr. Adams said the other plats are to be recorded soon.

Mr. Heap said the cash bond has not been posted yet.

Mr. Adams said the bonding will be done in a couple of days.

Mr. Broadhead said the utilities for Plats A and B need to be completed together if the design is

to remain the same.

Mr. Adams said closing on the land is conditional upon approval of the plats by the Development Review Committee.

Mr. Oyler made a **motion** to approve the Villas as Spanish Vista Final Plat A subject to the following conditions:

1. Allow the Engineering Department to adjust the road to meet the setback requirements,
2. Provide a paper map to be approved before preparing a mylar map,
3. Recording of Plat A will take place after bonding for the storm drain is posted,
4. Recording of Spanish Vista Plat A will take place prior to the recording of The Villas at Spanish Vista Plat A.

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

The Villas at Spanish Vista Final Plat B

Mr. Baker made a **motion** to table Villas at Spanish Vista Final Plat B until next week.

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

Spanish Vista Final Plat B

Mr. Baker asked if a temporary turnaround is needed.

Mr. Broadhead said the storm drain is to be bonded for with this plat.

Mr. Baker made a **motion** to approve Spanish Vista Final Plat B subject to the following conditions:

1. Meet the Construction and Development Standards,
2. Meet the conditions of the preliminary plat,
3. Post the bonding for the storm drain.

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

Spanish Vista Final Plat C

Mr. Baker made a **motion** to approve the Spanish Vista Final Plat C subject to the following conditions:

1. Meet the Construction and Development Standards,
2. Recording of Spanish Vista Plat A will take place prior to the recording of Spanish Vista Plat C.

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

Spanish Vista Final Plat D

Mr. Baker made a **motion** to approve Spanish Vista Final Plat D subject to the following

conditions:

1. Receive approval of the storm drain and retention basin from the City Attorney and the Engineering Department,
2. Recording of Spanish Vista Plat A will take place prior to the recording of Spanish Vista Plat D.

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

Spanish Vista Final Plat E

Mr. Baker made a **motion** to approve Spanish Vista Final Plat E subject to the following conditions:

1. Meet the Construction and Development Standards,
2. Meet the Conditions of the Preliminary Plat,
3. Recording of Spanish Vista Plat A will take place prior to the recording of Spanish Vista Plat E.

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

Minutes

Mr. Baker made a **motion** to approve the May 26, 2004 minutes of the Development Review Committee meeting with changes as directed. Mr. Heap **seconded** and the motion **passed** with a unanimous vote.

Mr. Oyler made a **motion** to approve the June 9, 2004 minutes of the Development Review Committee meeting with changes as directed. Mr. Rosenbaum **seconded** and the motion **passed** with a unanimous vote.

Mr. Heap made a **motion** to approve the June 16, 2004 minutes of the Development Review Committee meeting with changes as directed. Mr. Banks **seconded** and the motion **passed** with a unanimous vote.

Other Business

None

Adjournment

Mr. Baker made a **motion** to adjourn. Mr. Oyler **seconded**, the motion **passed** unanimously, and the meeting adjourned at 12:05 p.m.