

**Adopted Minutes
Development Review Committee
October 27, 2004**

The meeting was called to order at 10:15 a.m. by Richard Heap.

Staff Member Present: Richard Heap, Engineering/Public Works Director; Emil Pierson, Planning Director; David Oyler, City Manager; S. Junior Baker, City Attorney; Seth Perrins, Assistant City Manager; Marvin Banks, Public Works Superintendent; Keith Broadhead, Public Works Inspector; Jeff Foster, Electric Department Superintendent; Carl Johnston, Police Lieutenant; Shawn Beecher, GIS Specialists; Connie Swain, Deputy Recorder.

Citizens Present: Carl Pitt, *Amsource Spanish Fork, LLC*, Ernie Thornton, *Fieldstone Homes*.

Minutes

Mr. Foster made a **motion** to approve the October 6, 2004 minutes of the Development Review Committee meeting as presented. Mr. Broadhead **seconded** and the motion **passed** with a unanimous vote.

Spanish Fields Plat B - Re-approval - 200 South 1000 West (Originally approved June 9, 2004)

Mr. Heap said the original plat approval has expired.

Mr. Oyler asked why construction has started and the subdivision has not recorded.

Mr. Heap said they have posted the bond.

Mr. Thornton said they are ready to record.

Mr. Heap said construction is allowed to begin if the bond is posted.

Mr. Pierson said he would like to see the ordinance changed to require full bonding before construction begins.

A discussion took place concerning the expiration date and the time line requirements.

10:20 - Seth Perrins arrived.

Mr. Oyler said the question is if the one year period is also extended with the re-approval.

Mr. Broadhead asked for a condition the one year period be based on the original approval date.

Mr. Pierson asked for a condition requiring Fieldstone to complete the full section of West Park

Drive to the river which runs along their subdivision. He said Mr. Mendenhall will be deeding the property needed for the road to the city.

Mr. Heap said the side yard of lot 236 runs along the road. The construction and development standards require the developer to install half the road plus 10 feet.

Mr. Oyler reviewed the bridge location and asked for the elevation.

Mr. Heap said the elevation to the bridge is 5 feet. The surrounding developers are to determine the elevation requirements.

Mr. Oyler said the Construction and Development Standards require the developer to install half of the road plus 10 feet. Since Mr. Mendenhall is deeded a portion of property to the city it will not be necessary for the developer to acquire property for the road.

Mr. Thornton asked if the small piece affecting lot 236 will be deeded to his development.

Mr. Pierson concurred.

Mr. Oyler said the city will need to put in the other half of the road.

Mr. Thornton agreed to install half the road plus ten feet.

Mr. Pierson made a **motion** to re-approve Spanish Fields Plat B subject to the following conditions:

1. Install half of the road plus ten feet along the east side of lot 236,
2. Provide to the Engineering Department a plan and profile for the road within 30 days,
3. Meet all previous conditions required for the preliminary and final plats.

Mr. Broadhead **seconded** the motion.

Mr. Oyler asked for clarification concerning the property on the south side of the river. He said Mr. Mendenhall's development was changed by deeding property up to the river to the property owner for maintenance purposes with a 20-foot right-of-way providing access to the river. He asked why we are not being consistent.

Mr. Pierson said it was related to the trail and open space issues.

The motion **passed** with a unanimous vote.

Amsource Spanish Fork Subdivision Waiver - 1000 North Main St.

Mr. Pitt said the letter of credit is ready and the bond was released this week. All the work is completed, including the connection between the two sites. They are working on several pads to attract additional tenants. Some possible tenants have expressed an interest in purchasing pads rather than leasing. The sub-waiver would allow the creation of separate lots. He reviewed the

proposal to create six parcels.

Mr. Baker said in one lot it appears a building is split in half.

Mr. Pitt pointed out the current ground lease property lines that exist. The entire center was built on ground lease property. He is in negotiations with lease owners to purchase the property. The ground lease occurred before he purchased the property.

Mr. Baker said he is not sure the city should approve a sub-waiver on ground lease property.

Mr. Pitt said it should not matter to the city. The property purchase will affect the buyer or the property owners. When property is sold the purchaser will be aware of the existing ground leases. Mr. Pitt reviewed the proposed lot separations. Separate parcels already exist for the Macey's property and one other.

Mr. Baker asked if lots 1 and 4 will be land locked.

Mr. Pitt said no parcels within the center will be landlocked. Access easements are recorded.

Mr. Pierson said there is a complete blanket access easement in place. It is signed and recorded.

Mr. Baker said we need to insure the access easements are ongoing.

Mr. Oyler said in 40 years when the land lease expires it will be difficult for the property owner. However, the property will probably be redeveloped by then. The risk is on the person who builds the buildings.

Mr. Pitt said he is taking the risk and any lots sold will place the risk on the new property owner. They will be aware of the ground lease.

Mr. Baker asked for the current name on the title to the property.

Mr. Pitt said the property is titled to Amsource.

Mr. Broadhead asked concerning improvements along 1000 North.

Mr. Pitt said there is already sidewalk on the north side.

Mr. Banks said sidewalk may be needed on the south side of the Cal Ranch block.

Mr. Heap asked if improvements can be required with a sub-waiver.

Mr. Pierson said he can drop lots 1 and 2 if needed.

Mr. Baker made a **motion** to divide the west piece of the property owned by Amsource into 4 lots

and the east piece of property owned by Amsource into 2 lots subject to the following condition(s):

1. When the Cal Ranch parcel is subdivided or developed (northwest corner) the improvements, including the sidewalk, must be installed for the entire parcel.

Mr. Pierson **seconded** and the motion **passed** with a majority vote. Mr. Broadhead was opposed to the motion.

Other Business

None

Adjournment

Mr. Heap made a **motion** to adjourn. Mr. Foster **seconded**, the motion **passed** unanimously, and the meeting adjourned at 11:00 a.m.