

**Adopted Minutes  
Development Review Committee  
March 23, 2005**

The meeting was called to order at 10:00 a.m. by David Oyler.

Staff Members Present: Emil Pierson, Planning Director; David Oyler, City Manager; Richard Nielson, Assistant Public Works Director; Junior Baker, City Attorney; Marvin Banks, Public Works Superintendent; Keith Broadhead, Public Works Inspector; Chris Thompson, Design Engineer; Ryan Bagley, Electric Utility Planner; Carl Johnston, Police Lieutenant; Ryan Baum, Public Works Inspector; Shawn Beecher, GIS Specialist; Connie Swain, Deputy Recorder.

Citizens Present: LeGrand Woolstenhulme, *Whispering Willow*, Greg Magleby, *LEI*, Steve Smoot, *Sky Properties*, and Mike McCormick, *Sky Properties*.

**Minutes**

Mr. Baker made a **motion** to approve the March 2, 2005 Development Review Committee meeting minutes with changes as noted. Mr. Nielson **seconded** and the motion **passed** with a unanimous vote.

Mr. Baker made a **motion** to approve the March 9, 2005 Development Review Committee meeting minutes with changes as noted. Mr. Nielson **seconded** and the motion **passed** with a unanimous vote.

**Whispering Willow Plat E Condominiums - Final Plat Reapproval**

Mr. Pierson said this is a request from LeGrand Woolstenhulme to reapprove Whispering Willow Plat E condominiums. The plat includes the wall and improvements along SR 51.

Mr. Oyler asked if any of the construction has been completed.

Mr. Pierson said no construction has occurred. This is the first phase of this development. He asked Mr. Woolstenhulme if he had received a recent letter from the Utah Department of Transportation (UDOT).

Mr. Woolstenhulme said he has not received a letter from UDOT recently.

Mr. Nielson said a letter received yesterday indicates that UDOT is denying Whispering Willow access to SR 51. Mr. Nielson directed the developer to contact Terry Stowell at UDOT.

Mr. Beecher said a current plat design is needed.

*10:15 a.m. - Jeff Foster arrived*

Mr. Oyler asked if the park in this subdivision has been completed as part of the original preliminary plat conditions.

Mr. Pierson said the park is not finished. During the most recent discussion it was determined that the city did not want to take over the park since they failed to meet our requirements. It was to become a private park. Instead of removing only trees as indicated by the city, the workers for the development also removed all of the native vegetation.

Mr. Baum said at this time the park area consists of only mud.

Mr. Pierson said there have been very lengthy discussions regarding this issue. He said this could also be a very lengthy discussion.

Mr. Oyler said people who bought property in this project assume there will be a park or something on this section of the property.

Mr. Pierson asked Mr. Woolstenhulme what he would do regarding the park.

Mr. Woolstenhulme said he was not involved in the first phases of the project. He said they are putting in offsite improvements. He said he is not sure he wants to be tied to the recreation facility being discussed. He said he will be including recreation facilities in his condominium section of this development.

Mr. Oyler asked who owns the park section of property.

Mr. Pierson said Dave Olsen still owns the deed.

Mr. Baker asked if it was not dedicated during the preliminary plat approval.

Mr. Pierson said he is not sure.

Mr. Broadhead said he does not think we are still holding a bond for this area.

Mr. Oyler said originally the subdivision consisted of only 1 plat.

Mr. Woolstenhulme said the park conditions can be placed on the other plat and not his. There is as much leverage either place.

Mr. Oyler said it is still one big project. The park allowed for additional density to be granted.

Mr. Broadhead reviewed the bond amounts remaining. There are bond amounts remaining in connection with plats C and D.

The committee felt comfortable proceeding with Plat E today.

Mr. Pierson asked that no more bond funds be released in connection with this development until the park issue is resolved. He said the storm drain issue has been resolved.

Mr. Magleby said he has an old letter of approval from UDOT with no expiration date.

Mr. Nielson read the letter he recently received from UDOT.

Mr. Baum said the access being referred to in the UDOT letter received yesterday could be in connection with an access at the lot containing the storm drain basin and not the main entrance into the development.

Mr. Magleby said he will contact UDOT.

Mr. Nielson made a **motion** to reapprove Whispering Willow Plat E Condominiums subject to the following conditions:

1. Meet all of the previous conditions imposed,
2. Obtain a permit from UDOT for the work on Highway 51 and the access into the development.

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

*10:30 a.m. - Marvin Banks arrived*

### **Utah County Emergency Services Building - Site Plan - 300 West 3200 North**

Mr. Pierson said the county has submitted a site plan for a Utah County Emergency Services Building for storage of emergency equipment. No hazardous materials will be stored on the site.

Mr. Banks said an additional fire hydrant is needed.

Mr. Thompson pointed out the location of the new fire hydrant.

Mr. Pierson made a **motion** to approve the Utah County Emergency Services Building site plan located at 300 West 3200 North subject to the following conditions:

1. The facility is to be built according to the site plan.

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

### **AAA Charter School - 1271 Del Monte Road**

This item was passed briefly to allow the applicant time to appear.

### **Greg Magleby Road Discussion**

Mr. Magleby said he has been approached by Sky Property to lay out a plan for a development near the gun club and the golf course. The biggest concern is the ability to bring the road to the property with the existing slopes. They have generated a design that works with a maximum

grade of 12 percent. Mr. Magleby said he discussed the matter with Mr. Pierson and Mr. Heap. Road configuration options are requested. In providing for access they will also provide a trail. They realize that there are hillside excavation regulations. Mr. Magleby reviewed the concept plan.

Mr. Smoot said he has been involved in hillside developments for 10 years. He was involved in the Eagle Wood project in Salt Lake City consisting of 1000 acres and more than 800 lots near a golf course. They want to create a more attractive neighborhood than is normally seen in Spanish Fork. They feel it makes sense to maintain as much natural vegetation as possible. They have included a network of trails in the concept plan. He reviewed the trail and road design. A question was raised concerning the possible drop zone.

Mr. Magleby reviewed the proposed trail/road design and standards. They can provide sidewalks on both sides of the roadway or shift the road and combine the sidewalks to create a wider sidewalk/trail.

Mr. Oyler said residents may be concerned with a sidewalk on only one side of the road.

Mr. Thompson said he prefers the trails to be separated from the roadway.

Mr. Oyler said as the road exists today it does not meet the city's standards.

Mr. Banks suggested private roads.

Mr. Pierson said for a private road to meet our current ordinance it would need to be gated.

Mr. Oyler said new standards would need to be drafted.

Mr. Nielson pointed out areas that would not meet the ADA requirements.

Mr. Banks said fire protection, snow clearances and steep grades are concerns.

Mr. Nielson said the grades meet our standards. The existing road does not meet the road width requirement of 34 feet.

Mr. Oyler said when the Oaks development was presented in the early 1980's they said that people did not use sidewalks and they were not needed and that narrower roads were adequate. It was approved. Now the residents complain about the narrow roadways and no sidewalks.

Mr. Baker said narrower roadways on hillsides reduce hillside scarring.

Mr. Nielson said when he was approached by Mr. Magleby he suggested that a concept plan be presented to the Development Review Committee to allow all of the concerns to be discussed.

Mr. Oyler said the purpose of this meeting is to get the opinions and perspectives of other

departments. He asked if this is just a hillside issue or an issue that can be applied in all areas of the city. This all needs to be discussed.

Mr. Pierson said he also questions the drop zone of the gun club.

Mr. Oyler said we have a map of the drop zone and the issue may need to be negotiated. The map of the drop zone was reviewed. Noise issues regarding the gun club are also a concern. Mr. Oyler said he is more concerned with the drop zone than the noise. There may be alternative solutions.

Mr. Smoot said the road sections are an important issue. They want to eliminate retaining walls and road cuts if possible. They would like the city to consider the concept plan.

Mr. Baker said he can see the developers point but he agrees with issues related to the Oaks and the gun club. He said sidewalks and trails are needed.

Mr. Magleby said sidewalks are indicated on the interior roads. Intersections do create some issues. He proposed at least sidewalks on one side of the roads throughout the development. He reviewed the fill and cut areas.

Mr. Baker asked how we can meet the ADA requirements. The options were discussed.

Mr. Magleby asked for the documents and steps needed to proceed.

Mr. Baker reviewed the process needed to make changes to the ordinance. He estimated it to be a 3 to 4-month process.

Mr. Magleby asked if it can run concurrent with the approval process.

Mr. Oyler said there are issues and concerns to be addressed. If we change the standards in this development regarding grading issues, it should be rationalized as to why the standards are not changed for all areas of the city.

Mr. Nielson suggested a meeting with LEI, the developers and city staff to discuss some specific cross section cuts and analyze the results and impact.

Mr. Smoot said if the city will work with them in a timely manner on the cross sections the developer will deed a section of the development to the city. When asked what he would consider to be a timely manner he said 4 months would be acceptable.

Mr. Oyler asked concerning the issue with Strawberry Water.

Mr. Magleby said they are meeting with Strawberry Water on April 15 to discuss the canal crossing. He is confident the structure was built for this purpose.

Mr. Pierson said he could provide the name of a developer if the project requires development rights before the utility restriction is lifted.

Mr. Oyler discussed the utility restriction possibilities.

Mr. Nielson said the decisions are not binding. The City Council will still need to approve the recommendations of this committee.

Mr. Oyler said there is also the drop zone of the gun club to be resolved. He explained that our trap shooting facility is one of the top facilities in the country. People from all over the country come here to shoot. It is an amenity the city is trying to preserve. We want to try and protect this facility from residential impact as much as possible.

Mr. Magleby said potential options can be discussed. A meeting was set for April 6 at 2:30 p.m. with LEI, the developer and city staff to be held at the city office.

### **AAA Charter School**

Jed Morley is now present.

Mr. Pierson said this is the site plan review for the American Achievement Academy.

Mr. Nielson said he does not think Richard Heap has reviewed the site plan. The plans were to be sent to LEI with any corrections.

Mr. Magleby said he has not received the corrected site plans.

Mr. Nielson said Mr. Heap is at home due to an illness. He gave Mr. Magleby the corrections he had. He said he does not think Mr. Heap would have any additional changes.

Mr. Pierson said a letter was received concerning Mill Road.

Mr. Baker said the letter is addressed to Mayor Bamey and the City Council concerning the access onto Mill Road.

Mr. Pierson asked if they need access onto Mill Road.

Mr. Morley said he is not sure why they need access other than for emergencies.

Mr. Oyler said we cannot change the City Council's access requirement. The zoning was approved with a gated access onto Mill Road.

Mr. Nielson said in a meeting with the developer, LEI and city staff it was decided that the street shown on the plans as private is to become a public street just in case the access through Parson's property is not possible.

Mr. Morley said he is waiting to hear from the Parsons. The Parsons said they cannot commit to moving until the relocation site is finalized. There are other location possibilities if the current relocation plans are not accepted.

Mr. Nielson asked if it is possible to temporarily move Parson's company to another section of this property to expedite the issue.

Mr. Morley said this option was discussed. The current location is on a steep drop off and relocation of the site might be difficult.

Mr. Nielson's suggestion was discussed. This would allow the access through the Parson's property to take place immediately.

Mr. Pierson said they can shift the existing block walls at Jack B. Parson's company in one day.

Mr. Baker asked for the distance between the 2 areas.

Mr. Nielson said the distance is about 2 miles. In the future there will still need to be access onto Mill Road. The school is the critical area requiring dual access in the future.

Mr. Nielson pointed out the utility connections available. Mr. Nielson has the full construction drawings and they have been addressed. A 30-foot permanent easement is needed.

Mr. Foster reviewed the accessible power locations.

Mr. Thompson said a trail to the school from Quail Hollow would be beneficial and a nice access to the city's new trail system.

Mr. Oyler asked if utilities are being stubbed into the lots shown.

Mr. Thompson said it would be good to stub them in.

Mr. Nielson would prefer stubbing the utilities in now.

Mr. Oyler said the concern with stubbing utilities to the lots now are possible changes in the design.

Mr. Nielson said this is a risk but future lot changes create less damage to the existing roads.

Mr. Baker asked if there is adequate parking available for interscholastic sports to be played on the property.

Mr. Johnston suggested reconfiguring the parking lot and allowing a drop off area accessing all 3 schools.

Mr. Nielson said improvements along Mill Road will be installed along the school property. There will be individuals parked along Mill Road and walk to the school and football field.

Mr. Morley said he is not in a position to accept these recommendations. He said they are concerned that relocating Parson's operation may encourage them to stay on the site rather than relocate. The parking lot areas were discussed along with possible accesses to the parking areas.

Mr. Nielson made a **motion** to table the AAA Charter School site plan located at 1271 Del Monte Road. Mr. Foster **seconded**, the motion **passed** with a unanimous vote.

Mr. Oyler said there are access issues to be resolved before the site plan can be approved.

Mr. Baker said he would like to see the easement in place prior to the approval.

Mr. Pierson asked if there is a letter of approval from South Field Irrigation yet.

Mr. Magleby said a letter has not yet been issued.

Mr. Baker said the Mayor received a letter from the Board of Health. A reply letter was sent to the Board of Health stating construction would not be approved by the city until a letter is received from the Board of Health. Mr. Baker said Ray Morley indicated he had a letter from the Board of Health. Mr. Baker asked Jed Morley to direct Ray Morley to provide this letter to the city at the meeting next week.

### **Other Business**

None

### **Adjournment**

Mr. Banks made a **motion** to adjourn. Mr. Nielson **seconded**, the motion **passed** unanimously, and the meeting adjourned at 11:56 a.m.