

**Re-Adopted Minutes
Spanish Fork City Development Review Committee
January 16, 2013**

Staff Members Present: Dave Oyler, City Manager; S. Junior Baker, City Attorney; Chris Thompson, Public Works Director; Shelley Hendrickson, Planning Secretary; Tom Cooper, Electric Design; Shawn Beecher, GIS Administrator; Jered Johnson, Engineering Division Manager; Steve Adams, Public Safety Director; Joe Jarvis, Fire Marshall; Cory Pierce, Development Review Engineer, Bart Morrill, Parks & Recreation Supervisor; Chris Swenson, Chief Building Official.

Citizens Present:

Mr. Thompson called the meeting to order at 10:05 a.m.

MINUTES

December 19 & 26, 2012

Mr. Baker **moved** to **approve** the minutes of December 19, 2013. Mr. Oyler **seconded** and the motion **passed** all in favor.

Mr. Baker **moved** to **approve** the minutes of December 26, 2013 with corrections. Mr. Thompson **seconded** and the motion **passed** all in favor.

FINAL PLAT

Old Mill Estates Plat B (reapproval)

Applicant: CW Management

General Plan: Low Density Residential

Zoning: R-1-15

Location: approximately 1500 South Mill Road

Mr. Pierce said that he had everything that he needed.

Mr. Baker **moved** to **approve** the re-approval of the Final Plat for Old Mill Estates subject to meeting the City's Development Standards. Discussion was held regarding the pressurized irrigation. Mr. Oyler **seconded** and the motion **passed** all in favor.

Mr. Neiderhauser explained that he did not want to get ahead of the market on this project but that he had buyers for some specific lots and was wondering if the City would allow him to do a three-lot phase.

Discussion was held regarding Mr. Neiderhauser's request. It was determined that he could do a three lot phase.

SITE PLAN

Wal-Mart

Applicant: Wal-Mart Real Estate Business Trust

General Plan: General Commercial

Zoning: Commercial 2

Location: approximately 700 North 800 East

Mr. Pierce explained that plans had been re-submitted yesterday and that they had missed one of his redlines; so, he had received a submittal a couple of hours previous to this meeting and that he had not had time to go over them. He said that he would make the approval contingent upon the recordation of the Final Plat.

Mr. Baker asked if we were satisfied with the landscape and dumpsters. Mr. Pierce said that he did not receive any comments from Dave Anderson so he assumed they met our standards.

Mr. Cooper explained that power was not an issue. The issue will be if the Final Plat does not run in conjunction with this project.

Mr. Thompson said that the Final Plat should be submitted soon. He said that the City Council had approved the Preliminary Plat on January 8, 2013.

Discussion was held regarding the Final Plat and Tenedor and Wal-Mart working together.

Tasha from Galloway said that she was in agreement with the City that they were working with Tenedor from a utility standpoint that they do tie into the overall infrastructure. They did discuss some milestone dates with Tenedor.

Mr. Baker asked when they were planning on pulling a Building Permit.

Brandon from Galloway said that they were looking to pull one by April 1, 2013.

Mr. Baker explained that it would be critical for the Final Plat to record because the City could not issue a Building Permit until the plat was recorded. He said that

they could apply for the permit but that we would not be able to issue it until the plat was recorded.

Tasha from Galloway asked if the City had any concern with the Final Plat being recorded by June.

Mr. Thompson said no. Mr. Baker said no and that it would be very easy on the City's end once the Final Plat was submitted.

Mr. from Galloway asked for confirmation that if the Final Plat was not submitted that they could still apply for a Building Permit. Mr. Baker said yes, and explained that the City's fee structure was increasing and that if they submitted before the increase that they would be vested on the current rate.

Mr. Jarvis explained that they may want to look into a monitor control valve in the building instead of an outside meter on the fire system. Discussion was held regarding the fire system.

Tasha from Galloway asked how the City was working with Tenedor on design guidelines. She explained that they had submitted some building elevations etc that were acceptable today, but asked if, with an approval today, they could be subject to future design guidelines.

Mr. Oyler asked if they had already submitted the elevations and Tasha said that they had that they were part of the Site Plan package. Mr. Oyler explained that they were acceptable to the City because right now the City does not have any standards and that it was really between them and Tenedor. He said that the City would hope that they would work with Tenedor to try to bring the building into compliance with the theme that they are trying to accomplish.

Mr. Baker explained that the City deals with design guidelines on a project to project basis by contract. He said that there was not a contract in place yet relative to the site.

Tasha from Galloway asked if by the end of the day would the City enforce or would they be strictly a developer document that the City encourages people to abide by. Mr. Baker explained that depending on the contract it could be a little bit of both but mainly up to the developer with some CC & R's. He also explained that Wal-Mart following the design guidelines would be voluntary because they are ahead the developer and what the guidelines are for this project.

Tasha from Galloway asked if that was something that could be documented. That the elevations meet current City guidelines and that compliance with the future guidelines would be voluntary.

Mr. Baker said that the Site Plan approval would be the document.

Mr. Oyler asked if they had a problem with Tenedor requesting more than they were willing to do.

Tasha with Galloway said yes. She explained that they are still working with them but that they wanted to make sure from the City's stand point when they apply for the Building Permit that the elevations they are proposing right now, will be acceptable. That they can work with Tenedor separately.

Galloway said that they were currently in compliance with what Tenedor has but if Tenedor changes the guidelines they do not want to be held to the changes.

Mr. Baker said that that would not be a problem because of their approval, today.

Discussion was held regarding a development agreement and design guidelines.

Mr. Baker moved to **approve** the Walmart Site Plan, as submitted, subject to the following conditions:

Conditions

1. That a Final Plat is recorded before a building permit is issued.
2. Construction is simultaneous to the Final Plat improvements so that the utilities are available and ready to be hooked up.

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

The meeting adjourned at 10:41 a.m.

Re-Adopted: May 8, 2013

Shelley Hendrickson, Planning Secretary