

Adopted Minutes
Spanish Fork City Development Review Committee
January 23, 2013

Staff Members Present: Dave Anderson, Community and Economic Development Director, Chris Thompson, Public Works Director; Dave Oyler, City Manager; S. Junior Baker, City Attorney; Chris Thompson, Public Works Director; Shelley Hendrickson, Planning Secretary; Kelly Peterson, Electric Department Superintendent; 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: Brad Mackey, Gary Carter, Lynn Rindlisbacher, Lew Bankhead, Kim Rindlisbacher.

Mr. Thompson called the meeting to order at 10:00 a.m.

FINAL PLAT

White Rail Plats A & B

Applicant: Lewis Bankhead

General Plan: High Density Residential

Zoning: R-1-6

Location: approximately 980 North State Road 51

Discussion was held regarding power and that lot 108 is not buildable.

Mr. Johnson explained that lot 108 is not developable due to the City needing a 16-foot access right of way for all utilities.

Mr. Pierce explained that the Preliminary Plat approval stipulated that lot 108 would not be buildable until all of the utilities were in.

Mr. Anderson **moved** to **continue** the Final Plats for White Rail until some future meeting. Mr. Baker **seconded** and the motion **passed** all in favor.

The applicant, Lew Bankhead, arrived and discussion was re-opened on the proposal.

Mr. Thompson explained that it was very important that the railroad crossing not be closed because it would need to be traded for another crossway for the Maple Mountain Parkway. He further explained that the City would not want a house

built on lot 108 due to the public utilities and an access easement so the City could maintain the utilities.

Discussion was held regarding the width of the easement.

Mr. Bankhead asked if there was any help with impact fees for the 600 amp electrical line.

Mr. Thompson explained the City's impact fee process.

Discussion was held regarding the impact fee process, the anticipated date for the increase in impact fees, connector's agreements and the storm drain line.

Mr. Baker **moved** to **reopen** and **approve** the Final Plats for White Rail A and B subject to the following conditions:

Conditions

1. That the applicant plats and grants an access dedication and utility easement along lot 109.
2. That the applicant meets the City's Development Standards.
3. That the applicant works with the City Engineering Department to redesign lot 108; which may lead to a loss of a building lot.
4. That the applicant obtains UDOT approval for an access road to Highway 51.

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

Spanish Highlands Plat C

Applicant: Ivory Homes

General Plan: Low Density Residential

Zoning: R-1-12

Location: approximately 1880 East 400 North

Mr. Pierce explained that this would be the last phase on the north end of the development and that the power connection across 100 North would need to be discussed.

Mr. Thompson asked if this proposal would trigger improvements along 400 North. Mr. Mackey said that he already put in the water, sewer and pressurized irrigation to the West. He said that he did not have to put in the road improvements that it was part of Maple Mountain's project.

Discussion was held regarding the conditions of the original approval of the Preliminary Plat, what was subject to impact fee reimbursement, the City's impact

fee study and the City's impact fee reimbursement calculations for the capital budget, growth related costs versus land value and an agreement for reimbursement.

Mr. Anderson read from DRC minutes dated September 23, 2010 and discussion was held regarding the Preliminary Plat approval and the decrease in lots for the storm drain and detention basin.

Mr. Baker asked Mr. Mackay to get the Engineering Department the costs for the Master Plan storm drain improvements.

Mr. Pierce asked for clarification on the power. Mr. Peterson explained the power and that it would need to be looped.

Mr. Thompson asked Mr. Mackay if he understood how they would be reimbursed. (half with impact fees and half with city budget). Mr. Mackey concurred.

Discussion was held regarding an appraisal and the costs that Mr. Mackey needed to provide to Mr. Thompson.

Mr. Anderson explained that a plan, for the detention basin, had been put together and that the City's Parks and Recreation Department is happy with it. It needs to be followed.

Mr. Baker **moved** to **approve** the Final Plat for Spanish Highlands Plat C subject to the following conditions:

Conditions

1. That the applicant put in the Storm water retention basin and sign a reimbursement agreement with the City.
2. That the applicant completes the three phase electrical connection on 130 North from 1800 East to approximately 1980 East with the caveat that it is not necessarily the applicant's responsibility if the Maple Mountain Plat comes along and gets them in first.

Discussion was held regarding at what point the three phase electrical would need to be installed. It was determined that only a total of 10 building permits could be allowed. Mr. Johnson **seconded** and the motion **passed** all in favor.

ZONE CHANGES

Gary Carter

Applicant: Gary Carter

General Plan: Medium Density Residential
Zoning: R-3 proposed, R-1-8 existing
Location: approximately 475 West 100 South

Mr. Anderson explained that the current zone on the property was R-1-8. He indicated an R-1-6 zoning designation on the agenda but that he felt the best zoning designation for the property would be R-3 because the applicant would like to build duplexes on the subject property.

Mr. Baker asked if the R-3 Zone met the City's General Plan. Mr. Anderson said that it did.

Mr. Anderson explained to the applicant, Gary Carter, that his next step would be to apply for a Preliminary Plat in conjunction with an In-Fill Overlay zone.

Mr. Oyler **moved** to recommend that the Planning Commission **approve** the R-3 zone. Mr. Anderson **seconded** and the motion **passed** all in favor.

Mr. Thompson explained that there were some connector's agreements in place for storm drain pipe. He told the applicant to talk to Marlo Smith.

Wash Creek

Applicant: Scenic Development
General Plan: Medium Density Residential
Zoning: R-1-6 proposed, Rural Residential existing
Location: approximately 1600 North State Road 51

Discussion on the Preliminary Plat was held along with the Zone Change.

Mr. Anderson explained the proposal was a plat with 186 lots on each side of State Road 51. The proposal is to change the zoning to R-1-6 and be developed as a standard subdivision. As a standard subdivision the City would not be talking about any minimum architectural controls or landscaping would not be discussed. Mr. Anderson further explained the Rocky Mountain Power line that runs through the proposal. He said that the City had not looked at any other plats that included lots within the power corridor. He expressed that he did not like the idea of lots being platted within the easement but that he could not find anything in the City's Municipal Code that addresses it.

Discussion was held regarding the Rocky Mountain Power easement and a gas line easement that says the ground cannot be graded. The applicant was in agreement, with the City, that they want the corridor to look good (as long as the costs are not outrageous).

Mr. Thompson asked Mr. Beecher to pull up the City's trail system on the overhead projector.

Mr. Anderson explained that the City has struggled to come up with what to do with this 120-foot wide corridor that runs through Spanish Fork City all the way to Lehi City. You can't build homes or make any beneficial uses of it. In the past, people have dedicated the land to the City and approved some other developments where the City required that they keep it open with the idea that the only beneficial use would be to have it open as a trail corridor.

Discussion was held regarding the lots backing the corridor. Who would maintain it, could it be fenced or should it be left open.

Mr. Anderson explained that he felt that the corridor was a bigger issue than could be addressed today and that he would like to have more dialogue with Rocky Mountain Power and have the applicants involved in the discussion.

Discussion was held regarding the corridor in the Legacy Farms project and projects that the applicant has worked on in other cities relative to the corridor. Further discussion was held regarding the easement and fencing and the easement becoming a trail, what Provo City had done with the corridor and wetlands.

Mr. Anderson explained that the City may not know, for another 120 days, where the alignment of Maple Mountain Parkway would be. Discussion was held regarding the road.

Discussion was held regarding signage on the property.

Mr. Baker **moved** to recommend that the Planning Commission **approve** the Wash Creek Zone Change, including the islands to R-1-6. Mr. Oyler **seconded** and the motion **passed** all in favor.

Discussion was held regarding the re-alignment of the sewer, what would be required when it goes through the garbage, how deep the garbage is, where the garbage is located and the Maple Mountain Parkway road being built on top of the garbage (it was determined that the developer would be responsible in obtaining and following a geo tech report), a deadline for when Maple Mountain Parkway will need to be built and who would be paying for the road.

Mr. Thompson explained that Tenedor would construct a ribbon road and the applicant will construct curb, gutter and sidewalk and connect to the ribbon road. What is reimbursable, via impact fees, is the difference in cost from a Local Road to a Minor Arterial Road. Chances are that the applicant will not be paying Tenedor anything and not being reimbursed very much from the City. He expressed that he felt that the asphalt that Tenedor constructs, that benefits the

applicant, off sets the extra right-of-way behind the curb that the applicant has to donate and in the end Tenedor will have a reimbursement agreement for the streets impact fee.

Discussion was held regarding a connector's agreement, impact fees, the sewer trunk line, geotech reports, the City's mathematical process for impact fee reimbursement, geotech test boars, how deep the sewer line will be, acquiring property for road right-of-way and what property that the City owns versus property that the applicant owns and what credit will be given to the applicant for property that they will dedicate to the City with regard to the road.

Mr. Pierce explained that the City only allows 50 homes on one access and for the applicant to keep that in mind with their phasing plan.

Discussion was held regarding the property the City owns versus the applicant and what could be bought and sold and what the City requires for water shares.

Mr. Thompson moved to recommend that the Planning Commission approve the Wash Creek Preliminary Plat subject to the following conditions:

Conditions

1. That the Maple Mountain Parkway road is re-aligned.
2. That no lots be platted in the Rocky Mountain Power easement without a letter from Rocky Mountain Power and Questar Gas companies that allows landscape area or a fence.
3. That enough land is taken from the corner of Maple Mountain corridor and Highway 51 for a monument sign.
4. That the applicant revises the phasing plan and shows fewer than 50 lots per phase.
5. That the applicant meets the City's Engineering Department's redline comments.
6. That an off site sewer geotech report is provided by Final Plat.

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

Discussion was held regarding the motion.

PRELIMINARY PLAT

Wash Creek

Applicant: Scenic Development

General Plan: Medium Density Residential

Zoning: R-1-6 proposed

Location: approximately 1600 North State Road 51

Discussion was held with the Zone Change.

Mr. Thompson moved to **adjourn**. Mr. Baker seconded and the motion **passed** all in favor at 12:00 p.m.

Adopted: February 6, 2013

Shelley Hendrickson, Planning Secretary