



CITY COUNCIL MEETING

PUBLIC NOTICE is hereby given that the City Council of Spanish Fork, Utah, will hold a regular public meeting in the Council Chambers in the City Office Building, **40 South Main Street**, Spanish Fork, Utah, commencing at **6:00 p.m. on March 7, 2006.**

ADDENDUM

AGENDA ITEMS:

1. CALL TO ORDER, PLEDGE, OPENING CEREMONY, RECOGNITIONS:

- a. Pledge

2. PUBLIC COMMENTS:

Please note: In order to be considerate of everyone attending the meeting and to more closely follow the published agenda times, public comment will be limited to three minutes per person. A spokesperson who has been asked by a group to summarize their concerns will be allowed five minutes to speak. Comments which cannot be made within these limits should be submitted in writing. The Mayor or Council may restrict the comments beyond these guidelines.

3. CONSENT ITEMS:

These items are considered by the City Council to be routine and will be enacted by a single motion. If discussion is desired on any particular consent item, that item may be removed from the consent agenda and considered separately.

- a. Minutes of Spanish Fork City Council Meeting – [January 17, 2006](#)
b. [City of Fun Carnival Contract for Fiesta Days](#)
c. [Deployed Military Utility Assistants](#) – Kent Clark

4. PUBLIC HEARINGS: 6:30 p.m.

a. [General Plan Amendment](#)

A request to amend the General Plan map from Residential 5-12 u/a to R-O/Residential 5-12 u/a to construct an office.

Applicant(s): Michael Nelson Location: 115 East 300 North

b. [Zoning Map Amendment \(Rezone\)](#)

A request to amend Zoning Map from R-3 to R-O in order to construct an office.

Applicant(s): Michael Nelson Location: 300 North 100 East

c. [Zoning Map Amendment \(Rezone\)](#)

A request to amend the Zoning Map from R-1-8 to R-1-6 to construct a duplex.

Applicant(s): Clay Grant Location: 605 North 300 West

d. [Zoning Map Amendment \(Rezone\)](#)

A request to amend the Zoning Map from R-1-9 to R-1-6 to subdivide the property and construct 3 homes.

Applicant(s): Mark Dallin Location: 1200 East Canyon Road

5. OLD BUSINESS:

- a. Wasatch Wind Follow Up

6. [ADJOURN TO REVELOPMENT AGENCY: 7:30p.m.](#)

7. OTHER BUSINESS:

- a. Executive Session If Needed – To be Announced in the Motion
b. Work Session

ADJOURN:

Notice is hereby given that:

- In the event of an absence of a quorum, agenda items will be continued to the next regularly scheduled meeting.
- By motion of the Spanish Fork City Council, pursuant to Title 52, Chapter 4 of the Utah Code, the City Council may vote to hold a closed executive meeting for any of the purposes identified in that Chapter.

SPANISH FORK CITY does not discriminate on the basis of race, color, national origin, sex, religion, age or disability in the employment or the provision of services. The public is invited to participate in all Spanish Fork City Council Meetings located at 40 South Main St. If you need special accommodation to participate in the meeting, please contact the City Manager's Office at 798-5000.

**Tentative Minutes
Spanish Fork City Council
January 17, 2006**

1 The meeting was called to order at 6:00 p.m. by Mayor Joe L Thomas. The pledge of allegiance
2 was led by Councilmember Barber.

3 Elected Officials Present: Mayor Joe L Thomas, and Councilmembers G. Wayne Andersen,
4 Matthew D. Barber, Steven Leifson, Seth V. Sorensen, and Chris C. Wadsworth.

5 Staff Members Present: David A. Oyler, City Manager; S. Junior Baker, City Attorney; Emil
6 Pierson, Planning Director; Richard Heap, Engineering/Public Works Director; Kent R. Clark,
7 Finance Director; Seth J. Perrins, Assistant City Manager; Dale Robinson, Parks and Recreation
8 Director; Dee Rosenbaum, Public Safety Director; John Bowcut, Information Services Director;
9 Mike Hendrickson, Electric Lineman; Ryan Bagley, Electrical Draftsman; Chris Thompson,
10 Design Engineer; and Marlo Smith, Engineering Secretary.

11 Citizens Present: Triton Wall, Katie Ashton, Cody Fillerup, Ethan Lowe, Malachi Green, Shay
12 Lefevre, Dallan Bird, Tanner Sandbakken, Janet Augustus, Royden Hill, Robert Pittelli, Sierra
13 Leifson, Brent Davis, Angela Jackson, Alice Sumsion, Hailey Brierley, Kevin Sumsion, Shanna
14 Besendorfer.

15 **OPENING CEREMONY, RECOGNITIONS**

16 **Employee of the 4th Quarter**

17 Mayor Thomas introduced Chris Thompson as the Employee of the 4th Quarter for 2005. A
18 round of applause was given.

19 **PUBLIC COMMENTS**

20 Mayor Thomas said he would like to thank all of the citizens that have volunteered for the
21 various committees.

22 Mayor Thomas also said he wanted to announce the burying of the time capsule on January 19,
23 2006 at 5:00 p.m. at the City Park located behind the library.

24 Mayor Thomas said he would like to open the meeting for public comment.

25 Mayor Thomas reviewed the guidelines for the public comments.

26 Carl Pitt

27 Mr. Pitt said he is here to represent Amsource in regards to the development they have been
28 constructing that includes the Macey's building, Hollywood Video, Seagull Book and the
29 changes to the Pizza Factory building. This overall concept plan he discussed also included
30 additional buildings that have been or will be built in the near future. Mr. Pitt said all of these

31 changes and additions were part of the overall concept plan that was approved. Mr. Pitt said he
32 submitted building plans for a pad that will be built in the parking lot where Cal-Ranch is
33 located. The building permit for this pad has been reviewed by the Building Inspection
34 Department and is lacking the approval from the Planning Department. Mr. Pitt said he has met
35 with Councilmember Barber and Emil Pierson to discuss enhancements to the proposed building.
36 Mr. Pitt said he was told the Councilmember Barber would like to review the plan with other
37 councilmembers. Mr. Pitt said he is asking the council to give direction to themselves and to
38 staff so he may move forward with the building that was previously approved.

39 Mayor Thomas asked Mr. Baker if the council could give direction where this item was not an
40 agenda item.

41 Mr. Baker said the council can give direction, but cannot take action such as an ordinance or
42 resolution.

43 Mr. Pitt said he understands that some people feel it may not be architectural compatible to what
44 they would like today, but when the project was approved, there were no problems.

45 Councilmember Andersen asked for clarification, that the building was previously approved.

46 Mr. Pitt concurred.

47 Councilmember Sorensen asked for clarification as to who said they could not proceed.

48 Councilmember Barber said he was the one who asked Mr. Pierson not to approve the building
49 permit plan until new standards were looked at. Councilmember Barber said he did not realize
50 that the entire project was approved in the past and that new enhancements could not be
51 required.

52 Mr. Pitt said they are making some enhancements, but will basically be the same as the prior
53 construction.

54 Discussion took place regarding proceeding with the past approval that was granted.

55 **PUBLIC HEARINGS**

56 **Land Use Amendment: to allow concrete batch plant in the light industrial (I-1) zone.**

57 This item was passed until later in the meeting.

58 **CONSENT ITEMS**

59 **Minutes of Spanish Fork City Council Meeting - December 6, 2005**

60 Councilmember Barber made a **motion** to approve the minutes of the December 6, 2005 City
61 Council meeting with changes as noted. Councilmember Sorensen **seconded**, and the motion

62 **passed** with a unanimous vote.

63 **NEW BUSINESS**

64 **Elected Officials Assignments**

65 Mayor Thomas said this item is still being organized at this time and will be passed at this
66 meeting.

67 **Electric Transformer Bids for New Substation**

68 Mr. Heap said about every three to five years a new substation is needed. This process requires a
69 long lead time to order a transformer so that it is delivered by the time it is needed. The low bid
70 amount for the transformer came in at \$425,901.20. Mr. Heap said Brent Davis with Electric
71 Power Engineering Associates has worked quite diligently analyzing the bids received and also
72 putting specifications on the transformer that will be reliable for 40 years and beyond. Mr. Heap
73 said Mr. Davis and Mike Hendrickson from the electric department are here if the council has
74 questions.

75 Discussion took place regarding the process of building the new substation in the summer.

76 Councilmember Barber said he feels this substation is critical.

77 Mr. Heap concurred, and said the substation will be located by Rocky Mountain Composites and
78 Utah County Jail.

79 Councilmember Wadsworth expressed his appreciation to Mr. Heap and Mr. Foster for their
80 diligence in meeting with the mayor and council.

81 Discussion took place that impact fees will pay for the new substation.

82 Councilmember Sorensen made a **motion** to award the Electric Transformer Bid for New
83 Substation to Waukesha in the amount of \$425,901.20. Councilmember Leifson **seconded**, and
84 the motion **passed** with a unanimous vote. A roll call vote confirmed the unanimous vote.

85 **Adjourn to Redevelopment Agency Meeting**

86 Councilmember Barber made a **motion** to move into the Redevelopment Agency meeting.
87 Councilmember Sorensen **seconded**, and the motion **passed** with a unanimous vote.

88 **Reconvene City Council Meeting**

89 Councilmember Barber made a **motion** to reconvene the regular session of City Council meeting.
90 Councilmember Wadsworth **seconded**, and the motion **passed** with a unanimous vote.

91 **PUBLIC HEARINGS**

92 **Land Use Amendment: to allow concrete batch plant in the light industrial (I-1) zone.**

93 Councilmember Barber made a **motion** to move into the public hearing portion of City Council
94 meeting. Councilmember Sorensen **seconded**, and the motion **passed** with a unanimous vote.

95 Mr. Pierson said the applicant is not present at this time.

96 Mr. Pierson said a request was submitted by Jed Morley to allow for a concrete batch plant in the
97 Light Industrial zoning district. The following ordinance was submitted:

98 15.3.16.120 C.

99 12. Manufacture of concrete products (allowed only east of I-15 and west of Highway 51 and
100 north of 1300 North and south of 2200 North.

101 The Development Review Committee reviewed this request and discussed the petition in great
102 detail. The DRC recommends approval with the following changes:

103 15.3.16.120 C.

104 12. Manufacture of concrete products (allowed only east of I-15 and west of Highway 51 and
105 north of 1600 North and south of 2200 North.

106 Discussion took place that the applicant is not present but the public hearing can still continue
107 and table the decision until the next meeting, then if the applicant does not want to continue with
108 the request the item can be denied or stricken from the agenda.

109 Mayor Thomas opened the hearing for public comment.

110 Robert Pittelli

111 Mr. Pittelli asked Mr. Pierson to show the other I-1 zones in the City.

112 Mr. Pierson said the proposed change would only affect the area east of I-15 and west of
113 Highway 51 and north of 1300 North and south of 2200 North.

114 Mr. Pittelli thanked Mr. Pierson for that clarification.

115 There were no other comments. Mayor Thomas closed the public comment portion of the
116 meeting and opened the meeting for City Council discussion.

117 Councilmember Christensen made a **motion** to move out of the public hearing portion of the
118 City Council meeting. Councilmember Wadsworth **seconded**, and the motion **passed** with a
119 unanimous vote.

120 Councilmember Wadsworth made a **motion** to table the amendments to the Land Use Code
121 15.3.16.120 C 12 until further notice. Councilmember Sorensen **seconded**, and the motion
122 **passed** with a unanimous vote.

123 **OTHER BUSINESS**

124 **Council Retreat Topics**

125 Mr. Perrins asked for direction regarding the venue for the Retreat Training in Sundance.

126 Discussion took place regarding the items the Mayor and Council would like to discuss.

127 **Adjourn to Executive Session**

128 Councilmember Barber made a **motion** to adjourn to Executive Session to discuss personnel and
129 legal issues. Councilmember Leifson **seconded**, and the motion **passed** with a unanimous vote.
130 The meeting adjourned at 7:00 p.m.

131

132

Marlo Smith, Engineering Secretary

133 Approved:



To: Mayor and City Council Members
From: Seth Perrins, Assistant City Manager
Date: February 28, 2006
RE: CARNIVAL CONTRACT FOR FIESTA DAYS

The contract with the carnival company, City of Fun, expired last year after the last Fiesta Days celebration. We have come to terms with them for a new, three year contract and that includes an increase that they will pay to the City. We have worked with this company for many years and recommend approval of this contract.

Background

Fiesta Days has had a carnival each year located in the parking lot and on Center Street, just East of the parking lot. The Carnival is very successful and has been the largest revenue generator of all the Fiesta Days activities, excluding the Rodeo.

At the end of last year's celebration, I spoke individually with each committee member and I asked them what their thoughts were on the Carnival in general and the company. With the contract expiring, we thought it prudent to review the operation and the pros and cons to maintaining a relationship with the City of Fun or putting it out to bid for other companies.

A major reason the majority of the committee members cited for renegotiating with the City of Fun was the unique layout that our location requires. City of Fun knows that layout, they work well with in it, and they manage to satisfy the many demands that the committee puts on them each year. Additionally, the police department has developed great rapport with them and is able to quickly handle any situations that may arise, this relationship could be lost if we changed companies.

Contract Changes

This contract only changes two things with our carnival:

1. Rent increase to \$10,000. This contract increases the payment from \$7,000 to \$10,000. As a historical note, in 2002 the City of Fun paid \$4,000 to the City and the price increased to \$7,000 for the last three years
2. Three-year contract extension. We will operate with them for another three years, at which time we can renegotiate and increase the price or put it out to bid if the committee or the Council wants to. One other note, in 2007, they have only contracted for 2 days but have left the rent the same. They indicated that they may not re-contract with another City and if they don't, they will add Friday and Saturday in 2007.

FIESTA DAYS CARNIVAL CONTRACT

COME NOW Spanish Fork City, a Municipal Corporation of the State of Utah, hereinafter **CITY**, and City of Fun Carnival, Inc., a Utah Corporation, hereinafter **CARNIVAL**, who recite and agree as follows:

1. For the consideration and upon the terms as hereinafter specified, **CARNIVAL** agrees to present a carnival attraction in conjunction with "Fiesta Days" a celebration conducted by **CITY** in July 2006, 2007, and 2008.
2. **CARNIVAL** agrees to present a carnival consisting of a quality and quantity of rides equal to or greater than that presented in previous years on July 20, 21, 22, (23 closed), and 24, 2006; July 23, 24, 2007; and July 21, 22, 23, and 24, 2008.
3. **CITY** shall provide a location for the carnival on the City parking lot west of the Spanish Fork City offices at 40 South Main in Spanish Fork, provided that in no event shall Carnival rides or attractions completely block or prohibit the passage of traffic upon any regularly dedicated public street or highway. **CARNIVAL** agrees to contact police department no later than two (2) weeks prior to the event to notify of the proposed partial closing of Center Street.
4. **CITY** agrees that it shall not contract with any other agency or entity to provide rides, games, candy cotton, hot dog on a stick, and apples.
5. **CARNIVAL** agrees to indemnify and hold **CITY**, its elected officials, appointed officials, employees, agents and volunteers, harmless from any claim by any person or entity for any harm arising from or related to the operation of the Carnival, maintenance of operation of carnival equipment, or conduct of carnival employees. **CARNIVAL** agrees to provide event and/or public liability insurance with limits of liability of not less than a combined single limit of \$1,000,000 written with a company licensed to do business in the State of Utah and holding a

rating of "A" or better as indicated in Best's Insurance Reports. **CARNIVAL** *agrees to provide a certificate of insurance each year not less than 30 days before the date scheduled for operation in the City for approval by the CITY indicating that appropriate insurance policies are purchased and in effect as of the proposed dates of operation.* Any insurance policy shall contain necessary language to provide that City shall be notified if such policy is canceled prior to or during the dates of operation within Spanish Fork City. In the event of such cancellation for any reason, **CARNIVAL** agrees to immediately cease operation within Spanish Fork City.

The insurance shall list the following as additional insured on the certificate of insurance: "Spanish Fork City, its elected officials, appointed officials, employees, agents and volunteers".

6. **CARNIVAL** shall pay to the **CITY** the sum of \$10,000.00 per year payable on or before July 20th of each year. Any amount unpaid as agreed in this contract shall carry interest at the rate of 18 percent per annum. In the event litigation is necessary to collect any amounts due, **CITY** shall be entitled to costs of court and reasonable attorney's fees.

7. **CARNIVAL** shall donate to the **CITY** a minimum of 2,500 tickets to be given to children at the Children's Parade.

8. **CITY** agrees that no other carnival shall be retained by or through the City to perform within City limits within sixty (60) days previous to the appearance days specified above.

9. **CITY** agrees to provide regular police patrols through the inside and outside of the carnival area during hours of operation.

10. **CITY** agrees to provide regular police patrols around the perimeter of the carnival area after hours of operation.

11. **CARNIVAL** agrees to leave carnival area in as good of a condition as received following completion of the carnival including litter pick up. **CARNIVAL** agrees to vacate the

premises on or before 8 am, July 25, 2006; July 25, 2007, and July 25, 2008.

12. CITY agrees to provide restroom facilities for carnival personnel from the time of arrival until the time of departure, but in no event earlier than 8:00 am July 20th nor later than 6:00 pm July 25th each year.

13. This agreement shall be governed by the laws of the State of Utah.

14. Time is of the essence in this agreement.

15. In the event any portion of this agreement shall be found or declared to be void or unenforceable the remainder shall, nevertheless, be enforceable.

DATED this ____ day of _____, 2006.

City of Fun Carnival, Inc.

STATE OF UTAH)
 :ss
COUNTY OF UTAH)

On the ____ day of _____, 2006 Lou Melendez personally appeared before me, who duly sworn by me did say that he, the said Lou Melendez is with the City of Fun Carnival, Inc. and that the foregoing instrument was signed in behalf of said corporation by authority of the Bylaws and the same Lou Melendez duly acknowledged to me that said Corporation executed the same.

NOTARY PUBLIC

My Commission Expires:
My Residence Is:

SPANISH FORK CITY

MAYOR JOE THOMAS

ATTEST:

KENT R. CLARK, City Recorder

STATE OF UTAH)
 :SS
COUNTY OF UTAH)

On the _____ day of _____, 2006, Joe Thomas, personally appeared before me, who is the Mayor of Spanish Fork City, a Municipal Corporation of the State of Utah, and that the foregoing instrument was signed in behalf of said corporation by authority of a resolution of the City Council, and that the said Joe Thomas acknowledged to me that said Corporation executed the same.

NOTARY PUBLIC

My Commission Expires:
My Residence Is:

F:\mc\fiesta\cityfun2002-2005

Staff notes:

To: Mayor and Council
From: Kent Clark

Topic: Deployed Military – Utility Assistance.

A couple of years ago the City Council approved the utility assistance to those who are actively deployed in military service. The benefit is (up to) \$100 per month. The military service person must be the one responsible for the utility bill. They must be deployed on a full time basis and can not be employed by the military on a full time basis. The following is a summary of the benefits paid over time:

<u>Year (April – March)</u>	<u>Amount \$\$</u>
Apr. 03 to March 04	\$ 29,300.73
Apr. 04 to Mar. 05	\$ 20,554.32
Apr. 05 to Jan. 06	\$ 9,549.57 (10 months)

Currently we have 11 residents who are be helped by this program.

**SPANISH FORK CITY
CITY COUNCIL
STAFF REPORT**



To: City Council
From: Emil Pierson, City Planner
Date: March 7, 2006
Subject: General Plan Amendment – Public Hearing
Location: 115 East 300 North
Noticed: General Plan: All properties within 300 feet of the property

Zoning: R-3
Property Size: .22 acres
Lots: N/A

Background

Michael Nelson, is requesting to Amend the General Plan for the property at 115 East 300 North. Currently the property is General Planned for Residential 5-12 unit per acre and the applicant is requesting to Amend the General Plan at this location to Residential 5-12 u/a and Residential Office.

If the General Plan Amendment is approved the applicant would also like to rezone the property from the R-3 zoning designation to Residential Office. The applicant is planning on remodeling the single family home to build an office.



Analysis

To the north and east is single family homes which are General Planned as Residential 5-12 u/a. To the south is 300 North and a home that has a beauty salon in it. To the west is property General Planned as Residential 5-12 u/a and Residential Office. The property is .22 acre or 9,498 square feet in size.

General Plan, page 40 G. Commercial Goals and Policies, Goal Two.

Policy d. Allow limited retail, service commercial, office, and other similar uses in those portions of Main Street, which are currently residential, subject to strict design review standards to maintain a residential character consistent with the area. Allow the same uses along the east side of 100 West and along the west side of 100 East between 100 North and 300 North.

Development Review Committee

The Development Review Committee reviewed this request at their January 25, 2006 meeting and recommended denial of the General Plan Amendment for the following reasons:

1. The parking must be in front of the building and on the side of it therefore not meeting the requirements of the R-O zone.
2. The office (home) wouldn't fit in with the neighborhood character with parking on the side and front of the building.
3. Concerns with the parking and the sight triangle
4. Is the use an office or a medical use which requires additional parking

DRC Minutes from January 25, 2006

Mr. Baker made a **motion** to recommend to the Planning Commission denial of the Michael Nelson General Plan Amendment, Zoning Text Amendment and Rezone located at 115 East 300 North. Mr. Nielson **seconded** and the motion **passed** with a unanimous vote.

Planning Commission

The Planning Commission reviewed this request on February 1, 2006. They discussed the General Plan amendments that need to take place to make this work and also they reviews that took place over the last 8 months. After much discussion they recommended denial of the General Plan Amendment.

PC minutes from Feb. 1, 2006

Mr. Pierson presented the following information to the Planning Commission regarding a request by Mr. Michael Nelson regarding an amendment to the General Plan at 115 East 300 North to rezone from Residential 5-12 to Residential 5 -12 u/a and Residential Office.

Michael Nelson, is requesting to Amend the General Plan for the property at 115 East 300 North. Currently the property is General Planned for Residential 5-12 unit per acre and the applicant is requesting to Amend the General Plan at this location to Residential 5-12 u/a and Residential Office.

If the General Plan Amendment is approved the applicant would also like to rezone the property from the R-3 zoning designation to Residential Office. The applicant is planning on remodeling the single family home to build an office.

Analysis

To the north and east is single family homes which are General Planned as Residential 5-12 u/a. To the south is 300 North and a home that has a beauty salon in it. To the west is property General Planned as Residential 5-12 u/a and Residential Office. The property is .22 acre or 9,498 square feet in size.

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Policy d. Allow limited retail, service commercial, office, and other similar uses in those portions of Main Street, which are currently residential, subject to strict design review standards to maintain a residential character consistent with the area. Allow the same uses along the east side of 100 West and along the west side of 100 East between 100 North and 300 North.

Development Review Committee

The Development Review Committee reviewed this request at their January 25, 2006 meeting and recommended denial of the General Plan Amendment for the following reasons:

1. The parking must be in front of the building and on the side of it therefore not meeting the requirements of the R-O zone.
2. The office (home) wouldn't fit in with the neighborhood character with parking on the side and

- front of the building.
3. Concerns with the parking and the sight triangle
4. Is the use an office or a medical use which requires additional parking

Mr. Richard Bean said he attended the Development Review Committee meeting on Wednesday to get input. He does not want the general plan map amended to encumber just one lot. He said this rezone is not wanted there and that it has been a residential neighborhood years. Rather just keep it looking at the zone it is good planning residential is zoned for buffering if adjusted back to R3 nothing to stop whole area being developed. He wants to maintain the area as a residential neighborhood. Mr. Bean presented petition from his neighbors to the Planning Commission regarding opposition to the rezone.

Mr. Bean also said the only way he can see the area able to be re zoned is to tear down homes. In his opinion is not worth the rezone on the general plan. Commercial is already set up for West side of 100 East and the East side of 100 West and should keep that way as far as the general plan is concerned.

Ms. Diane Anderson who lives at 170 East 300 North said there are a lot of families and a lot of traffic in this area already. She pointed out that parking 300 North and 100 East is already difficult. She does not want to see it the property rezoned because it would affect a lot of families in that area and to preserve current architecture in the neighborhood. She also stated once you start changing there, where do you stop.

Mr. Pierson presented to the commission the information that he received two phone calls from citizens regarding the rezone. Ms. Laverne Hunt would like to recommend approval. Also, one phone call from Mercedes to recommend approval.

There was discussion regarding parking and changing the General Amendment for one property.

Commissioner Miya made a **motion to deny** for the following reasons:

1. The parking must be in front of the building and on the side of it therefore not meeting the requirements of other R - O zone.
2. The office (home) wouldn't fit in with the neighborhood character with parking on the side and front of the building.
3. Concerns with the parking on the sight triangle.
4. Office use is medical which would require additional parking.

Commissioner Scott **seconded the motion** Roll call was taken and the voting was **unanimous**.

Recommendations

Approve

Make a motion to **APPROVE** the Michael Nelson General Plan Map Amendment at 115 East 300 North from Residential 5-12 u/a to Residential 5-12 u/a & Residential Office.

Table

Make a motion to **TABLE** the Michael Nelson General Plan Map Amendments at 115 East 300 North for the following reasons:

Deny

Make a motion to **DENY** the Michael Nelson General Plan Map Amendments at 115 East 300 North for the following reasons:

GP Map

1 Inch equals 188 Feet



Legend

- Roads
 - Not Paved
 - Paved
 - Railroad
- Rivers
- Buildings
- Property Lines
- County_SF_Parcel
- Spanish Fork Boundary
- 1 U/40 Acres
- 1 U/5+ Acres
- 1 U/5+ Acres / 0.5-1.5 U/A
- 1 U/5+ Acres / 1.5-2.5 U/A
- 1 U/5+ Acres / 2.5-3.5 U/A
- 1 U/5+ Acres / 3.5-4.5 U/A
- 1 U/5+ Acres / 4.5-5.5 U/A
- 1 U/5+ Acres / 5.5-8 U/A
- 1 U/5+ Acres / Business Park
- 1 U/5+ Acres/General Commercial
- 1 U/5+ Acres/Light Industrial
- 1 U/5-12 Acres / Residential Office
- 1.5-2.5 U/A
- 2.5-3.5 U/A
- 3.5-4.5 U/A
- 3.5-4.5 U/A / Professional Office
- 3.5-4.5 U/A / General Commercial
- 4.5-5.5 U/A
- 4.5-5.5 U/A / General Commercial
- 5.5-8 U/A
- 5.5-8 U/A / Professional Office
- 5.5-8 U/A / Residential Office
- 5.5-8 U/A / General Commercial
- 9-12 U/A
- 9-12 U/A / General Commercial
- Downtown
- Professional Office
- Professional Office / Residential Office
- Shopping Center
- General Commercial
- General Commercial / Business Park
- Light Industrial
- Light Industrial / 3.5-4.5 U/A
- Light Industrial / Commercial
- Light Industrial / Business Park
- Light Industrial / Public Facilities
- Medium Industrial
- Heavy Industrial
- Public Facilities
- Public Facilities / General Commercial
- Recreation

9/29/2004



Geographic Information Systems

Spanish Fork City GIS
40 South Main Street
Spanish Fork, UT 84660
(801) 798-5000

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**SPANISH FORK CITY
CITY COUNCIL
STAFF REPORT**



To:	City Council	Zoning:	R-3 to R-0
From:	Emil Pierson, City Planner	Property Size:	.22 acres
Date:	March 1, 2006	# Lots:	N/A
Subject:	Michael Nelson Rezone		
Location:	115 East 300 North		

Public Hearing: Everyone within 300 feet of the property was noticed of the public hearing as well as being posted on the property 10 days prior to the meeting.

Background

The applicant(s), Michael Nelson, is requesting to rezone approximately .22 acres or 9,498 square feet from the R-3 to the R-O (Residential Office zoning designation. If approved the applicant is planning to construct a podiatrist office in the existing single family home. This property is shown on the General Plan as Residential 5 to 12 u/a and the General Plan would need to be changed prior to the zoning request so it conforms with the General Plan.



Analysis

The property is .22 acres in size and currently has a single family home on the property. To the north and east of the property is two single family homes. To the south is 300 North and a single family home on the corner which also has a beauty salon. To the west is property owned by the City zoned for Residential Office.

The purpose of the Residential Office zoning designation is defined in 15.3.16.040.
This district is intended to allow low intensity professional office uses on a scale consistent with residential areas. Strict architectural and site plan review will be required to ensure compatibility with adjoining residential areas. This district serves as a transition between more intense commercial areas and residential land uses, or is

located along busier streets where limited office use is being introduced. Residential and office use of the same structure is allowed. Some limited commercial use may also be allowed in selective locations.

Issues on the Rezone: These are items that need to be changed in the Land Use Code to remodel the home into an office.

A. Permitted Uses....

The following uses will only be allowed on properties between 100 West and 100 East: **(Concern): when reviewing the General Plan is states only on the west side of 100 East and on the east side of 100 West.**

3. Personal services businesses

H. Parking

No parking will be allowed in front of the principal structure for non-residential uses.

Development Review Committee

The Development Review Committee reviewed this request at their January 25, 2006 meeting and recommended denial of the General Plan Amendment and then the Rezone. The DRC recommended denial for:

1. The parking must be in front of the building and on the side of it therefore not meeting the requirements of the R-O zone.
2. The office (home) wouldn't fit in with the neighborhood character with parking on the side and front of the building.
3. Concerns with the parking and the sight triangle
4. Is the use an office or a medical use which requires additional parking

Minutes from January 25, 2006

Mr. Baker made a **motion** to recommend to the Planning Commission denial of the Michael Nelson General Plan Amendment, Zoning Text Amendment and Rezone located at 115 East 300 North. Mr. Nielson **seconded** and the motion **passed** with a unanimous vote.

Planning Commission

The Planning Commission discussed this item at their February 1, 2006 meeting and recommended denial. See the minutes below.

Tentative PC minutes from February 1, 2006

The applicant(s), Michael Nelson, is requesting to rezone approximately .22 acres or 9,498 square feet from the R-3 to the R-O (Residential Office zoning designation. If approved the applicant is planning to construct a podiatrist office in the existing single family home. This property is shown on the General Plan as Residential 5 to 12 u/a and the General Plan would need to be changed prior to the zoning request so it conforms with the General Plan.

Analysis

The property is .22 acres in size and currently has a single family home on the property. To the north and east of the property is two single family homes. To the south is 300 North and a single family home on the corner which also has a beauty salon. To the west is property owned by the City zoned for Residential Office.

The purpose of the Residential Office zoning designation is defined in 15.3.16.040.

This district is intended to allow low intensity professional office uses on a scale consistent with residential areas. Strict architectural and site plan review will be required to ensure compatibility with adjoining residential areas. This district serves as a transition between more intense commercial areas and

residential land uses, or is located along busier streets where limited office use is being introduced. Residential and office use of the same structure is allowed. Some limited commercial use may also be allowed in selective locations.

Issues on the Rezone: These are items that need to be changed in the Land Use Code to remodel the home into an office.

Permitted Uses....

The following uses will only be allowed on properties between 100 West and 100 East: ***(Concern): when reviewing the General Plan is states only on the west side of 100 East and on the east side of 100 West.***

3. Personal services businesses

H. Parking

No parking will be allowed in front of the principal structure for non-residential uses.

Development Review Committee

The Development Review Committee reviewed this request at their January 25, 2006 meeting and recommended denial of the General Plan Amendment and then the Rezone. The DRC recommended denial for:

- I. The parking must be in front of the building and on the side of it therefore not meeting the requirements of the R-O zone.
- II. The office (home) wouldn't fit in with the neighborhood character with parking on the side and front of the building.
- III. Concerns with the parking and the sight triangle
- IV. Is the use an office or a medical use

Mr. David Nelson questioned Emil regarding the general plan and the number of parking spaces needed for the square footage.

Mr. Pierson explained that it depends on what it would be used for regarding office space. Medical or personal offices.

Mr. Nelson interpreted this needing 29 parking spots and pointed out there is no way for enough parking spots. He said that it is zoned residential and would like to see it kept residential.

Mr. Richard Bean pointed out that on the zoning that even if you only needed 8 spaces there is not enough space. He has to have a 10 foot landscape setback and then at least another 10 feet for a parking stall. Not enough square footage. As far as the neighborhood goes. The look of that then makes it a commercial building, not residential. The issue of whether it is a medical or dental office should not be an issue. It would be a medical office. With the looks of the neighborhood. Mr. Bean described the neighbors and the neighborhood. Homes are beautiful and fully landscaped and would like to see neighborhood stay the same. He would like to see someone in the home to keep the home up. It is a beautiful home and ideal circumstance on a corner lot have a family come in and keep up neighborhood. It does not make sense to change the zoning.

Nadine Johnson who operates a beauty salon across the street from proposed property discussed her problems in the past with parking at the proposed rezone.

There was discussion of regarding the previous use of the property. Commissioner Robbins stated that the parking would be an issue and there is no reason to approve in this area.

*Commissioner Robbins motion to deny for the following reasons:

1. The parking must be in front of the building and on the side of it therefore not meeting the requirements of the R-O zone.

2. The office (home) wouldn't fit in with the neighborhood character with parking on the side and front of the building.
3. Concerns with the parking and the sight triangle
4. consistent zoning of residential office does not have the space for parking and would be inconsistent and would be a negative impact upon area.

Commissioner Huff seconded the motion. Roll call was taken and voting was unanimous.

RECOMMENDATION

Approve

Make a motion to **APPROVE** the Michael Nelson Rezone of .22 acres at 115 East 300 North from R-3 to R-O **with the following findings and condition(s)**:

Deny

Make the motion to **DENY** the Michael Nelson Rezone of .22 acres at 115 East 300 North from R-3 to R-O follow reason(s):

Table

Make the motion to **TABLE** the Michael Nelson Rezone of .22 acres at 115 East 300 North from R-3 to R-O for the follow reason(s):

Property Map

1 Inch equals 188 Feet



Legend

Roads

- Not Paved
- Paved
- + Railroad
- Rivers

- Buildings
- Property Lines
- County_SF_Parcels
- Spanish Fork Boundary

- A-E
- BP
- C-1
- C-2
- C-D
- C-O
- I-1
- I-2
- I-3
- R-1-12
- R-1-30
- R-1-6
- R-1-8
- R-1-9
- R-1-6
- R-3
- R-O
- R-R
- S-C
- UV-C

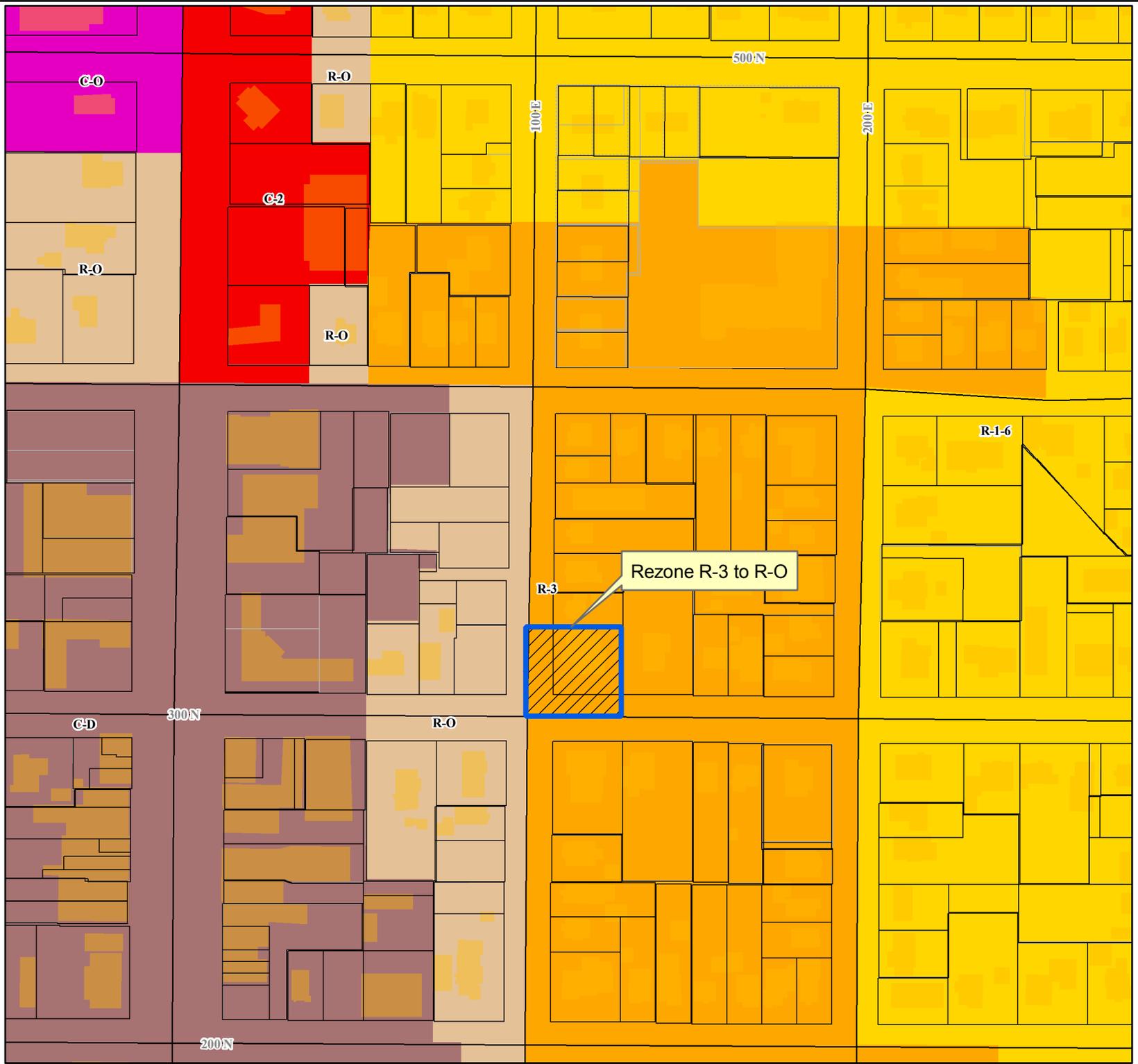
9/29/2004



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(801) 798-5000

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**SPANISH FORK CITY
CITY COUNCIL
STAFF REPORT**



To:	City Council	Zoning:	R-1-8 to R-1-6
From:	Emil Pierson, City Planner	Property Size:	.26 acres
Date:	March 7, 2006	# Lots:	N/A
Subject:	Clay Grant Rezone		
Location:	605 North 300 West		

Public Hearing: Everyone within 300 feet of the property was noticed of the public hearing as well as being posted on the property 10 days prior to the meeting.

Background

The applicant(s), Clay Grant, is asking for rezone approval of approximately .26 acres or 11,271 square feet from the R-1-8 to the R-1-6 zoning designation. If approved the applicant is planning to construct a duplex on the property. This property is shown on the General Plan as Residential 3.5 to 5 u/a and the zoning requested follows the Plan.

Analysis

The property is .26 acres in size and currently has a single family home on the property. To the north is a welding shop. To the south and west is single family



homes zoned R-1-8. To the east is more single family homes that are zoned R-1-6 which allows for duplexes if the lot is over 10,000 square feet in size and can meet the parking requirements.

Development Review Committee

The Development Review Committee reviewed this request at their January 25, 2006 meeting and recommended approval. The DRC discussed the adjacent properties and surrounding uses and the condition of the existing homes and why the street has been used as the barrier for the map.

DRC Minutes from January 25, 2006

Mr. Baker made a **motion** to recommend to the Planning Commission approval of the Clay Grant Rezone located at 605 North 300 West from R-1-8 to R-1-6. Mr. Nielson **seconded** and the motion **passed** with a unanimous vote.

Planning Commission

The Planning Commission discussed this request at their February 1, 2006 meeting and recommended approval. (see the minutes below)

Tentative PC minutes from February 1, 2006

The applicant(s), Clay Grant, is asking for rezone approval of approximately .26 acres or 11,271 square feet from the R-1-8 to the R-1-6 zoning designation. If approved the applicant is planning to construct a duplex on the property. This property is shown on the General Plan as Residential 3.5 to 5 u/a and the zoning requested follows the Plan.

Analysis

The property is .26 acres in size and currently has a single family home on the property. To the north is a welding shop. To the south and west is single family homes zoned R-1-8. To the east is more single family homes that are zoned R-1-6 which allows for duplexes if the lot is over 10,000 square feet in size and can meet the parking requirements.

Development Review Committee

The Development Review Committee reviewed this request at their January 25, 2006 meeting and recommended approval. The DRC discussed the adjacent properties and surrounding uses and the condition of the existing homes and why the street has been used as the barrier for the map.

Mr. Pierson stated to the committee that the DRC recommended approval with the following findings.

Mr. Clay Grant presented to the committee information regarding the neighborhood. There are both residential homes and businesses in the area along 300 West. Also, there are schools in the area. On the west side of 300 West in an R1-8 already there are two duplexes.

Mr. Robbins questioned how the duplex would be placed on the property and what would be done with the existing home?

Mr. Grant said he would plan on tearing down current home. He looked at the possibility of fixing up home and adding to it and it is not feasible.

There was discussion regarding parking for the duplex and accessibility concerns with the traffic on 300 West.

Mr. Grant said he has talked with the neighbors and they would like to see the current house gone and also would like the duplex built consistent with the other homes in the area as far as placement on the property.

Mr. Pierson suggested make sure driveway is together with possibly pad sits on one side based on the fact that everything else is single family homes. Split driveways would not be consistent with the area.

Commissioner. Lewis made a **motion** to approve with the following findings:

1. That the zone change is consistent with the policies of the General Plan, including any policies of the Capital Improvements Plan; and the General Plan shows this property as Residential 3.5 to 5 u/a and the R-1-6 is within that density range. That consideration has been given to include any conditions necessary to mitigate adverse impacts on adjoining or nearby properties.

Commissioner Huff **seconded** the **motion** roll call was taken and the voting was **unanimous**.

RECOMMENDATION

Approve

Make a motion to **APPROVE** the Clay Grant Rezone of .26 acres at 605 North 300 West from R-1-8 to R-1-6 zoning district **with the following findings and condition(s)**:

FINDINGS

- That the zone change is consistent with the policies of the General Plan, including any policies of the Capital Improvements Plan; and

The General Plan shows this property as Residential 3.5 to 5 u/a and the R-1-6 is within that density range.

- That consideration has been given to include any conditions necessary to mitigate adverse impacts on adjoining or nearby properties.

Condition(s):

None

Deny

Make the motion to **DENY** the Clay Grant Rezone of .26 acres at 605 North 300 West from R-1-8 to R-1-6 follow reason(s):

Table

Make the motion to **TABLE** the Clay Grant Rezone of .26 acres at 605 North 300 West from R-1-8 to R-1-6 for the follow reason(s):

GP Map

1 Inch equals 188 Feet



Legend

- Roads
 - Not Paved
 - Paved
 - Railroad
 - Rivers
- Buildings
- Property Lines
- County_SF_Parcel
- Spanish Fork Boundary
- 1 U/40 Acres
- 1 U/5+ Acres
- 1 U/5+ Acres / 0.5-1.5 U/A
- 1 U/5+ Acres / 1.5-2.5 U/A
- 1 U/5+ Acres / 2.5-3.5 U/A
- 1 U/5+ Acres / 3.5-4.5 U/A
- 1 U/5+ Acres / 4.5-5.5 U/A
- 1 U/5+ Acres / 5.5-8 U/A
- 1 U/5+ Acres / Business Park
- 1 U/5+ Acres/General Commercial
- 1 U/5+ Acres/Light Industrial
- 1 U/5-12 Acres / Residential Office
- 1.5-2.5 U/A
- 2.5-3.5 U/A
- 3.5-4.5 U/A
- 3.5-4.5 U/A / Professional Office
- 3.5-4.5 U/A / General Commercial
- 4.5-5.5 U/A
- 4.5-5.5 U/A / General Commercial
- 5.5-8 U/A
- 5.5-8 U/A / Professional Office
- 5.5-8 U/A / Residential Office
- 5.5-8 U/A / General Commercial
- 9-12 U/A
- 9-12 U/A / General Commercial
- Downtown
- Professional Office
- Professional Office / Residential Office
- Shopping Center
- General Commercial
- General Commercial / Business Park
- Light Industrial
- Light Industrial / 3.5-4.5 U/A
- Light Industrial / Commercial
- Light Industrial / Business Park
- Light Industrial / Public Facilities
- Medium Industrial
- Heavy Industrial
- Public Facilities
- Public Facilities / General Commercial
- Recreation

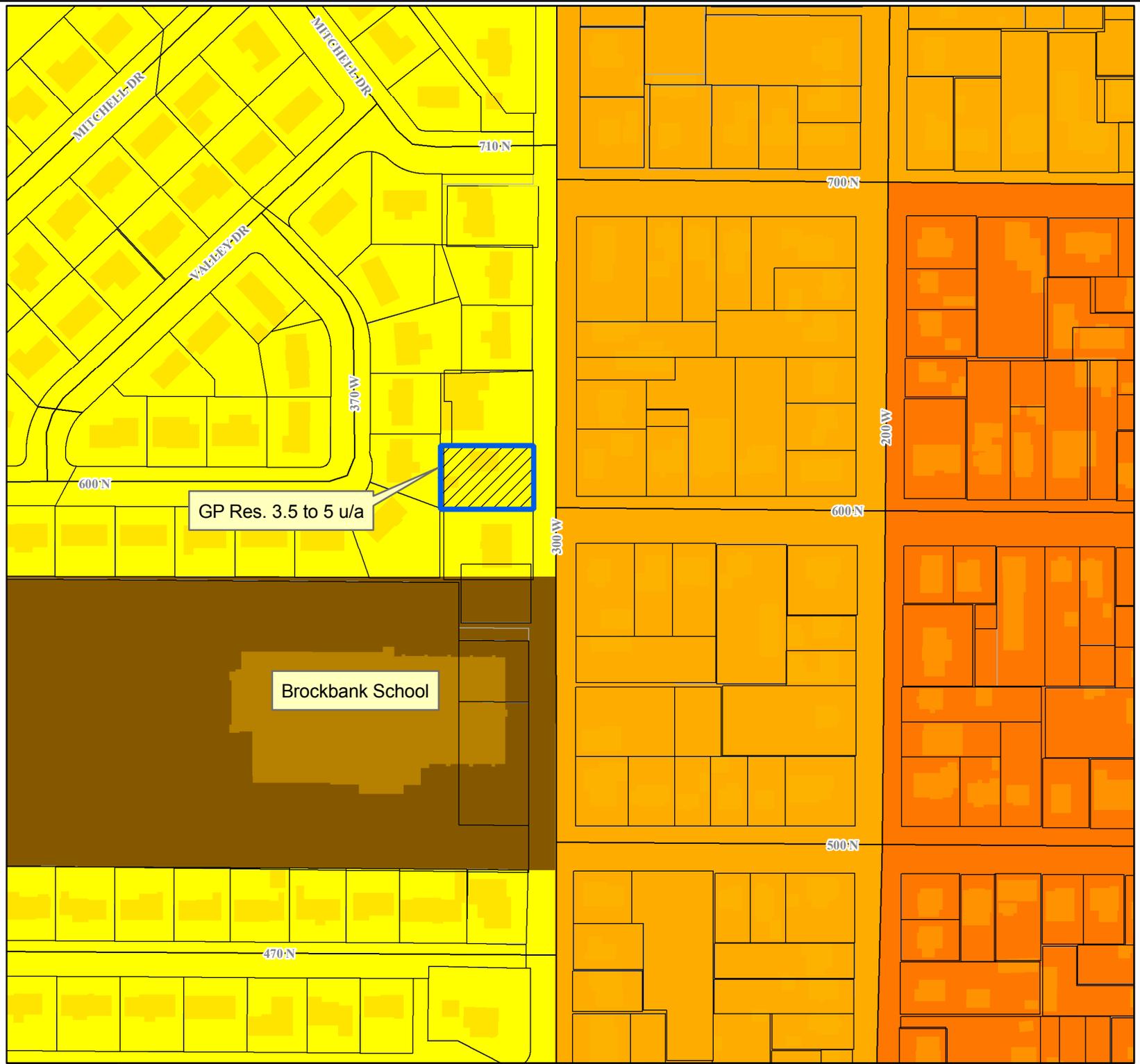
9/29/2004



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Zoning Map

1 Inch equals 188 Feet



Legend

- Roads
- Not Paved
 - Paved
 - + Railroad
 - Rivers
 - Buildings
 - Property Lines
 - County_SF_Parcels
 - Spanish Fork Boundary
 - A-E
 - BP
 - C-1
 - C-2
 - C-D
 - C-O
 - I-1
 - I-2
 - I-3
 - R-1-12
 - R-1-30
 - R-1-6
 - R-1-8
 - R-1-9
 - R-1-6
 - R-3
 - R-O
 - R-R
 - S-C
 - UV-C

9/29/2004



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**SPANISH FORK CITY
CITY COUNCIL
STAFF REPORT**



To: City Council
From: Emil Pierson, City Planner
Date: March 7, 2006
Subject: Mark Dallin Rezone
Location: 1180 East Canyon Road

Zoning: R-1-9 to R-1-6
Property Size: .93 acres
Lots: N/A

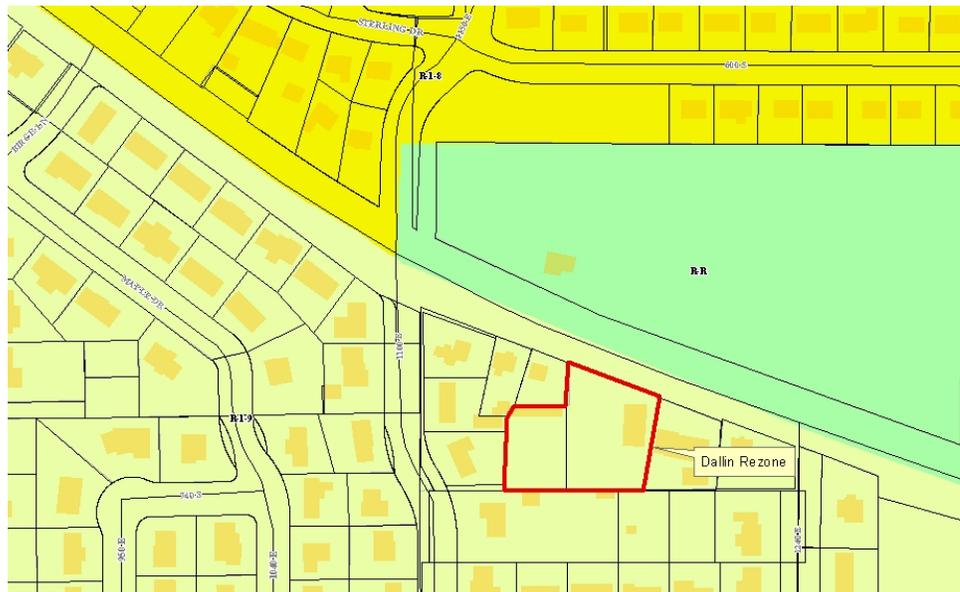
Public Hearing: Everyone within 300 feet of the property was noticed of the public hearing as well as being posted on the property 10 days prior to the meeting.

Background

The applicant(s), Mark Dallin, is asking for rezone approval of approximately .93 acres or 40,464 square feet from the R-1-9 to the R-1-6 zoning designation. If approved the applicant is planning to construct three single family homes on the property any additional units would make the proposal non-conforming to the General Plan. This property is shown on the General Plan as Residential 2.5 to 3.5 u/a and the zoning requested follows the Plan.

Analysis

The property is .93 acres in size and currently has a number of out buildings on the property. To the north of the property is Canyon Road and a field with agricultural uses zoned R-R. To the south, west and east is a single family homes zoned R-1-9.



Development Review Committee

The Development Review Committee reviewed this request at their January 18, 2006 meeting they discussed the width of the property and the density with the R-1-6 zone and if it met the General Plan. After discussing the issues the DRC recommended approval.

Minutes from January 18, 2006

Mr. Baker made a **motion** to recommend approval of the Mark Dallin Rezone located at 1200 East Canyon Road from R-1-9 to R-1-6 with the following conditions:

- 1 Entering into a development agreement that would require side yard setbacks to have a minimum of 10 feet,
- 2 Density can not be greater than the requirement of the General Plan,
- 3 Only single family homes can be built on this property.

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

Planning Commission

The Planning Commission reviewed the request to rezone the property at their February 1, 2006 meeting and recommended approval. (see minutes below)

Tentative Planning Commission minutes from February 1, 2006

The applicant(s), Mark Dallin, is asking for rezone approval of approximately .93 acres or 40,464 square feet from the R-1-9 to the R-1-6 zoning designation. If approved the applicant is planning to construct three single family homes on the property any additional units would make the proposal non-conforming to the General Plan. This property is shown on the General Plan as Residential 2.5 to 3.5 u/a and the zoning requested follows the Plan.

Analysis

The property is .93 acres in size and currently has a number of out buildings on the property. To the north of the property is Canyon Road and a field with agricultural uses zoned R-R. To the south, west and east is a single family homes zoned R-1-9.

Development Review Committee

The Development Review Committee reviewed this request at their January 18, 2006 meeting they discussed the width of the property and the density with the R-1-6 zone and if it met the General Plan. After discussing the issues the DRC recommended approval.

Emil explained what would happen if this property were left R-1-9 zone. Requires 85 feet of frontage. If property were R-1-8 zone 3.5 to 5 units per acre as well as to the North. R-1-8 zone 75 feet wide would be able to two properties.

There was discussion regarding frontage on the properties and how the properties would be set on the property as far as driveway access.

Mark Dallin addressed the commission and explained frontage on the lots 50 foot frontage with nearly 200 feet deep lots. 10 foot setback on each side.

Linda Bartholomew addressed the commission 1200 East Canyon Road overall she thinks this would be good. This road is horrible to back out. Three more driveways in that spot is a lot and that her really her only concern is people backing out onto Canyon Road. Also house is really close to property line.

Mr. Robbins discussed traffic regarding Mrs. Bartholomew's pre-school. There was discussion on the amount of traffic.

Mrs. Miya asked if the driveways could be positioned so that they could drive out onto Canyon Road rather than backing. Mr. Dallin already discussed with Mrs. Bartholomew the parking and there is traffic in and out it is being used for agricultural. In order to make use of the property there would need to be driveways somewhere.

Pat Parkinson seems like you could avoid backing out if did cul-de-sac but would not get frontage. Maybe should be considered.

Emil sat down with Mark and cul-de-sac would take too much area out of the lot. Mr. Pierson presented the

possibility of a circular drive on the frontage of the property.

Commissioner Miya questioned the 5-foot setbacks in the R-1-6 zone and the possibility of 10-foot setbacks. Still allows for setbacks because it isn't dealing with homes, just property.

Commissioner Robbins made a motion to give the City Council a positive recommendation on the Mark Dallin rezone of .93 acres at 1180 East Canyon Road from R-1-9 to R-1-6 with the following findings and conditions:

1. Entering into a development agreement that would require side yard setbacks to have a minimum of 10 feet,
2. Density can not be greater than the requirement of the General Plan,
3. Only single family homes can be built on this property.
4. The developer enter into a development agreement for a common circular driveway on the front of the property.

Commissioner Lewis **seconded** the **motion**. Roll call was taken and the vote was **unanimous**.

RECOMMENDATION

Approve

Make a motion to **APPROVE** the Mark Dallin Rezone of .93 acres at 1200 East Canyon Road from R-1-9 to R-1-6 **with the following findings and condition(s)**:

Condition(s):

1. Entering into a development agreement that would require side yard setbacks to have a minimum of 10 feet,
2. Density can not be greater than the requirement of the General Plan,
3. Only single family homes can be built on this property.
4. The developer enter into a development agreement for a common circular driveway on the front of the property.

Deny

Make the motion to **DENY** the Mark Dallin Rezone of .93 acres at 1200 East Canyon Road from R-1-9 to R-1-6 follow reason(s):

Table

Make the motion to **TABLE** the Mark Dallin Rezone of .93 acres at 1200 East Canyon Road from R-1-9 to R-1-6 for the follow reason(s):

Property Map

1 Inch equals 188 Feet



Legend

-  Site Pictures
- Roads
 -  Not Paved
 -  Paved
 -  Railroad
 -  Rivers
-  Buildings
-  Property Lines
-  County_SF_Parcels
-  Spanish Fork Boundary
-  A-E
-  BP
-  C-1
-  C-2
-  C-D
-  C-O
-  I-1
-  I-2
-  I-3
-  R-1-12
-  R-1-30
-  R-1-6
-  R-1-8
-  R-1-9
-  R-1-6
-  R-3
-  R-O
-  R-R
-  S-C
-  UV-C

9/29/2004



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REDEVELOPMENT AGENCY MEETING

PUBLIC NOTICE is hereby given that the Redevelopment Agency of Spanish Fork, Utah, will hold a public meeting in the City Council Chambers in the City Office Building, **40 South Main Street**, Spanish Fork, Utah, commencing at **7:30 p.m. on March 7, 2006**

AGENDA ITEMS:

1. CALL TO ORDER & ROLL CALL

2. NEW BUSINESS:

- a. Resolution Of The Governing Body Of The Redevelopment Agency Of Spanish Fork Appointing The Remaining Taxing Entities' Representative To Serve On The Taxing Entity Committee For All Redevelopment, Economic Development And Education Housing Development Project Areas In Spanish Fork

3. OTHER BUSINESS

ADJOURN:

Notice is hereby given that:

- In the event of an absence of a quorum, agenda items will be continued to the next regularly scheduled meeting.
- By motion of the Spanish Fork City Council, pursuant to Title 52, Chapter 4 of the Utah Code, the City Council may vote to hold a closed executive meeting for any of the purposes identified in that Chapter.

SPANISH FORK CITY does not discriminate on the basis of race, color, national origin, sex, religion, age or disability in the employment or the provision of services. The public is invited to participate in all Spanish Fork City Council Meetings located at 40 South Main St. If you need special accommodation to participate in the meeting, please contact the City Manager's Office at 798-5000.

RESOLUTION NO. _____

DATED: _____

RESOLUTION OF THE GOVERNING BODY OF THE REDEVELOPMENT AGENCY OF SPANISH FORK APPOINTING THE REMAINING TAXING ENTITIES' REPRESENTATIVE TO SERVE ON THE TAXING ENTITY COMMITTEE FOR ALL REDEVELOPMENT, ECONOMIC DEVELOPMENT AND EDUCATION HOUSING DEVELOPMENT PROJECT AREAS IN SPANISH FORK

WHEREAS, the Redevelopment Agencies Act, 17B-4-101 through 1401, Utah Code Annotated 1953, as amended (the "Act"), has been enacted by the Utah Legislature with an effective date of June 1, 2001; and

WHEREAS, pursuant to Section 17B-4-1002 of the Act each redevelopment agency that has adopted or proposes to adopt a post-June 30, 1993 project area plan must cause a Taxing Entity Committee to be created; and

WHEREAS, the Redevelopment Agency of Spanish Fork has given notice of the creation of a Taxing Entity Committee and has requested that the legislative bodies or governing boards of the taxing entities other than the City, County and local school district (the "Remaining Taxing Entities") that levy a tax on property within the Agency's boundaries, appoint one representative selected by a majority vote of the governing boards of the Remaining Taxing Entities, to represent the interest of the Remaining Taxing Entities on the Taxing Entity Committee; and

WHEREAS, after a redevelopment agency provides notice of creation of a Taxing Entity Committee, the governing body of the Remaining Taxing Entities are required to jointly appoint one voting representative to the Taxing Entity Committee; and

WHEREAS, Section 17B-4-1002(2)(b)(ii) of the Act provides that if a representative is not appointed within thirty days after the Agency provides notice of the creation of the Taxing Entity Committee, the Agency board may appoint a person to serve on the Taxing Entity Committee in the place of the missing representative until that representative is appointed; and

WHEREAS, the Agency gave notice on January ***, 2006 to Central Utah Water Conservancy District, Strawberry Electric Service District and South Utah Valley Solid Waste District (the Remaining Taxing Entities) of the creation of the Taxing Entity Committee, more than thirty days have passed, and said Remaining Taxing Entities have failed to properly appoint their representative.

NOW, THEREFORE, be it resolved by the governing body of the Agency as follows:

1. That for all redevelopment, economic development and education housing development project areas in Spanish Fork, the governing board of the Agency, pursuant to

Section 17B-4-1002(2)(b)(ii) appoints Randy Brailsford as the voting representative on the Taxing Entity Committee for the Remaining Taxing Entities (Central Utah Water Conservancy District, Strawberry Electric Service District and South Utah Valley Solid Waste District) and appoints Junior Baker as an alternate representative to act in case of absence of the regular representative, and authorizes them to attend meetings of the Taxing Entity Committee and to vote on behalf of said Remaining Taxing Entities and their governing boards on all matters coming before the Taxing Entity Committee, until the Remaining Taxing Entities appoint their own representative directly. The addresses of said representative and alternate are as follows:

Randy Brailsford
368 West 470 South
Salem, Utah 84653_____

Junior Baker
40 South Main
Spanish Fork, 84660

2. That the above-named Taxing Entity Committee representative and alternate shall serve until their respective successors are jointly appointed by majority vote of the legislative bodies or governing boards of the Remaining Taxing Entities.

3. That this Resolution shall become effective immediately.

DATED the __ day of March 2006.