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 September 5, 2006**.

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 me made within these limits should be submitted in writing. The Mayor or Council may restrict the comments beyond these guidelines.

3. **PUBLIC HEARINGS: 6:00 p.m.**
   a. Staker Parsons General Plan Amendment (continued from August 15, 2006)
   b. Staker Parsons Zone Change (continued from August 15, 2006)
   c. Thompson Annexation
   d. Thompson General Plan Amendment
   e. Thompson Zone Change

4. **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 – August 1, 2006, August 8, 2006

5. **NEW BUSINESS:**
   a. Oak Ridge Cove Preliminary Plat
   b. Jeremy Joyner Real Estate Purchase Agreement
   c. Water Rate Adjustment
   d. Sports Park Electrical Bid
   e. Discussion on Public Notice Requirements
   f. City Development Report

6. **OTHER BUSINESS:**
   a. Executive Session If Needed – To be Announced in the Motion

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.

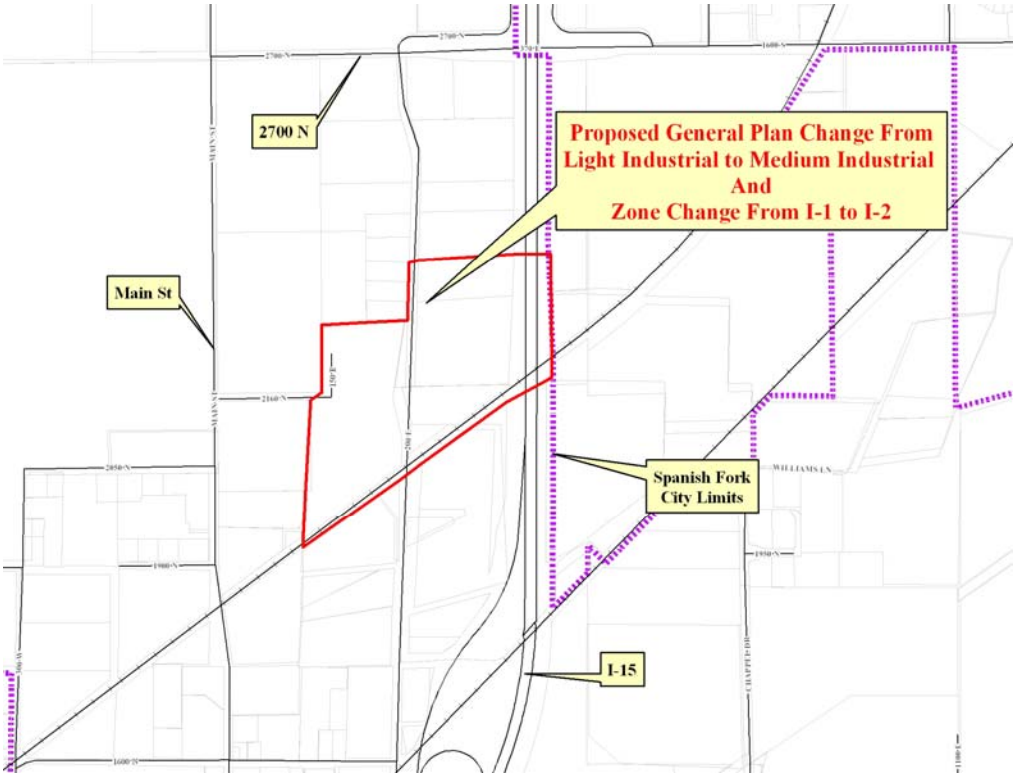
SPANISH FORK CITY does not discriminate on the basis of race, color, national origin, sex, religion, age or disability in the employment or the provision of services. The public is invited to participate in all Spanish Fork City Council Meetings located at 40 South Main St. If you need special accommodation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

SPANISH FORK CITY
Staff Report to City Council

Agenda Date:	**August 15, 2006**
Staff Contacts:	**Dave Anderson, Planning Director**
Reviewed By:	**the Development Review Committee**
Subject:	**Staker Parson General Plan Amendment and Zone Change**

Background Discussion:

The applicant, Staker Parson Companies, is requesting a General Plan Amendment and Zone Change for a parcel located at approximately 2200 North 200 East. The General Plan designates the property as Light Industrial, the applicant is requesting a change to Medium Industrial. The current zoning of the property is Industrial-1, the applicant has requested that the zoning be changed to Industrial-2.



Staff understands that the applicant has proposed to change the General Plan and Zoning Maps so as to allow for the construction of an Enclosed Concrete Batch Plant, which is a Use Subject to Conditional Use Permit in the Industrial-2 zone but not allowed in the Industrial-1 zone. Staff notes that we, as City staff, have expanded the

area included in the proposed changes to include the City's Wastewater Treatment Facility and some other contiguous parcels in the area.

The City's Industrial-1 and Industrial-2 zoning districts are very similar in terms of the uses that are and are not permitted. In fact, one of the more significant distinctions pertains to the manufacture of concrete products. Given the existing and proposed uses found in the subject area and immediate vicinity, staff believes the proposed change would allow uses that are consistent with the nature of the area and would not have a detrimental impact.

Several months ago, an ordinance amendment was proposed that would have modified the text of the Industrial-1 zone so as to allow the manufacture of concrete products in certain areas of the City zoned Industrial-1. The process of approving that amendment was never completed. That approach, allowing the proposed use at certain locations in the I-1 zone, could have essentially the same affect as changing the General Plan and Zoning Maps to make the subject properties Industrial-2. Staff feels more comfortable changing the zoning to Industrial-2 as the description of the Industrial-1 zone expressly states that "uses that emit significant amounts of air, water, or noise pollution will not be allowed." While the proposed facility is proposed to be an enclosed operation, staff is still believes there will be some generation of nuisance dust and noise pollution. In short, staff believes having an Enclosed Concrete Batch Plant at this location is appropriate and believes that the use is appropriate in the Industrial-2 zone but not the Industrial-1.

The Development Review Committee

The Development Review Committee reviewed this proposal in their July 26, 2006 meeting. The following are draft minutes from that meeting:

> **Staker Parson (1200 North 200 East)**
>
> Mr. Anderson gave background. He feels that we need to come up with a way to accommodate Staker Parson's proposal to put an Enclosed Concrete Batch Plant across the street from the sewer plant, and to make a better distinction between our light and medium industrial zones.
>
> Mr. Oyler excused himself at 10:30 a.m.
>
> Mr. Anderson proposes to take storage units out of the I-1 zone and be made a permitted use in the I-2 zone due to the limited inventory of industrial property with services available that could otherwise generate sales tax or property tax.
>
> Discussion was made regarding storage units, storage unit usage in the I-1 and I-2 zones, and contractor storage yards.
>
> Mr. Baker feels that we change the I-2 to allow the batch plant and have the Planning Commission take their time reviewing the I-1 and I-2 zones.
>
> Mr. Anderson feels that due to the impact of telecommunication towers it would be more practical to encourage their location in the industrial areas.
>
> Discussion was made regarding height restrictions with regard to the airport.
>
> Mr. Nielson feels 80 feet is sufficient in the I-1 zone.
>
> Mr. Anderson said that right now Concrete Batch Plants are a conditional use in the I-2 zone.
>
> Discussion was made regarding plants being enclosed.

Mr. Baker made a **motion** recommending to the Planning Commission a General Plan Amendment for the property on 2nd East, east of the treatment plant proceeding south to the railroad is General Planned Medium Industrial and change the zoning of that property to I-2. Mr. Nielson **seconded** the motion and it **passed** all in favor

Mr. Baker made a **motion** recommending to the Planning Commission that they:

1. Take their time and study the issues related to the similarity of the two industrial zones.
2. That they consider splitting the I-1 and I-2 zones, so that the I-1 zone will become a very light industrial/commercial industrial zone and the I-2 zone will become medium industrial.
3. That the Commission consider making storage units prohibited in the I-1 zone and be allowed in the I-2 zone.
4. That the Commission study realigning the General Plan and Zoning Maps to make any necessary changes as to where the I-1 and I-2 zones should go.
5. That they look at redefining the uses in the proposed zones.

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

Planning Commission

The Planning commission reviewed this request in their August 2, 2006 meeting and recommended that it be approved. Tentative minutes from that meeting read as follows:

Amendment to the General Plan Map and Zone Change

Mr. Anderson gave background and explained the proposal.

Commissioner Bradford asked about whether or not the roads could handle the concrete trucks.

Mr. Nielson said that the roads could handle the concrete trucks.

Mr. Lewis asked if property owners adjacent to the property had been notified of the concrete batch plant.

Mr. Anderson said that one of the items recommended by staff to the Planning Commission is to spend some time reviewing the City's I-1 and I-2 zone districts. He feels the industrial zoning districts are too similar and that there is a need to create a greater distinction between the I-1 and I-2 districts.

Commissioner Christianson asked if there was a big distinction between the zones by way of the generation of employment and sales tax.

Mr. Anderson said that categorically there is not.

Discussion was made regarding a buffer between industrial zones.

Commissioner Bradford asked the developer for their presentation on enclosed concrete batch plants.

Dak Maxfield

Mr. Maxfield addressed the Commission, introduced Scott Parson and turned the presentation over to him.

Scott Parson

Mr. Parson addressed the Commission. He gave background on the history of Staker & Parson Companies. He discussed awards that the company has received, goals of the project, a description of the project, a

preliminary site layout, possible concerns (noise, dust, traffic, lighting, and aesthetics), pictures of current Staker & Parson plants, project forecast, schedule of development, and the current status of the development.

Commissioner Lewis asked for drawings of the proposed Spanish Fork Plant.

Mr. Parson said they are not ready but that they are working on them and they will have them ready for the City Council.

Mr. Robins asked about how many trucks per day they anticipate and if our roads will be sufficient for their needs.

Mr. Parson said they would be sufficient.

Mr. Robins feels it is a good site.

Commissioner Huff asked for the height of the proposed building.

Mr. Parson replied approximately 100 feet and that it would be below the freeway.

Commissioner Bradford opened for public comment.

Pat Parkinson
Ms. Parkinson addressed the Commission. She feels that the City would benefit from this project and that she is in support of it.

Commissioner Huff expressed his concern with the wetlands on the proposed development site.

Discussion was made regarding the wetlands.

Commissioner Lewis asked about the City's plans for the property adjacent to this development.

Commissioner Christianson asked for clarification on the Development Review Committee's recommendation from the minutes.

Mr. Anderson explained the recommendation.

Commissioner Robins made a **motion** recommending approval of the General Plan Amendment for Staker Parson located at approximately 2200 North and 200 East based on the following findings:

Findings:

1. That the proposed General Plan designation is compatible with the designation of the neighboring properties.
2. That the proposed designation would allow for a type of development that is generally consistent with that which has been constructed in the immediate vicinity.

Commissioner Lewis **seconded** and the motion **passed** all in favor by a role call vote.

Commissioner Robins made a **motion** recommending approval of the Zoning Map Amendment for Staker Parson at approximately 2200 North 200 East, changing the Zoning Map from Industrial-1 to Industrial-2 based on the following findings:

Findings:

1. That the proposed zoning is compatible with the zoning assigned to the neighboring properties.
2. That the proposed zoning would allow for uses that are consistent and compatible with those that have been constructed in the immediate vicinity.

Commissioner Miya **seconded** and the motion **passed** all in favor by a role call vote.

Budgetary Impact:

As the uses permitted in the Industrial-1 and Industrial-2 zone are somewhat similar in nature, staff does not anticipate any substantial budgetary impact with or without the proposed change.

Alternatives:

The City maintains considerable discretion with respect to approving or denying General Plan Amendments and Zone Change requests. The Planning Commission may recommend approval or denial but should exercise care to ensure consistency between the General Plan and Zoning Maps.

Recommendation:

General Plan Amendment

Staff recommends that the City Council approve the proposed General Plan Amendment at approximately 2200 North 200 East, changing the General Plan Map from Light Industrial to Medium Industrial based on the following findings:

Findings:

1. That the proposed General Plan designation is compatible with the designation of the neighboring properties.
2. That the proposed designation would allow for a type of development that is generally consistent with that which has been constructed in the immediate vicinity.

Zoning Map Amendment

Staff recommends that the City Council approve the proposed Zoning Map Amendment at approximately 2200 North 200 East, changing the Zoning Map from Industiral-1 to Industrial-2 based on the following findings:

Findings:

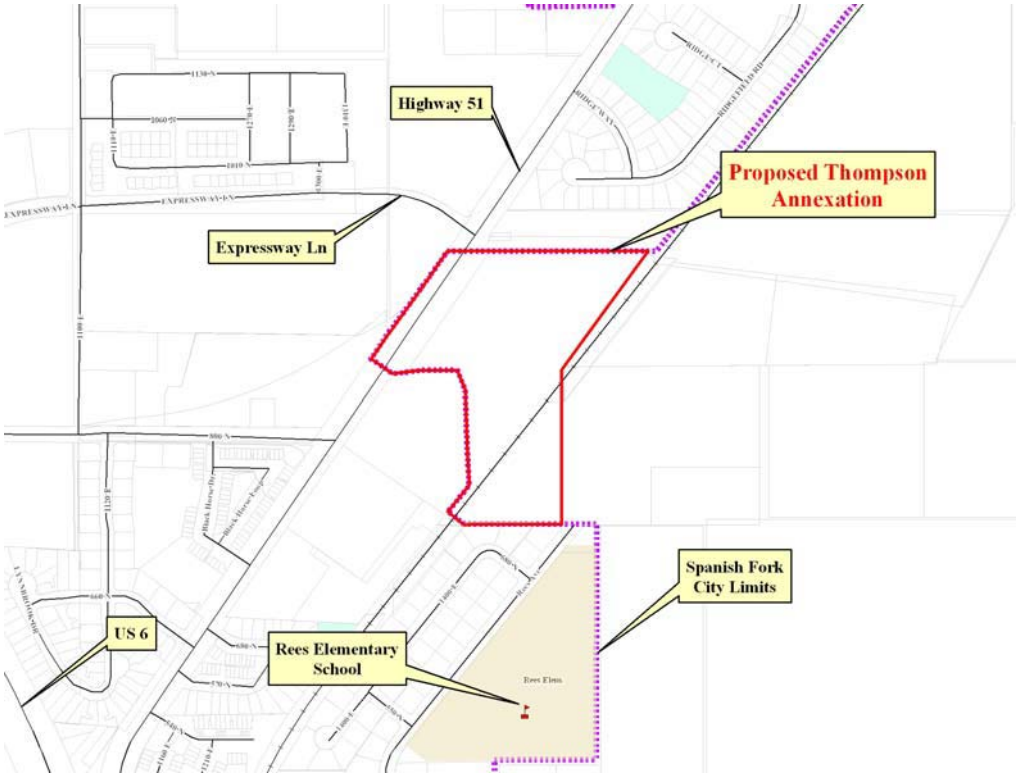
1. That the proposed zoning is compatible with the zoning assigned to the neighboring properties.
2. That the proposed zoning would allow for uses that are consistent and compatible with those that have been constructed in the immediate vicinity.

SPANISH FORK CITY
Staff Report to City Council

Agenda Date:	**September 5, 2006**
Staff Contacts:	**Dave Anderson, Planning Director**
Reviewed By:	**the Development Review Committee**
Subject:	**Thompson Annexation, General Plan Amendment and Zone Change**

Background Discussion:

The applicant, Steve Maddox, is proposing to annex lands into Spanish Fork City as is depicted on the image provided below.



The proposed annexation is intended to allow the applicant to combine those lands with parcels located immediately north and south of the area included in the proposed annexation for the purpose of applying for Master Planned Development approval. The property located immediately south of the proposed annex area has been previously approved for development. Staff understands that one reason for the lack of progress on the previously approved developments is the presence of wetlands on the subject properties. Staff also understands that the development that the applicant would now like to pursue has been designed so as to accommodate the delineated wetlands. While the applicant has prepared a concept plan illustrating what he would like to do with

the subject properties, the requests before the Council at this time do not involve any specific development proposal.

General Plan Map Amendment. Several things would need to happen before the applicant could begin to develop the properties as represented on the attached concept plan. First, the General Plan Map for the subject properties needs to be amended. The applicant would like to include the properties between the railroad tracks, State Road 51, the Whispering Willows and Willowbend developments all in one new development. At present, the General Plan designation for the subject properties is 5.5-8 units per acre and 5.5-8 units per acre/Professional Office. In order to accommodate the development that the applicant would like to pursue, the General Plan Map would need to be changed to 9-12 units per acre residential.

There are not many situations where staff would likely support the type of change that is now being proposed. However, given the subject properties' situation between a state road and railroad tracks and the 9-12 units per acre General Plan designation on the neighboring properties, staff believes the proposed Map Amendment is warranted. Approval of the proposed amendment would then make the designation of the properties between State Road 51 and the railroad tracks consistent from the conflux of Highway 6 and the railroad tracks on the south to the northern boundary of the Whispering Willows development to the north.

Zoning Map Amendment. Provided that the General Plan Map is amended, the zoning on the parcel south of the proposed annexation could then be changed from R-1-6 to R-3. The Zone Change is only necessary on this parcel as zoning would be assigned with the annexation of the lands included therein and the parcel to the north is already zoned R-3.

Annexation. The proposed annexation includes some 16 acres that straddle the Utah Railway railroad tracks. The portion of the proposed annexation that is west of the tracks is located within the Growth Boundary. The applicant has requested that the subject properties be assigned R-3 zoning west of the railroad tracks and Rural Residential zoning east of the railroad tracks. Provided that the above described General Plan Amendment is approved, the zoning could be assigned as requested.

Development Review Committee

The Development Review Committee reviewed this request in their July 19, 2006 meeting. The following is an excerpt from the draft minutes of the meeting:

> **Thompson Annexation (approximately 850 North State Road 51)**
>
> Mr. Anderson gave background and explained the proposal. He feels that it would be best to abandon the existing approval and for the developer to go through the approval process again and get one development approved. If there are things relative to the annexation that we would like the developer to do then we need to include them in the annexation agreement.
>
> Discussion was made regarding the zones north and south of the property and the General Plan, bonus density, and railroad guidelines.
>
> Mr. Baker asked if we should be looking at a Streets and Roads Impact Fee to build roads to accommodate situations like this one.
>
> Mr. Baker made a **motion** to approve the Thompson Annexation at approximately 850 North State Road 51 subject to:
>
> 1. That the annexation agreement require the construction of Expressway Lane built from the west edge of the property east to 150 feet west of the railroad right-of-way.
> 2. That the annexation agreement also include the construction of the trail as shown on the City's Master Trails Plan.

3. Recommend a General Plan Amendment for not only the Thompson proportion of the property annexation west of the Railroad but for the property to the south and the parcel to the north be General Planned to be Residential 9-12 units per acre finding that the properties to the north and the south match that designation and that up until recent changes in the zoning the proposed development would be allowed and that the property west of the railroad be zoned R-3 and east of the railroad be zoned R-R.

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

Planning Commission

The Planning Commission reviewed this request in their August 2, 2006 Meeting. In that meeting, the Commission recommended that the Annexation be approved while also recommending that the requests for a General Plan Amendment and Zone Change be denied. The Commission recommended that the properties be annexed with Rural Residential zoning. Draft minutes from the Commission meeting read as follows:

Amendment to the General Plan Map – Steve Maddox – 1000 North State Road 51

Mr. Anderson gave background and explained the proposal.

Amendment to the Zoning Map – Steve Maddox – 1000 North State Road 51

Mr. Anderson gave background and explained the proposal.

Commissioner Bradford asked if there is a setback requirement on a multiple dwelling.

Mr. Anderson said not necessarily. This will be a Master Planned Development and there is not a setback requirement with Master Planned Developments.

Commissioner Christianson asked if they meet the acreage requirement.

Mr. Anderson said that they do.

Discussion was made regarding a road by the development that will cross the railroad tracks, the City's plan with the road, and who will pay for it.

Mr. Nielson explained the City's plan with the road.

Commissioner Bradford opened for public comment.

Al Hobbs
Mr. Hobbs addressed the Commission. He does not feel that there needs to be anymore duplexes, twin homes etc. in that area.

James Biesinger
Mr. Biesinger addressed the Commission. He feels there does not need to be anymore apartments, condos, duplexes etc. in the area.

David Lee
Mr. Lee addressed the Commission. He is concerned with the portion of property that is to remain R-R zone.

Commissioner Christianson encouraged Mr. Lee to stay involved in the process.

Discussion was made regarding the ponds by Blackhorse Run.

Mr. Biesinger addressed the Commission regarding Blackhorse Run.

Discussion was made regarding the White Rail acreage and density bonus.

Mr. Biesinger addressed the Commission regarding the wetlands. He is not against development but is against such extremely high density.

Commissioner Miya is against the Zone Change.

Commissioner Bradford agrees with Commissioner Miya. He feels the density is just too high in this location and that it needs to be spread out in the City more.

Commissioner Miya feels that (as a property owner in the area) there needs to be more variety.

Discussion was made regarding the u-shaped roadways, wetlands, and bonus density awarding.

Commissioner Miya made a **motion** to deny the General Plan Amendment for the Thompson Annexation at approximately 850 North State Road 51 recommending that the General Plan not be changed to 9-12 units per acre but remain as it is 5.5-8 units per acre and 5.5-8 units per acre/Professional Office. Commissioner Robins **seconded** and the motion was **approved** by a role call vote. Commissioner Lewis voted **nay**.

Commissioner Robins made a **motion** to approve the proposed Thompson Annexation with Rural Residential zoning at approximately 850 North State Road 51 based on the following findings and subject to the following conditions:

Findings:

1. That the majority of the proposed Annexation is located within the City's Growth Boundary.
2. That municipal services are currently available in the immediate vicinity of the proposed Annexation.

Conditions:

1. That an Annexation Agreement be prepared and that it require the construction of Expressway Lane from the west edge of the property east to 150 feet west of the railroad right-of-way.
2. That the Annexation Agreement also include the construction of the trail as shown on the City's Master Trails Plan.

Commissioner Miya **seconded** and the motion **passed** all in favor by a role call vote.

Budgetary Impact:

There could be some budgetary impact realized with the proposed General Plan Amendment. The current designation of Professional Office on one of the subject properties would allow for development that would be taxed at the full value and could also potentially create employment. This scenario can be contrasted with the one now proposed which would have the entire property developed residentially. In that case, the properties are taxed at the full value less the residential exception and no employment would likely be generated. Even so, one can certainly question the viability of a professional office development at this location.

Any other scenarios involving the fiscal impact of the various options would all likely be quite similar. Assuming that some form of residential development is constructed, I simply note that the long term cost to serve residential development generally exceeds anticipated revenue.

Given that the City is currently providing municipal services in the immediate vicinity of the proposed annexation, staff does not foresee any significant increase in the demand for City services.

Alternatives:

The City maintains considerable discretion with respect to approving or denying Annexations, General Plan Amendments and Zone Change requests. With that in mind, the City Council can recommend that the various aspects of the proposal be approved or denied. One issue that the Council should be mindful of is maintaining consistency between the General Plan and the Zoning Map. Should the Council recommend that an alternate zoning be assigned to any of the subject properties, care should be given by way of ensuring consistency with the General Plan.

Recommendation:

General Plan Amendment

Staff recommends that the City Council approve the proposed General Plan Amendment at approximately 850 North State Road 51, changing the General Plan Map from Residential 5.5-8 units per acre and Residential 5.5-8 units per acre/Professional Office to Residential 9-12 units per acre based on the following findings:

Findings:

1. That the proposed General Plan designation matches the designation of the neighboring properties.
2. That the proposed designation would allow for a type of development that is consistent with that which has been constructed in the immediate vicinity.
3. That the anticipated use is appropriate given the properties' situation between State Road 51 and the railroad tracks.

Zoning Map Amendment

Staff recommends that the City Council approve the proposed Zoning Map Amendment at approximately 850 North State Road 51, changing the Zoning Map from R-1-6 to R-3 based on the following findings:

Findings:

1. That the proposed zoning matches the zoning assigned to the neighboring properties.
2. That the proposed zoning would allow for a type of development that is consistent with that which has been constructed in the immediate vicinity.
3. That the anticipated use is appropriate given the properties' situation between State Road 51 and the railroad tracks.

Annexation

Staff recommends that the City Council approve the proposed Thompson Annexation, with R-3 zoning west of the railroad tracks and Rural Residential zoning east of the railroad tracks, at approximately 850 North State Road 51 based on the following findings and subject to the following conditions:

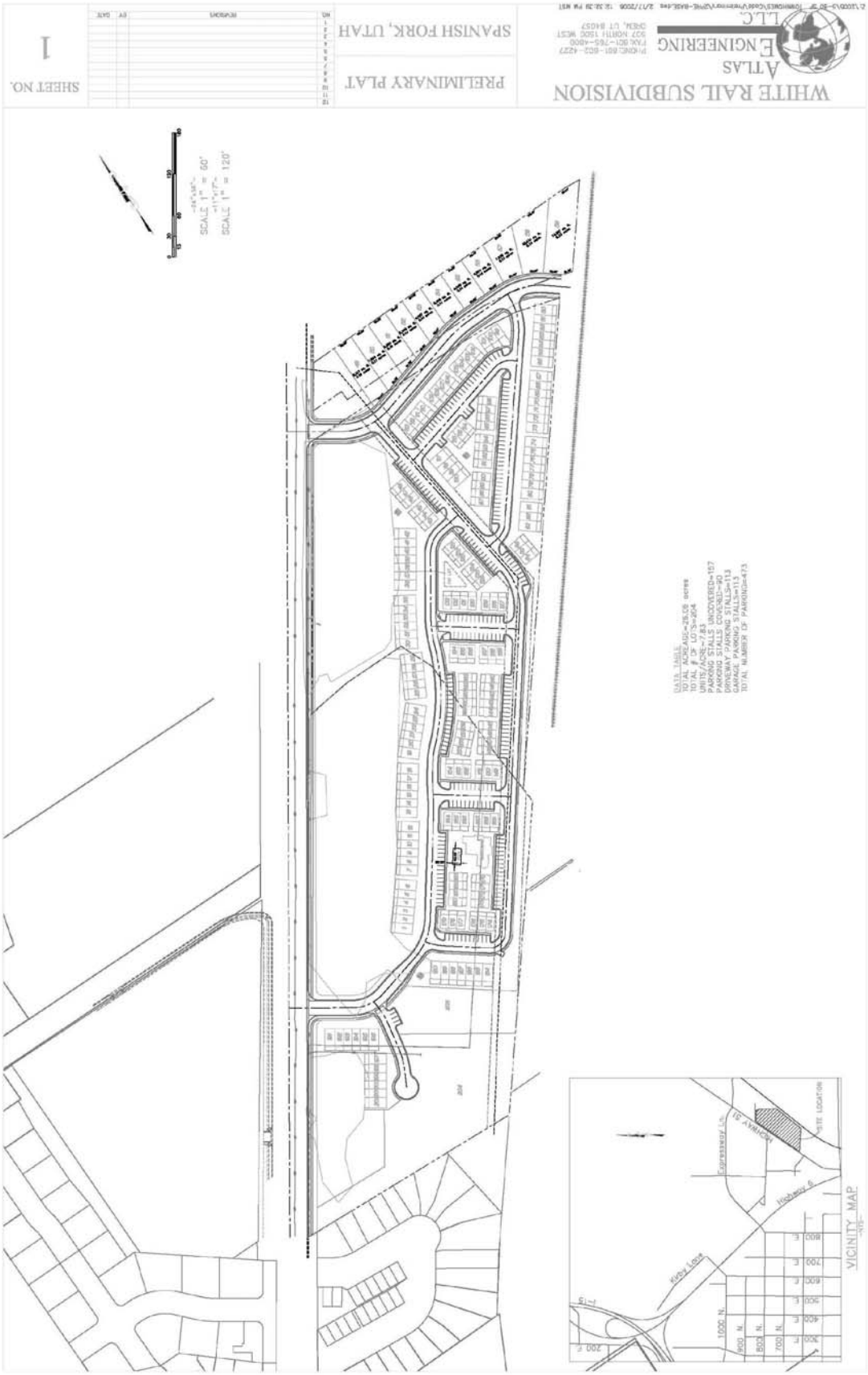
Findings:

1. That the majority of the proposed Annexation is located within the City's Growth Boundary.
2. That municipal services are currently available in the immediate vicinity of the proposed Annexation.

3. That the R-3 and Rural Residential zoning is consistent with the proposed General Plan Amendment.

Conditions:

1. That an Annexation Agreement be prepared and that it require the construction of Expressway Lane from the west edge of the property east to 150 feet west of the railroad right-of-way.
2. That the Annexation Agreement also include the construction of the trail as shown on the City's Master Trails Plan.


WHITE RAIL SUBDIVISION
ATLAS ENGINEERING LLC
PRELIMINARY PLAT
SPANISH FORK, UTAH
SHEET NO.
1
SCALE 1" = 60'
SCALE 1" = 120'
DATA TABLE
TOTAL ACREAGE=28.05 acres
TOTAL # OF LOTS=204
UNITS/ACRE=7.83
PARKING STALLS UNCOVERED=157
PARKING STALLS COVERED=90
DRIVEWAY PARKING STALLS=113
GARAGE PARKING STALLS=113
TOTAL NUMBER OF PARKING=473
VICINITY MAP
SITE LOCATION
Kiddy Lane
Highway 6
Expressway Ln.
1600 N.
800 N.
600 N.
400 E.
500 E.
600 E.
700 E.
800 E.

Tentative Minutes
Spanish Fork City Council Meeting
August 1, 2006

Elected Officials Present: Mayor Joe L Thomas, Councilmembers Steven M. Leifson, Seth V. Sorensen, Chris C. Wadsworth, G. Wayne Andersen, Councilman Matt D. Barber was excused.

Staff Members Present: David Oyler, City Manager; Dale Robinson, Recreation Director; Richard Heap, Public Works Director; Junior Baker, City Attorney; Kent Clark, City Recorder; Dee Rosenbaum, Public Safety Director; Kimberly Robinson, Deputy Recorder

Citizens Present: Rick B. Carlson, Gloria Carlson, Barry Carlson, Donna Stevens, Dale Phelps, Cameron Catmull, John Webster, Brent Strong, Doug Ford, Samuel Ricks

CALL TO ORDER, PLEDGE, OPENING CEREMONY

Mayor Thomas called the meeting to order and lead the pledge of allegiance at 6:00 p.m.

RECOGNITIONS

Mayor Thomas recognized Rick Carlson and read the declaration made by the City Council appointing August 11, 2006 as Rick Carlson Day.

Mayor Thomas made a **motion** to accept the declaration. Councilman Leifson **seconded** and the motion **passed** all in favor.

CONSENT ITEMS

Councilman Sorensen made a **motion** to approve the minutes of July 18, 2006. Councilman Wadsworth **seconded** and the motion **passed** all in favor.

NEW BUSINESS

Wasatch Wind

Mr. Baker stated that Wasatch Wind is negotiating to move the wind towers up closer to the canyon. As part of that move they would like to move a test tower on the city property by Malcom Springs. He explained it would be a smaller meter. He feels the lease is straight forward. He then stated the issues. He found they need to make sure it doesn't affect the spring collection systems at Malcom Springs. Exhibit A has the wrong legal description and needs to be changed to reflect the Malcom Springs location. He is also concerned about the size. Mr. Baker feels the Council should make the approval conditional upon the engineering department approving the location. He also brought to their attention that the current lease is $500 for 1 year and the new lease is $500 for 3 years.

DRAFT

Mayor Thomas said he feels the safe guards in place are enough and he re-clarified the property location. He feels if the Council recommends this subject to engineering approval they can act on it at this time.

Councilman Sorensen stated as long as engineering approves it he is fine with the agreement.

Councilman Wadsworth is fine with the agreement once it's approved by engineering.

Mayor Thomas stated that he is committed to supporting this project any way he can.

Councilman Andersen made a **motion** to accept the lease subject to it being reviewed and accepted by the engineering department. Councilman Sorensen **seconded** and the motion **passed** all in favor.

NRCS Trail Grant Amendment

Mr. Heap explained in a past Council meeting they had discussed the NRCS grant to help build a trail from Main Street to the golf course. The grant will total over 3 million and this year's allocation amount would be approximately $500,000. He then explained that the NRCS rules do not allow for land acquisition they only allow for easements. He explained that the land would be donated and the grant money for this year will be used for the FEMA flood plain study. He has spoken with some of the property owners and they are anxious to see this project happen. He said they are looking at 2, 3, maybe even 4 years by the time all the funds and studies are ready to go.

Councilman Wadsworth explained the contact he had been working with was promoted into a different area and it has taken some more time. They are moving forward, he would like to commend Mr. Heap for the time he has spent and would like to thank Dave Oyler for the work being done on this project.

Mayor Thomas stated he had spoken with Dave Lewis and they discussed the trail from the reservoir down through the residences. He would be willing to donate land and he knows some of the property owners would be willing to donate as well to have that trail go through.

Councilman Wadsworth stated they are trying to find less restrictive funds to use for projects.

Councilman Sorensen made a **motion** authorizing the Mayor to sign the resolution for the NRCS trail grant amendment and the grant agreement. Councilman Leifson **seconded** and the motion **passed** all in favor.

<u>OLD BUSINESS</u>

Parks and Recreation Reservoir Pavilion

DRAFT

Doug Ford
Mr. Ford explained this was a recommendation from the Parks and Recreation Committee. He explained the history of this project and where the funds would come from. He feels this pavilion would be one of the most widely used in the city. They recommend acceptance of this proposal and to move forward with the project. He pressed that the committee has made a lot of review and discussion regarding this proposal.

Councilman Wadsworth asked why the requirement of a March 15, 2007 deadline.

Mr. Ford stated that was the proposal and feels it is probably so they can utilize the pavilion for the entire season.

Councilman Andersen asked if something did happen, and the city acted in good faith, but the project couldn't be completed on schedule would they be willing work with that type of situation.

Mr. Ford stated the more the Council discusses this issue and the longer it is being drawn out the less enthusiasm the contributors have for the project.

Councilman Wadsworth suggested with the trail system there needs to be trail heads. He feels this project can be used as a trail head and a multi purpose area.

Mr. Heap stated the County has said if the City builds the trails they will maintain the paved trails afterwards.

Councilman Sorensen said he feels it would be wise to accept the funds and move forward with the project.

Councilman Leifson feels this is a great project and it should move forward. He feels this is a great opportunity to have a nice facility in Spanish Fork.

Mayor Thomas noted at the last meeting the item was opposed by Councilman Barber because of concerns with the impact fees.

Mr. Ford said he understands the reasoning for Councilman Barber's concern.

Councilman Leifson explained he serves on the Parks and Recreation Committee and they do review and try to take care of the funds given to them.

Councilman Leifson made a **motion** to accept the donation and authorized the City if need be to complete the project by March 15, 2007. Councilman Sorensen **seconded** and the motion **passed** by a roll call vote.

Mayor Thomas stated he supports this project and feels the pavilion will greatly enhance this area and that it has the potential to be something great.

DRAFT

Councilman Wadsworth supports the project and feels it can be part of the trail head system. They will be able to save impact fees to put towards other facilities and projects.

Councilman Sorensen supports this idea and publicly thanked the individuals for their contribution.

Councilman Andersen asked that thanks go back to those involved and to let them know they are appreciated.

Councilman Leifson supports this project and is excited to have this facility built and utilized by the citizens.

The motion **passed** by a roll call vote all in favor.

EXECUTIVE SESSION

Councilman Sorensen made a **motion** to adjourn to executive session for land use issues. Councilman Wadsworth **seconded** and the motion **passed** all in favor at 6:48 p.m.

ADOPTED:

_____

Kimberly Robinson, Deputy Recorder

DRAFT

Tentative Minutes
Spanish Fork City Council
August 8, 2006

Elected Officials Present: Mayor Joe L Thomas, Matt D. Barber, Steven M. Leifson, G. Wayne Andersen, Seth V. Sorensen, Chris C. Wadsworth

Staff Present: Richard Heap, Public Works Director; Junior Baker, City Attorney; David Oyler, City Manager; Dave Anderson, City Planner; Kent Clark, Recorder; Kimberly Robinson, Deputy Recorder

Citizens Present: Richard Mendenhall, Daniel Schmidt, Joe Rich, Grace Conlon, Craig Smith, Lincoln Shurtz,

CALL TO ORDER, PLEDGE

Mayor Thomas called the meeting to order and lead in the pledge of allegiance at 6:05 p.m.

NEW BUSINESS

Amended Airport Easement – Large Animal Clinic

Mr. Baker explained there were questions raised by property owners regarding the legal description. They have corrected the description and it will need to be in place in order to receive the grant money.

Councilman Sorensen made a **motion** to approve the amended Airport Easement for the Rocky Mountain Large Animal Clinic. Councilman Leifson **seconded** and the motion **passed** all in favor.

Airport Grant Agreement

Councilman Barber made a **motion** to approve the Airport Grant Agreement with the Federal Aviation Administration (FAA). Councilman Sorensen **seconded** and the motion **passed** all in favor.

Training Session

Mr. Oyler explained the training is on changes to the legislature this last year. The topics of redevelopment areas within Spanish Fork, and economic development areas were discussed.

Mr. Shurtz with the Utah League of Cities and Towns (ULCT) gave a presentation regarding the updates and changes to the legislature dealing with redevelopment and economic development areas.

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Mr. Smith explained some of the changes to the legislature and how they had worked with the legislature to ensure the changes were fair to municipalities.

Mayor Thomas asked for clarification regarding eminent domain and what the city must do to claim condemnation.

Mr. Smith explained the changes to the process and explained the steps the Council would now have to follow.

Other Training

Mr. Baker gave a presentation regarding the planning process. He explained the steps the Council will have to follow.

Councilman Andersen explained that there was a process for amendments to the General Plan.

Mr. Baker stated the importance of having the General Plan up to date and the process the Council has to take when amending the plan.

Councilman Leifson clarified that once a project has gone through the Planning Commission the Council can't require more from the applicant.

Mr. Baker stated they can require more if they have required it of other developers they just can't change the rules in the middle of the game.

OTHER BUSINESS

Councilman Sorensen made a **motion** to adjourn to executive session to discuss land use issues. Councilman Wadsworth **seconded** and the motion **passed** by a roll call vote all in favor.

ADOPTED:

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Kimberly Robinson, Deputy Recorder

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SPANISH FORK CITY
Staff Report to City Council

Agenda Date:	**August 15, 2006**
Staff Contacts:	**Dave Anderson, Planning Director**
Reviewed By:	**the Development Review Committee**
Subject:	**Oak Ridge Cove Preliminary Plat Approval Request**

Background Discussion:

The applicant, Sky Properties, is requesting Preliminary Plat approval for a 53.61-acre development located immediately south of the intersection of Spanish Oak Drive and Oak Ridge Drive. The property is currently zoned R-1-30. The General Plan designates the property as Residential 1.5 to 2.5 units per acre. The proposed development is a Master Planned Development.

In the early 1980s, the development of this property was pursued at the time that The Oaks development commenced. However, at that time, the developer was not able to obtain approval to cross a canal operated by the Strawberry Water Users. This particular canal crossing has been an essential component of developing the subject property as it is one of, if not the only, means of providing a second access to the development. Staff understands that this applicant was recently able to obtain approval for the necessary crossing that is now planned to connect into Fairway Drive in The Oaks development.

Some 25 years ago, the property was zoned for higher density development more consistent with what exists in the The Oaks subdivision, a neighboring subdivision. However, in recent years, the zoning was changed to R-1-30, which allows for substantially less density than the R-1-9 zoning assigned to The Oaks.

Details

Lots. The proposal that is before the Council at this time is a Master Planned Development with 94 lots that range in size from 12,000 square feet to nearly 1.5 acres. Access to the development is proposed to come via Fairway Drive and Spanish Oaks Drive. The applicant's proposal to construct a Master Planned Development allows for the requested density, provided that the proposed bonus density is warranted.

Spanish Oak Drive. The applicant is proposing to construct the continuation of Spanish Oak Drive from the Spanish Oaks development to the irrigation reservoir and gun club. As the applicant does not own a significant portion of this street, or property abutting the alignment of the exiting lane, they have proposed to exchange the land needed for a public street to access lots 41-45 with land that is represented as Open Space 95 on the proposed Preliminary Plat. At present, Open Space 95 is a portion of the fall zone for shot exiting the City's Gun Club. One aspect of the applicant's proposal to construct this road involves a request for bonus density for installing the curb and gutter on the west side of the street, which abuts City property.

Street Standards. Streets elsewhere in the development have been proposed to be constructed with a modified curb and sidewalk on only one side of the street, but with the full asphalt width of 34 feet and total

right-of-way width of 42 feet. This proposal does not follow the City's standard cross section which includes a 60-foot wide right-of-way with a parkstrip on and sidewalk on each side of the street. However, the City Engineer has the ability to grant exceptions to the standards and has recommended that the exception be granted in this case to allow the streets as proposed by the applicant.

Traffic. Staff has had several discussions with residents in the adjacent developments about this proposal. In staff's view, the most significant concern raised by these residents is traffic. Staff understands that there are several aspects of the traffic related concerns which include the ability of Fairway and Spanish Oaks Drives to accommodate the additional trips generated, intersection safety at Powerhouse Road and the ability of Powerhouse Road to accommodate the additional traffic.

On this issue, the City Engineer is preparing a report that will further analyze and address traffic related concerns. That report will be presented to the Council in your meeting this evening.

One other transportation related concern raised by residents of The Oaks is the absence of a sidewalk to allow children from Oak Ridge Cove to walk to a bus stop on Powerhouse Road.

Trail. A trail is proposed to be constructed in accordance with the City's Trails Master Plan, along the eastern portion of the development. This trail would provide a connection between Fairway Boulevard and the City's irrigation reservoir. As a portion of this trail extends beyond the applicant's property, the applicant has proposed to receive bonus density for its construction.

Other Amenities. The applicant has also proposed to provide $55,000.00 for the construction of a pavilion near the City's irrigation reservoir. Those funds would pay for approximately 50% of the cost of constructing the pavilion. Staff anticipates that the pavilion will be constructed with funds provided by a private donation and Parks and Recreation Impact Fees if the $55,000.00 proffer is for any reason not provided by this developer.

Neighborhood Meeting. A neighborhood meeting was held for this development on June 19, 2006. Minutes provided by the applicant are attached to this report.

Bonus Density. The applicant has requested density bonus of 36 lots. The base density in the R-1-30 zone of 1.07 units per acre allows for the development of 58 lots. The Development Review Committee reviewed the applicant's proposal on bonus density and, after making revisions, concluded that the plat be may be approved based on the bonus density calculation provided below:

Project Name:	**Oak Ridge Cove, P.U.D.**			
Total Acres	**53.61**			
Low End Density	**1**	**U/A**	**57.60**	**Units**
High End Density	**2.5**	**U/A**	**134.0**	**Units**

Density Bonus	**Percent Allowed**	**Actual Given**	**Units**	**Running Total**	**Items provided**
Active recreation	***10%***	**10%**	5.76	63.4	trail connection, Snell's Canyon to reservoir
Common buildings	***10%***	**7%**	4.44	67.8	$55,000 for recreational amenities
Fencing	***5%***	**0%**	0.00	67.8	
Front setback variation	***3%***	**2%**	1.36	69.2	setback variation in 5' increments
Garage - three car	***3%***	**1%**	0.69	69.8	60% of homes with 3 car garages
Garage - setback	***3%***	**0%**	0.00	69.8	
Open space	***5%***	**5%**	3.49	73.3	open space - 0.9 Acre difference
Landscaping	***7%***	**0%**	0.00	73.3	
Lot size variation	***3%***	**3%**	2.20	75.5	lots vary from 12,000 to 84,485 square feet
Materials on front façade	***5%***	**5%**	3.78	79.3	brick and stone as major material on front elevation

Mixture of housing types	5%	0%	0.00	79.3	
Off-setting lots	3%	2%	1.59	80.9	majority of lots are offsetting
Roof pitch start 6/12	3%	1%	0.81	81.7	minimum roof pitch of 6/12 throughout the development
Home sizes	7%	7%	5.72	87.4	minimum of 1,800 Rambler, 1,320 Main 2 story
Miscellaneous	7%	7%	6.12	93.6	full road construction of 1200 ft. of Spanish Oak Drive including all utility infrastructure
Miscellaneous	7%	3%	2.81	96.4	bridge across Strawberry Canal
		Total Units		96	

Without MPD			
Total Acres	53.61		
Development in ROW (Acres)	13.9386	26%	
Total Developable Acres	39.6714		
Zoning (R-1) (square feet)	30,000	(sq. ft. based on proposed zone)	
Total Lots/Units - straight zoning		57.60	Units
U/A - straight zoning		1.07	

Development Review Committee. The Development Review Committee last reviewed this request in their July 17, 2006 meeting and recommended that it be approved. Minutes from the Development Review Committee's meeting are provided below:

Oak Ridge Cove

Mr. Anderson explained the proposal and that it was a Master Planned Development. An amenity chart was prepared in the last Development Review Committee meeting and it is Dave's understanding that the Committee felt comfortable with the proposal and he feels the applicant can meet the City's requirements for developments in the R-1-30 zone and, provided that the density matrix meets the expectations of the City Council, he understands the project is ready for action.

Mr. Heap said the chart reflected a $55,000 dollar donation to go to recreation, and that the 10-foot trail would be required, meeting Federal standards. He asked if there were any questions from the developer.

Discussion was made between Mr. McCormick and the Committee regarding the trail.

Mr. Anderson said that the two main amenities are $55,000 dollars for the pavilion and the construction of a trail. There are not any other physical improvements that the applicant is proposing to do other than getting some bonus density for construction of the bridge.

Mr. Oyler asked about certain elements of the bonus density and if the safety zone for the gun club would be preserved. He expressed the challenges he feels the developer will face with the close proximity to the reservoir.

Mr. Heap asked if there was anything else to discuss on the chart.

Mr. Anderson would like to clarify the wording in the chart regarding Spanish Fork Drive to clarify that the developer is receiving bonus density for only improving a small portion of asphalt and installing the curb.

Mr. Baker said to change the chart to say full road construction.

Mr. Anderson said he would like to discuss changes at another time that maybe can or should be made with regard to amenities to require that they are more commiserate with what developers receive as bonus density.

Mr. Oyler asked about the Phases of the development, what they include and the time frame.

Discussion was made with Mr. McCormick on Phase One of the development.

Mr. Oyler asked if there were any other questions on the Phasing.

Mr. Johnston feels that there should be sidewalks on both sides of all roads.

Discussion was made regarding sidewalks, deviations from City standards, and storm drain retention ponds.

Steve Maughn
Mr. Maughn said that Nebo School District will not be able to provide busing into this development and he feels it will be a problem for the safety of children if there are not sidewalks on both sides of the roads.

Lynn Patterson
Mr. Patterson explained why Nebo School District will not drive buses into the proposed area to be developed. He said that the State Office of Education transportation grade is 6 percent. Children are currently catching the bus on Powerhouse road and if 90 more homes are built it would increase the number of students that would need to access this stop. Where would a big enough area is that parents could safely pull off of the road and a bus safely pull of the road to access the students?

Discussion was made regarding the current bus stop on Powerhouse Road.

Mr. Oyler asked whether or not Nebo School District has identified an area that would work and does the District or the City determine the bus stop.

Mr. Patterson said they have not identified an existing location that would handle the volume of vehicles and that Nebo School District determines the location for bus stops.

Mr. Oyler asked if there was an area, maybe not existing, but is capable of handling the volume.

Mr. Patterson said he did not know.

Discussion was made regarding the Woodland Hills bus stop location.

Mr. Oyler said that the Canyon Park parking lot area might work as a solution.

Discussion was made regarding the canyon park parking lot area.

Mr. Maughn said that their purpose in coming to the meeting was not to stop the development but to voice the Nebo School Districts concerns.

Mr. Oyler asked if the developer had any insight with regard to busing issues in other hillside developments.

Mr. Smoot explained that in Bountiful there is a 12 percent grade and busing is not a problem. They provide busing there.

Mr. Maughn said he has not had time to do his research on the six percent grade and that he will look into it with the State.

Mr. Oyler said that from Brigham City to Payson there are a lot of hillside developments that occur and maybe the Nebo School District could look into how the other school districts have dealt with this situation.

Discussion was made regarding sidewalks.

Mr. Oyler said that the sidewalk issues do need to be resolved by all entities involved.

Mr. Anderson said (in going back to the chart) it was his understanding the streets were going to be standard City streets and asked if everyone was comfortable giving seven percent bonus density (5-6 lots) just for curb and gutter along Spanish Oaks Drive.

Carl Johnston
Mr. Johnston said that he feels there should be curb and gutter on both sides of the street.

Mr. Baker said that there would be a sidewalk on at least one side of the roads. They might not have sidewalk on both sides, but they all will have a sidewalk on at least one side.

Mr. Oyler asked if our standard did not provide for a sidewalk on one side.

Mr. Heap said our standards do not require a sidewalk on one side.
Mr. Oyler asked why we were giving an exception here.

Mr. Heap said it was due to the terrain in the area and that there would not be enough room to have sidewalks on both sides.

Mr. Nielson said that he thought the pavement section, curb, and gutter are the standard, and the only exception is dropping the parkstrip and sidewalk on one side of the street.

Mr. Oyler asked if the subject of sidewalks was addressed in the neighborhood meeting.

Mr. Nielson said that in other cities they do have provisions for sidewalks to be on only one side of the street.

Discussion was made on the benefits of sidewalk on both sides of the roads.

Mr. Anderson asked if sidewalks are something that we have an exception to our standards on.

Mr. Oyler said that we do and that authority is given to the City Engineer to make that determination.

Mr. Heap asked if there were any other questions.

Blaine Quarnstrom
Mr. Quarnstrom explained his concerns with the development and the neighborhood meeting. He is not against the development. He feels the number one problem is traffic and parking. He has a proposal he would like to have looked at that he feels would resolve the traffic problem.

Mr. Heaps asked if this proposal was doing away with Powerhouse Road as a main collector road.

Discussion was made with Mr. Quarnstrom on his proposal.

Mr. Heap said he would look into Mr. Quarnstrom's suggestions and get back to him. He then said there were a few things that had been addressed on the geotechnical report.
He explained them.

Mr. Foster said the developer ought to be aware that there might be some offsite improvements to the electrical system to accommodate the heavier loads.

Mr. Heap asked if there were any other questions and noted that traffic was an issue that was discussed in the neighborhood meeting.

Mr. Oyler talked about the neighborhood meeting ordinance and the need to fine tune the ordinance with respect to adequate dates, times and locations.

Mr. Quarnstrom expressed his frustration with the process of neighborhood meetings.

Mr. Heap said that we are still in the process of fine tuning the ordinance and that it is fairly new.

Mr. Oyler said meetings have not been required until now.

Mr. Banks expressed his issues with street names and the impact this development will have on the fire department.

Mr. Heap said the fire department cost issues could be covered with an impact fee.

Discussion was made regarding fire issues.

Discussion was made regarding the entrances to the development.

Mr. Baker made a **motion** to approve the Oak Ridge Cove Preliminary Plat, located at 2650 South Spanish Oak Drive, based on to the following findings and conditions:

1. Density matrix is in accordance with the ordinance.
2. That they meet the construction development standards.
3. That they meet the requirements of the geotechnical study.
4. That they provide offsite electrical improvements as dictated by the Electric Department in order to provide service to that project.

Mr. Nielson **seconded** and the motion **passed** all in favor except for Mr. Johnston voting opposed.

Planning Commission. The Planning Commission reviewed this request in their August 2, 2006 meeting and recommended that it be approved. Tentative minutes from that meeting read as follows:

Preliminary Plat, Oak Ridge Cove

Mr. Anderson gave background and explained the proposal. Residents are concerned about traffic. Mr. Heap or Mr. Nielson will be addressing the traffic issues. Nebo School District has concerns and they are addressed in the Development Review Committee minutes of July 17, 2006. The City's development standards have been met. The applicant has requested some bonus density and the Development Review Committee's recommendations are spelled out on the chart.

Mr. Heap addressed the Commission. He gave background of the development from the 1970's through the 1980's. He talked about the geotechnical report.

Commissioner Miya asked if the home buyers will be informed about potential hazards and if the developer has a legal obligation to disclose the information.

Commissioner Bradford is concerned about the noise with regard to the gun club.

Commissioner Miya is concerned about traffic on Powerhouse Road.

Mr. Nielson addressed the Commission on the traffic issues related to Powerhouse Road and the other roads involved in the development.

Commissioner Christianson asked about the proposed grades.

Discussion was made regarding school busing, fire trucks, garbage trucks, and snow plows and whether they can or cannot navigate roads with 12% grades.

Steve Smoot
Mr. Smoot addressed the Commission. He feels they have done a lot of things to enhance this development as far as amenities are concerned.

Commissioner Miya asked for clarification on the buildable area of the lot size. The actual buildable area of the lots is substantially limited in several cases.

Mr. Smoot replied that half of the lot would be developable.

Commissioner Christianson asked about the sewer.

Discussion was made regarding the preserved land area (scenic area).

Mr. Anderson asked for an explanation on what a scenic area is and what will/will not be altered.

Mr. Smoot acknowledged that some of the areas noted as scenic easements will be regarded and the vegetation will be removed.

Mr. Anderson asked if Mr. Smoot was willing to prepare a Limit of Disturbance plan.

Mr. Smoot agreed and mentioned that he thought the plan was already prepared.

Commissioner Huff is concerned about sidewalks.

Mr. Smoot submitted plans for the entrance to the development.

Mr. Nielson addressed the sidewalk issues.

Discussion was made regarding sidewalks in the development.

Mr. Anderson corrected what was stated in the staff report about there being a parkstrip between the street and the sidewalk, there will be no parkstrip, the sidewalk will be next to the curb.

Discussion was made regarding bonus density and the density awarded in this development.

Commissioner Miya would like a disclosure stating that school buses will not access the development.

Commissioner Christianson would like a clause on the plat that discusses the recreational facilities in the area regarding the gun club, reservoir, etc.

Discussion was made regarding fencing of the reservoir.

Discussion was made regarding the need for a meeting to discuss bonus density points, how they are awarded, and who awards them.

Commissioned Christianson does not feel that the bonus density is warranted, believes the applicant would have had to do most of the things he is requesting bonus density for in a standard subdivision.

Commissioner Lewis made a **motion** to approve the Preliminary Plat for Oak Ridge Cove located at 2650 South Spanish Oak Drive, based on the following conditions:

1. Density matrix is in accordance with the ordinance.
2. That they meet the construction development standards.
3. That they meet requirements of the geotechnical study.
4. That they provide offsite electrical improvements as dictated by the Electric Department in order to provide service to that project.
5. That the City's legal counsel look at putting on the plat that the City is held to a hold harmless agreement.
6. The plat is noticed that these lots are in close proximity to a recreation facility whose activities may include large activities and crowds.
7. Review lot number eighty through the engineering department.
8. Look at legal issues with a fence on the south side.

Commissioner Miya **seconded** and the motion **passed** by a unanimous role call vote. Commissioner Christianson voted **nay**.

Budgetary Impact:

Staff anticipates providing the City Council with a more detailed analysis of the monetary impact of residential development in the near future but, for purposes of this report, simply notes that the long term cost to serve residential development generally exceeds anticipated revenue.

Alternatives:

The proposed Preliminary Plat is consistent with the City's standards for Master Planned Developments in the R-1-30 zone. Given the fact that the applicant has requested Master Development Plan approval, the manner in which points are allocated for bonus density may be regulated. In this case, the applicant has request a bonus density of 36 lots which represents a 62 percent increase. As noted above, the Development Review Committee found that the proposed features warrant the request bonus density. Even so, that is something that the City Council may be inclined to disagree with which may result in changes to the number of allowed units. Should the Council choose to modify the manner in which points for bonus density are allocated, staff recommends that the Council make a significant effort to do so based on the manner in which points have been allocated to projects that have been previously approved by the City.

Recommendation:

Staff recommends that the City Council approve the proposed Preliminary Plat for Oak Ridge Cove based on the following finding and subject to the following conditions:

Finding:

1. That the density matrix is in accordance with the ordinance.

Conditions:

1. That they meet the construction development standards.
2. That they meet the requirements of the geotechnical study.
3. That they provide offsite electrical improvements as dictated by the Electric Department in order to provide service to that project.

Attachments:

notes from June 19, 2006 neighborhood meeting
proposed Preliminary Plat for Oak Ridge Cove
proposed Preliminary Utility Plan for Oak Ridge Cove
slope analysis with proposed lot layout for Oak Ridge Cove

Oakridge Cove Subdivision
Neighborhood Meeting Minutes
June 19, 2006

A neighborhood meeting for the proposed Oakridge Cove Subdivision was held on June 19, 2006 at 3:30pm at the offices of LEI Consulting Engineers. The purpose of the meeting was to inform the neighboring property owners of the proposed development and to help answer their questions and concerns. Approximately 30 people were in attendance as demonstrated by the attached listing.

The meeting began with an overview of the proposed project, lot sizing, access, product type and a review of the Spanish Fork City approval process. A question and answer period was then started and the following issues discussed:

1. Site Access. A majority of the discussion during the neighborhood meeting centered on site access and traffic concerns for adjacent properties. The issues included:

- Fairway Drive residents questioned the ability of the existing roadway to handle additional traffic which would be generated by the proposed development. Optional routes discussed by adjacent owners included access through the golf course and to Highway 6.
- Residents suggested that the median on Fairway Drive is very limiting to traffic flow to the area.
- Concern was expressed about the truck traffic present on Powerhouse Road.
- Provision of a secondary access through the Spanish Fork City Gun Club.

2. Drainage. Concerns were expressed about the storm drainage requirements for the area and if the development was designed for the proper drainage criteria. The proposed storm drainage system was reviewed and explained to the residents.

3. Utility Improvements. Several questions centered on the availability and location of proposed utilities. Of particular interest was the installation of pressurized irrigation along Fairway Drive.

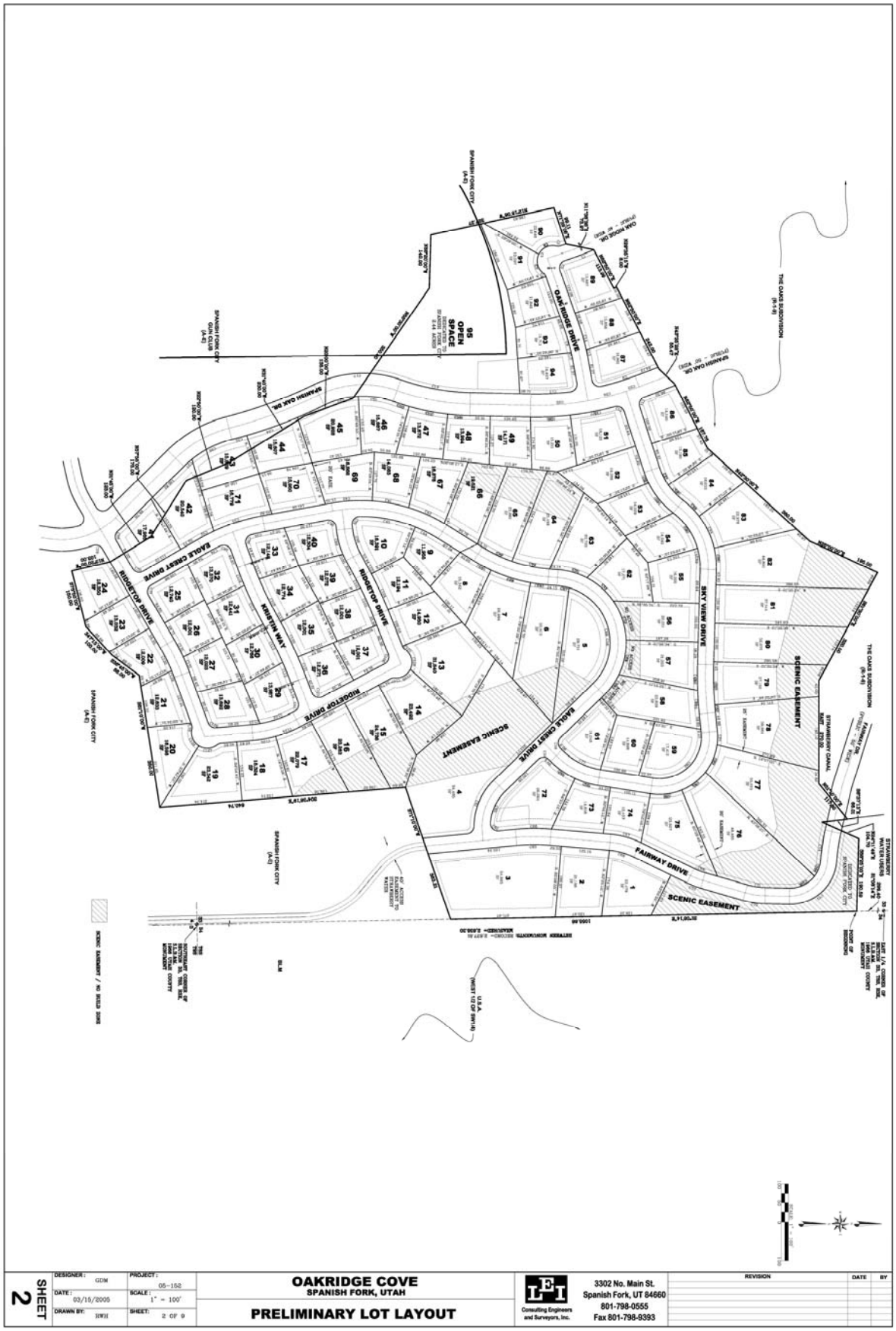
4. Strawberry Highline Canal Crossing. The proposed crossing of the canal was discussed in detail with a majority of the discussion being handled by Gary Aiken of the Strawberry Highline Canal Company. Issues covered included:

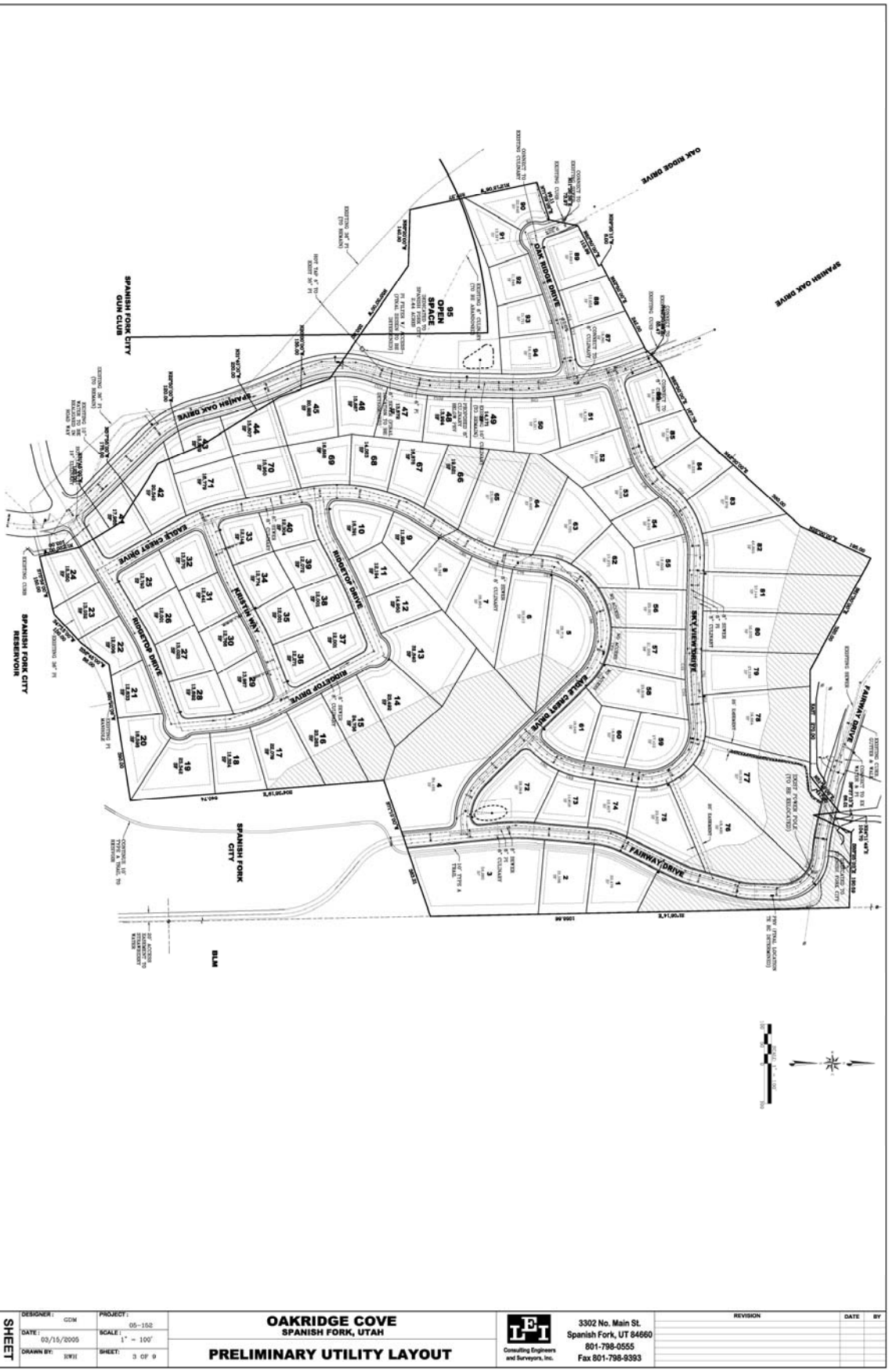
- Approval process of proposed crossing through Strawberry and the Bureau of Reclamation. All residents were encouraged to attend the next Strawberry Board Meeting to voice any concerns.
- Truck traffic from the pond area is a concern for the Fairway Drive residents. Mr. Aiken reviewed the proposed improvements to the canal access road and stated that the truck and worker traffic will continue to use the existing canal road.

5. Other comments and discussion items included:
   - School bus drop off zones along Powerhouse Road. The residents were encouraged to discuss the situation with Nebo School District.
   - Possibility of sidewalk installation through the existing Oaks Subdivision.
   - Gun club operations.
   - Trail access from Fairway Drive.

Following the question and answer period the proposed schedule of Spanish Fork City meetings was reviewed and the residents were encouraged to review agendas posted on the Spanish Fork City website. The meeting was adjourned at 5:30 p.m.

Minutes prepared by Greg Magleby of LEI Consulting Engineers.


SHEET 2
DESIGNER: GDM
DATE: 03/15/2005
DRAWN BY: HMK
PROJECT: 05-152
SCALE: 1" = 100'
SHEET: 2 OF 9
OAKRIDGE COVE
SPANISH FORK, UTAH
PRELIMINARY LOT LAYOUT
Consulting Engineers and Surveyors, Inc.
3302 No. Main St.
Spanish Fork, UT 84660
801-798-0555
Fax 801-798-9393
REVISION
DATE
BY
95 OPEN SPACE
OAK RIDGE DRIVE
SKY VIEW DRIVE
EAGLE CREST DRIVE
RIDGETOP DRIVE
KRISTIN WAY
FAIRWAY DRIVE
SCENIC EASEMENT
SPANISH OAK DR.
SPANISH FORK CITY
THE OAKS SUBDIVISION
STRAWBERRY CANAL
BLM


SHEET 3
DESIGNER: GDM
DATE: 03/15/2005
DRAWN BY: HMK
PROJECT: 05-152
SCALE: 1" = 100'
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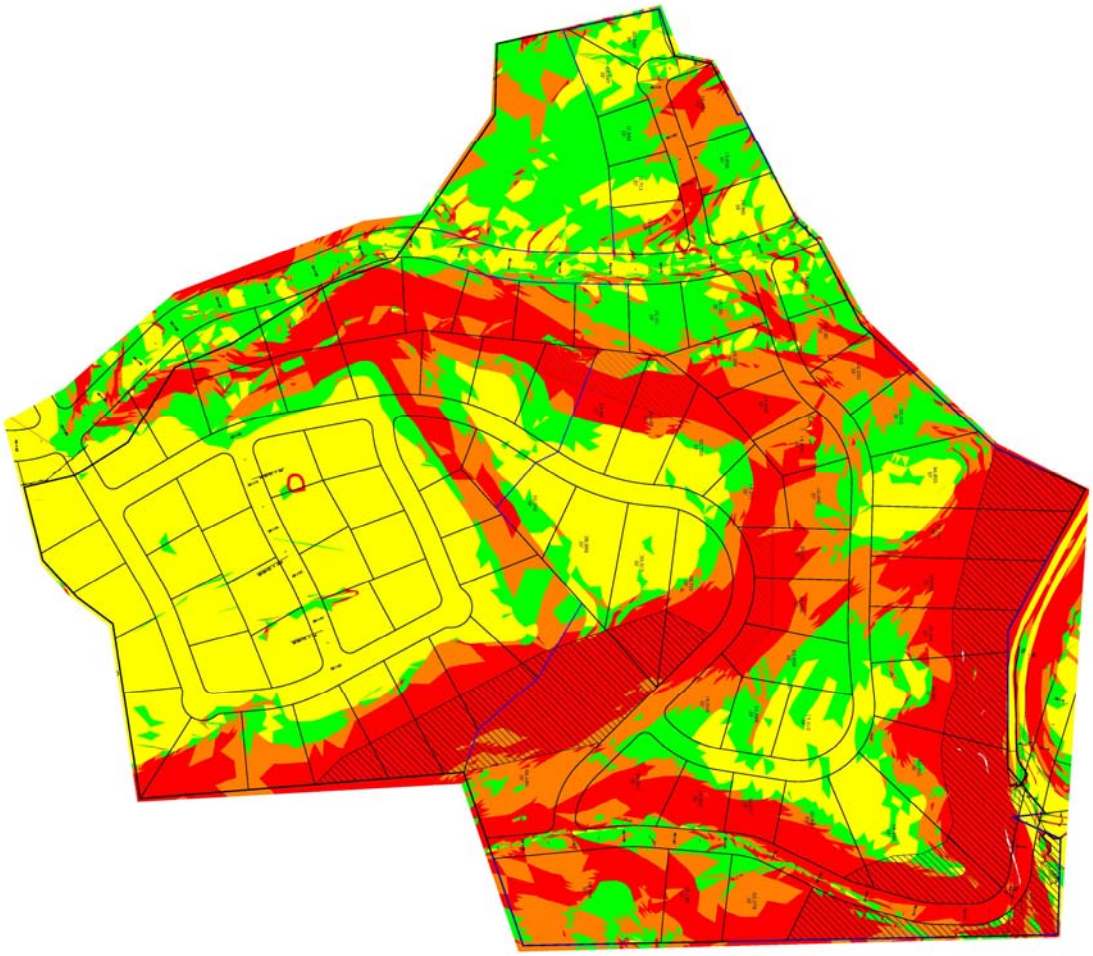
REVISION
DATE
BY
SPANISH FORK CITY GUN CLUB
SPANISH FORK CITY RESERVOIR
SPANISH FORK CITY
BLM
OAK RIDGE DRIVE
OAK RIDGE DRIVE
SPANISH OAK DRIVE
SPANISH OAK DRIVE
EAGLE CREST DRIVE
RIDGETOP DRIVE
RIDGETOP DRIVE
KRISTIN WAY
RIDGETOP DRIVE
EAGLE CREST DRIVE
SKYVIEW DRIVE
FAIRWAY DRIVE
FAIRWAY DRIVE
95 OPEN SPACE



SHEET 1	DESIGNER: GDM	PROJECT: 05-152	**OAK RIDGE COVE** SPANISH FORK, UTAH	Consulting Engineers and Surveyors, Inc.	3302 No. Main St. Spanish Fork, UT 84660 801-798-0555 Fax 801-798-9393	REVISION / DATE / BY
	DATE: 05/31/2006	SCALE: 1" = 100'	**SLOPE ANALYSIS**			
	DRAWN BY: HMR	CHECKED BY:				

REAL ESTATE PURCHASE AGREEMENT

COME NOW the parties hereto, Spanish Fork City (City) and Tara Joyner and Jeremy Joyner (Joyner), and in consideration of the mutual promises made herein, hereby contract, covenant and agree as follows:

1. Joyner owns real property in Spanish Fork City located at approximately 50 South 630 West and more particularly described as follows:

   Commencing at a point which is located North 332.34 Feet and East 2152.72 Feet from the West Quarter Corner of Section 24, Township 8 South, Range 2 East, Salt Lake Base and Meridian; Thence South 89º 52' 03" East 139.30 Feet; Thence North 00º 59' 24" East 173.42 Feet; Thence North 88º 56' 32" West 139.55 Feet; Thence South 00º 54' 13" West 175.67 Feet to the point of beginning.

2. City is desirous of purchasing the property upon the terms and conditions set forth herein.

3. City will pay the sum of $248,000.00 for the property. The sum will be due at closing.

4. The closing will take place within 30 days from the date hereof. Possession shall be transferred at the time of closing.

5. The title to the property being conveyed shall be pursuant to a warranty deed and shall be vested in the name of Spanish Fork City.

6. Within 10 days of the date hereof, the parties agree to cooperate to locate a mutually acceptable title insurance company to provide a commitment for standard coverage title insurance in the amount of the purchase price. The policy shall insure that City shall be the fee simple owner of good and marketable title

free and clear of all liens and encumbrances and subject to the standard exceptions as shown on the title policy. Each party shall have 10 days after receipt of the commitment of title insurance and all relevant documents to notify the other in writing of any objections to the title. If no objection is made, all items shall be deemed permitted. If any exceptions to title are made, the other party shall have until closing to cure such exception. If exceptions are unable to be cured, the party so excepting may choose to void this agreement or to proceed with the exceptions. If voided, all obligations of the parties shall cease and this agreement shall be void without further recourse to the parties hereto.

7. City has heretofore investigated the property and determined that it is suitable for its purposes. City therefore accepts the property "as is."

8. Joyner warrants and represents as follows:

   A. That no person or entity claiming under, by, or through Joyner has any option or contract to purchase any or all of the property to be sold or any interest therein.

   B. The property will be free and clear of any mechanics liens resulting from work performed on or with respect to the property prior to such conveyance.

   C. Joyner has not received written notice from any governmental body claiming any current violations of any hazardous material law, or requiring compliance with hazardous material law, or demanding payment or contribution for environmental damage or injury to natural resources.

For this purpose, hazardous material law means any State or Federal statute applicable to the property relating to the installation, use, storage, release, generation, discharge, disposal, treatment, handling, or transportation of hazardous materials.

D. Joyner, nor to his knowledge any previous owner, tenant, or occupant of the property, has engaged in or permitted operations or activities upon or allowed any use or occupancy of the property for the purpose or in any way involving the handling, manufacturing, treatment, storage, use, generation, release, discharge, refining, dumping, or disposal of any hazardous materials, except for agricultural fertilization.

E. In the event, at any time prior to closing, that any party learns that any of the aforesaid representations and warranties are no longer valid, such party shall immediately notify the other in writing. The party so notified shall then have the option to proceed with this agreement subject to the changed conditions, or to void this agreement and have no further obligation to the other party.

9. This document represents the entire agreement between the parties. All prior negotiations, representations, commitments, or understandings are merged herein and superceded hereby. This agreement may only be amended by a written agreement entered into between the parties.

10. Time is of the essence of this agreement. In case either party shall fail to perform the requirements of this agreement, at the time performance is required, the other party may, at its election, terminate the agreement.

11. The obligations of the parties to this agreement shall survive the closing and shall not be merged into or become a part of any of the documents executed and delivered at closing.

12. If any action, suit, or proceeding is brought by a party with respect to a matter governed by this agreement, all costs and expenses of the prevailing party in such action, suit, or proceeding, including reasonable attorneys fees, shall be paid by the non-prevailing party.

13. All risk of loss or damage to the property shall be borne by the seller until possession exchanges.

DATED this 5th day of September, 2006.

SPANISH FORK CITY by:

_____
JOE L THOMAS, Mayor

ATTEST:

_____
KENT R. CLARK, Recorder

_____
JEREMY JOYNER

_____
TARA JOYNER

SPANISH FORK CITY
Staff Report to City Council

Agenda Date:	**September 5, 2006**
Staff Contacts:	Dale Robinson, Chris Thompson
Reviewed By:	Dave Oyler
Subject:	Sports Park Electrical Bid

Background Discussion:
We bid out all of the electrical work for the sports park and the reservoir pavilion together so that we could get a better price. The cost of electrical installation and equipment has gone up significantly. As a result we are anticipating bids to come in over our estimate and budget for the electrical work at the sports park which includes installation of lighting system and scoreboards as well as all the electrical work associated with the building. The bid opening is scheduled for Tuesday, September 5th at 2:00 p.m. We will bring the bid tabulation to council meeting that evening along with a recommendation. We would like to begin construction as soon as possible, thus the reason for putting this on the agenda prior to having actual bid results. It is likely that we will need the council to approve a budget adjustment in order to proceed.

Budgetary Impact:
If an actual increase is needed it would be funded by impact fees.

Alternatives:

Recommendation:

Attachments: