



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

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

- a. [Thompson Annexation](#)
- b. [Thompson General Plan Amendment](#)
- c. [Thompson Zone Change](#)
- d. [Fritzi Realty General Plan Amendment](#)
- e. [Catholic Church General Plan Amendment](#)
- f. [Catholic Church Zone Change](#)
- g. [D Land L.L.C. General Plan Amendment](#)
- h. [D Land L.L.C. Zone Change](#)

4. ADJOURN TO RDA MEETING

5. NEW BUSINESS:

- a. [SFCN Cable TV Price Adjustment](#)
- b. [Strawberry Water Staker Parsons Annexation](#)
- c. [Gateway Commerce Amended Plat](#)
- d. [Impact Fee Training](#)
- e. [Training on E-mail Protocol - Junior Baker](#)

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.

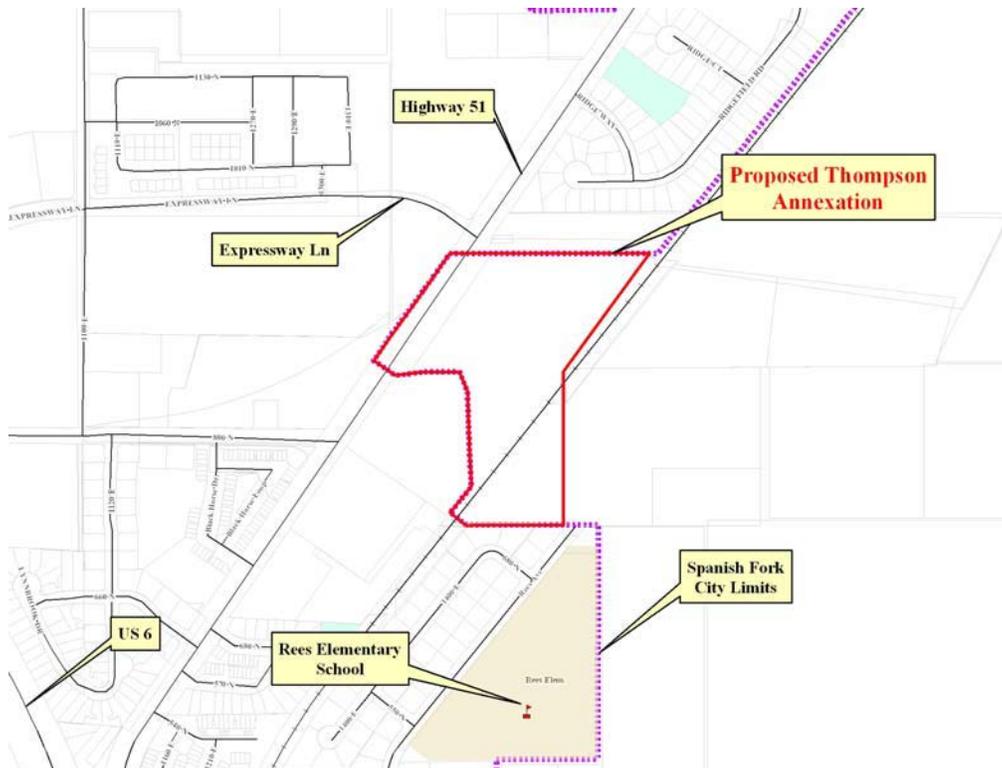
**SPANISH FORK CITY
Staff Report to City Council**



Agenda Date: 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.

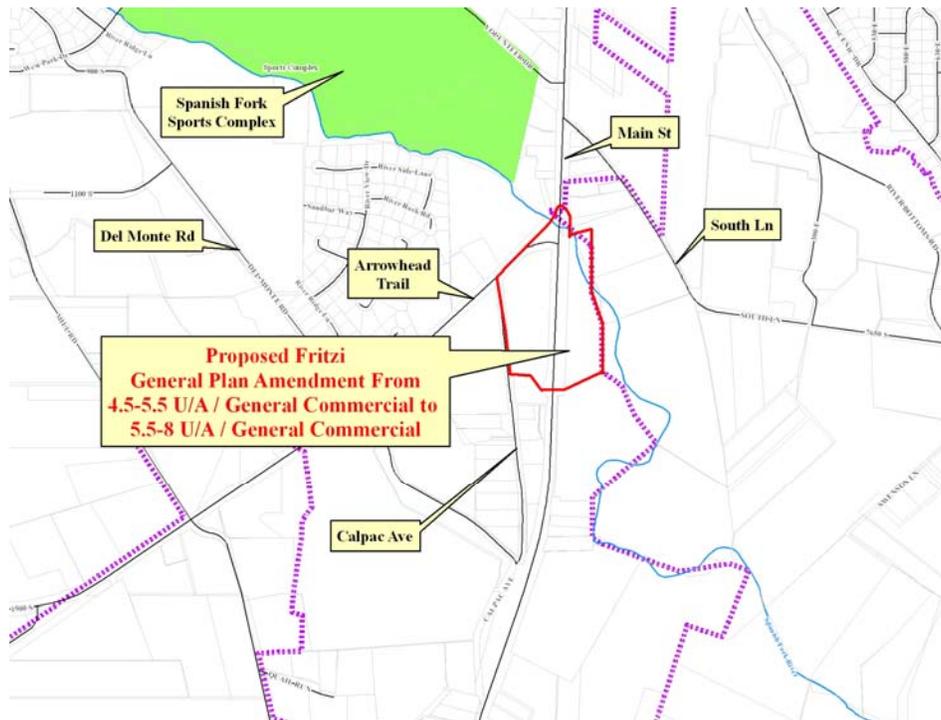
**SPANISH FORK CITY
Staff Report to City Council**



Agenda Date: September 19, 2006
Staff Contacts: Dave Anderson, Planning Director
Reviewed By: the Development Review Committee
Subject: Fritzi Realty General Plan Map Amendment

Background Discussion:

The applicant, Fritzi Realty, is requesting a General Plan Amendment for several parcels located at approximately 1400 South Main Street. The General Plan currently designates the properties General Commercial/Residential 4.5-5.5 units per acre, the proposed change is to General Commercial/Residential 5.5 to 8 units per acre.



Staff understands that the applicant believed the requested designation was being assigned to the subject properties as part of the General Plan update that was completed in 2005. As the color coding for the two designations are very similar it is somewhat easy to understand how there could have been confusion. Nonetheless, the designation represented on the maps that were posted on the City's website and the Map presented to the Council for approval all identified the subject properties as General Commercial/Residential 4.5

to 5.5 units per acre. From the City's planning perspective, the proposed change is somewhat nonconsequential. The higher density would obviously allow for more units but the development types allowed with either 5.5 or 8 units per acre would be similar.

The Development Review Committee

The Development Review Committee reviewed this proposal in their August 31, 2006 meeting. In that meeting, the Development Review Committee recommended that the request be approved. Minutes from that meeting are as follows:

Fritzi Realty (1400 South Main)

Mr. Anderson gave background and explained the proposal.

Discussion was made regarding impact on utilities.

Mr. Baker made a **motion** recommending to the Planning Commission approval of the General Plan Amendment for Fritzi Realty located at 1400 South Main to General Commercial/Residential 5.5 to 8 units per acre. Mr. Nielsen **seconded** and the motion **passed** all in favor.

Planning Commission

The Planning Commission reviewed this request in their September 6, 2006 meeting. In that meeting, the Commission recommended that the proposal be approved with two Commissioners voting against the proposal based on their feeling that the proposed density is too high. Draft minutes from that meeting are as follows:

Amendment to the General Plan Map – Fritzi Realty

Mr. Anderson gave background and explained the proposal.

Ray Morley

Mr. Morley addressed the Commission. He gave background and explained the proposal.

Bob Tandler

Mr. Tandler addressed the Commission. He gave background and explained the proposal. Mr. Tandler expressed his belief that staff had made an error in preparing the maps that were presented last year.

Clint Argyle

Mr. Argyle addressed the Commission. He would like in the minutes that discussion is on the Fritzi parcels only. He feels that the Commission should consider the zoning to be somewhere between the 2.5-3.5 units per acre and 5.5-8 units per acre. The neighborhood would like lower density.

Mark Mckell

Mr. Mckell addressed the Commission. He is concerned with the property line between the Mckell property and the Fritzi property line.

Brent Mckell

Mr. Mckell addressed the Commission. He feels that the Mckell property has a potential to become landlocked with the proposal and that they will lose a current right-of-way to their property.

Libby Hancock

Ms. Hancock addressed the Commission. She is concerned with traffic and feels the proposed density is too high.

Mr. Argyle addressed the Commission.

Mr. Tandler addressed the Commission.

Mr. Mckell addressed the Commission. He submitted a picture for viewing.

Brad Frehner

Mr. Frehner addressed the Commission. He feels traffic and safety of children in the area are big issues. He feels the property is best suited for a commercial zone.

Ms. Parkinson addressed the Commission. She feels that access into the proposed development is ludicrous.

Debra Frehner

Ms. Frehner addressed the Commission. She feels traffic is a concern.

Commissioner Lewis made a **motion** to close Public Hearing on this issue. Commissioner Miya **seconded** and the motion **passed** all in favor.

Discussion was sensitive lands.

Mr. Anderson addressed the Commission.

Discussion was UDOT's approval of access to the property, confusion whether the zoning is 2.5-3.5 units per acre or 4.5 to 5.5-8 units per acre, and traffic.

Mr. Anderson addressed the Commission with regard to access, zoning, and traffic.

Mrs. Johnson addressed the Commission with regard to legislative decisions.

Commissioner Miya made a **motion** recommending to the City Council approval of the proposed General Plan Amendment at approximately 1400 South Main, changing the General Plan Map from General Commercial/Residential 4.5-5.5 units per acre General Commercial/Residential 5.5-8 units per acre; limited to the Fritzi Realty properties, based on the following finding:

Finding:

1. That the proposed designation would allow for a type of development that is compatible with that which is anticipated in the surrounding area.

Commissioner Lewis **seconded** and the motion **passed** by a role call vote. Commissioner Christianson voted nay. He feels that the density is too high. Commissioner Huff voted nay. He feels that the density is too high.

Budgetary Impact:

Staff anticipates providing the City Council with a more detailed analysis of the budgetary 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. In this case, the change in density would potentially have only a negligible effect on the cost to revenue ratio.

Alternatives:

The City maintains considerable discretion with respect to approving or denying General Plan Amendments. As such the Council may approve or deny the proposed request based on what issues you feel are most relevant and important.

Recommendation:

General Plan Amendment

Staff recommends that the City Council approve the proposed General Plan Amendment at approximately 1400 South Main, changing the General Plan Map from General Commercial/Residential 4.5-5.5 units per acre General Commercial/Residential 5.5-8 units per acre based on the following finding:

Finding:

1. That the proposed designation would allow for a type of development that is compatible with that which is anticipated in the surrounding area.

**SPANISH FORK CITY
Staff Report to City Council**



Agenda Date: September 19, 2006
Staff Contacts: Dave Anderson, Planning Director
Reviewed By: the Development Review Committee
Subject: Catholic Church General Plan and Zoning Map Amendment

Background Discussion:

The applicant, the Roman Catholic Bishop of Salt Lake City, is requesting a General Plan Amendment and Zone Change for a parcel located at approximately 1520 South 1400 East. The General Plan designates the property as Residential 1.5 to 2.5 units per acre, the applicant is requesting a change to 2.5 to 3.5 units per acre. The current zoning of the property is Rural Residential; the applicant has requested that the zoning be changed to R-1-9.



The subject properties are surrounded by the Wolf Hollow East, Parkside, Wapiti Estates, Wapiti Cove, Aspen Meadows and Fox Run developments. As the subject property is not large enough to be developed as a Master Planned Development, the minimum lot size for any development would be 9,000 square feet. As some of the surrounding properties have been developed as Master Planned Developments, the surrounding lot sizes vary but are generally consistent with the 9,000 square foot minimum lot size that would be maintained in this development.

In addition to developing single family lots, the applicant would like to reserve some acreage for a different use. While it is understood that this acreage may be used for the construction of a church, staff has not received an application for such and there is nothing related to the current proposal that would restrict the use of that property beyond the basic zoning limitations.

The Development Review Committee

The Development Review Committee reviewed this proposal in their August 16, 2006 meeting. The following are minutes from that meeting:

Catholic Church (1520 South 1400 East)

Mr. Anderson explained the proposal.

Discussion was made regarding adjacent lot sizes.

Mr. Baker made a **motion** recommending that the City Council approve the General Plan Amendment for the property located at 1520 South 1400 East, owned by the Catholic Church, from 1.5 to 2.5 units per acre to 2.5 to 3.5 units per acre and change the zoning from Rural Residential to R-1-9 based on the following findings:

Findings:

1. That given the size of the parcel they will not be able to do a Master Planned Development.
2. That the lot sizes would be consistent with the lots surrounding the project.
3. That there is sufficient utility capacity to serve the density change.

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

Planning Commission

The Planning Commission reviewed this proposal in their September 6, 2006 meeting and unanimously recommended that it be approved. The following are draft minutes from that meeting:

Amendment to the General Plan and Zoning Maps – Catholic Church

Mr. Anderson gave background and explained the proposal.

Armando Alvarez

Mr. Alvarez addressed the Commission and explained the proposal.

Wade Dudley

Mr. Dudley addressed the Commission. He feels that parking is an issue.

Todd Hendricks

Mr. Hendricks feels crosswalks and safety of children is a concern.

Michael Ward

Mr. Ward addressed the Commission. He is concerned with density.

Dan Barp

Mr. Barp addressed the Commission. He is concerned with the width of the road.

Pat Parkinson

Ms. Parkinson feels that the proposed development is good. She feels the lower density is wonderful.

Mr. Alvarez feels that the proposed R-1-9 zone is consistent with the adjacent properties.

Commissioner Miya made a **motion** to close Public Hearing on this issue. Commissioner Lewis **seconded** and the motion **passed** all in favor.

Commission discussion was R-1-12 zoning, the two (2) acre parcel that will be left undeveloped for now.

Commissioner Robins made a **motion** recommending to the City Council approval of the proposed General Plan Amendment at approximately 1520 South 1400 East, changing the General Plan Map from Residential 1.5 to 2.5 units per acre to Residential 2.5 to 3.5 units per acre and changing the Zoning Map from Rural Residential to R-1-9 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.
3. That the proposed zoning is compatible with the zoning assigned to the neighboring properties.
4. That the proposed zoning would allow for uses that are consistent and compatible with those that has been constructed in the immediate vicinity.

Commissioner Lewis **seconded** and the motion **passed** by a unanimous roll call vote.

Budgetary Impact:

Staff anticipates providing the City Council with a more detailed analysis of the budgetary 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. In this case, there is no significant difference in revenue or cost anticipated with the proposed changes to allow residential development at a density up to 3.5 units per acre.

Alternatives:

The City maintains considerable discretion with respect to approving or denying General Plan Amendment and Zone Change requests. Given the General Plan Designation, Residential 2.5 to 3.5 units per acre, R-1-9 zoning is a zoning designation that would be consistent with the General Plan.

Recommendation:

General Plan Amendment

Staff recommends that the City Council approve the proposed General Plan Amendment at approximately 1520 South 1400 East, changing the General Plan Map from Residential 1.5 to 2.5 units per acre to Residential 2.5 to 3.5 units per acre 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 1520 South 1400 East, changing the Zoning Map from Rural Residential to R-1-9 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 6, 2006
Staff Contacts:	Dave Anderson, Planning Director
Reviewed By:	the Development Review Committee
Subject:	D Land L.L.C. General Plan and Zoning Map Amendment

Background Discussion:

The applicant, D Land L.L.C., is requesting a General Plan Amendment and Zone Change for a parcel located at approximately 3100 East River Bottoms Road. The General Plan designates the property as Residential 1 unit per 5 acres/1.5 to 2.5 units per acre, the applicant is requesting a change to Residential 5.5 to 8 units per acre. The current zoning of the property is Exclusive Agricultural; the applicant has requested that the zoning be changed to R-3.



The Development Review Committee

The Development Review Committee reviewed this proposal in their August 31, 2006 meeting. In that meeting, the Development Review Committee recommended that the request be approved. Minutes from that meeting read as follows:

D Land L.L.C. (3100 East River Bottoms Road)

Mr. Anderson gave background and explained the proposal.

Discussion was had regarding zoning and the need to keep the zone consistent with the surrounding properties.

Discussion was had regarding irrigation, electrical, and flood plain.

Mr. Baker made a **motion** recommending to the Planning Commission approval of the General Plan and Zone Amendment for D Land L.L.C. located at 3100 East River Bottoms Road to allow for Residential 5.5 to 8 units per acre with a R-3 Zone. Mr. Foster **seconded** and the motion **passed** all in favor.

Planning Commission

The Planning Commission reviewed this proposal in their September 6, 2006 meeting and unanimously recommended that it be approved. The following are draft minutes from that meeting:

Amendment to the General Plan and Zoning Maps – D Land L.L.C

Mr. Anderson gave background and explained the proposal.

Discussion was density, single-family dwellings, and town homes.

Vic Deauvano

Mr. Deauvano addressed the Commission. He explained the proposal.

Discussion was density, the flood plain, and the berm.

Rudy Bischof

Mr. Bischof addressed the Commission. He is concerned with the height of the proposed structures, the way the properties will face, and open land.

Barbara Damon

Ms. Damon addressed the Commission.

Margie Robins

Ms. Robins addressed the Commission. Ms. Robins feels the river bottoms area is wonderful and does not want to see the development.

Dale Searle

Mr. Searle addressed the Commission. Mr. Searle feels the town homes would be best further down the property as not to obstruct the view of the adjacent property owners.

Michael Weatherhead

Mr. Weatherhead addressed the Commission. Mr. Weatherhead feels that Spanish Fork needs a legacy. Would like to see the river bottoms kept open as a legacy.

Mr. Deauvano addressed the Commission. He explained the proposal and answered the citizen's questions.

Discussion was egress, ingress, the trail, and the proposed height of the town homes.

Angel Wolfe

Ms. Wolfe addressed Commission. Her concern is the crosswalks for the school kids that walk on Powerhouse road.

Ms. Robins addressed the Commission. She requested clarification on the access road.

Discussion was traffic, width of the road, and zoning.

Commissioner Robins made a **motion** to close the Public Hearing on this issue. Commissioner Lewis **seconded** and the motion **passed** all in favor.

Commissioner Robins feels that this is a good development.

Commissioner Huff feels is in favor of this proposal.

Commissioner Lewis is in favor of this development.

Commissioner Christianson feels higher density around a golf course is warranted.

Commissioner Bradford feels this is the best use for this particular area.

Commissioner Lewis made a **motion** recommending to the City Council approval of the proposed General Plan and Zone Map Amendment for D Land L.L.C. located at 3100 East River Bottoms Road, changing the General Plan Map from Residential 1 unit per 5 acres/1.5 to 2.5 units per acre to Residential 5.5 to 8 units per acre, changing the Zoning Map from Exclusive Agriculture to R-3 based on the following findings:

Finding:

1. That the proposed designation would allow for a type of development that is consistent with that which has been constructed in the immediate vicinity.
2. That the proposed zoning is compatible with the zoning assigned to the neighboring properties.
3. That the proposed zoning would allow for development that is consistent and compatible with that which has been constructed in the immediate vicinity.

Commissioner Christianson **seconded** and the motion **passed** by a unanimous roll call vote.

Budgetary Impact:

Staff anticipates providing the City Council with a more detailed analysis of the budgetary 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 City maintains considerable discretion with respect to approving or denying General Plan Amendments and Zone Change requests. The Council may opt to recommend approval or denial of the proposed request or recommend that the City Council consider some alternate action.

Recommendation:

General Plan Amendment

Staff recommends that the City Council approve the proposed General Plan Amendment at approximately 3100 East River Bottoms Road, changing the General Plan Map from Residential 1 unit per 5 acres/1.5 to 2.5 units per acre to Residential 5.5 to 8 units per acre based on the following findings:

Findings:

1. That the proposed designation would allow for a type of development that is 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 3100 East River Bottoms Road, changing the Zoning Map from Exclusive Agricultural to R-3 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 development that is consistent and compatible with that which has been constructed in the immediate vicinity.



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 **6:30 p.m. on September 19, 2006**

AGENDA ITEMS:

1. CALL TO ORDER & ROLL CALL

2. NEW BUSINESS:

- a. [Wasatch Wind EDA](#)

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.

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WASATCH WIND

CLEAN ENERGY CLEAN AIR CLEAN EARTH

David Oylér
City Manager, Spanish Fork City
40 South Main Street
Spanish Fork City, UT 84660

August 15, 2006

RE: Tax Increment Financing for Wasatch Wind's Wind Farm

Dear Mr. Oylér:

Wasatch Wind would first wish to thank you for your assistance during the process of moving our wind farm to the up canyon site. As you are well aware, by moving the site up canyon it has significantly delayed the construction of the wind farm by over a year. We had planned to start building this fall to be completed by early 2007. Now we don't expect the project to start construction until the fall of 2007 to be completed either by the end of 2007 or beginning of 2008. With this delay have come unintended development costs and component price increases which have led to us not being able to meet the hurdle rates of our equity investor and thereby putting the completion of the wind farm in jeopardy. For this reason, Wasatch Wind would like to work with Spanish Fork City to explore the options of tax increment financing.

In order to explore tax increment financing, you asked me to provide you with the following information: the basic concept for the project, property tax stream over the life of the project, number of permanent jobs that will be created, and how the reimbursement will be used.

Concept: Wasatch Wind was nearly complete with the development of its wind farm on land adjacent to the city well on Perry Frandsen's land. Over \$300k was spent to develop this site—expenses for surveyors, meteorological towers, meteorologist studies, permitting, land leases, etc. When the city asked Wasatch Wind to look for a site up canyon, the development costs increased significantly because nearly all the previous efforts were lost and had to be duplicated at the new site. Three new land leases needed to be signed, the interconnection process had to begin again, meteorological towers will need to be moved, a SODAR unit had to be installed to test the site, a meteorologist had to come to the site and reanalyze the data and so on. During this time, prices for turbines rose by nearly 10 percent (\$100,000 per turbine) and the costs for the electrical infrastructure increased by \$1.5 million, not to mention the land area has caused us to space turbines closer than recommended which results in almost 12 percent reduction in power generation. These issues coupled with the fact that the utility is paying us the same for the power as they would have originally places our project economics below the threshold of feasible.

Wasatch Wind would like to work with Spanish Fork City to explore the mechanism for an approximately 75 percent tax abatement for the first ten years. This money would be used to help offset the project cost increases as a result of the move and delay for the electrical infrastructure, which could come back to Wasatch Wind as a lump sum or annually. The tax abatement amounts to about \$150k each year over ten years or roughly 5% of the projects annual gross revenues. This will be sufficient to reach the financial threshold that wind farm investors require.

Property Tax Stream : Wasatch Wind's Spanish Fork Wind Park will be 18.9 MW's in size. Utah State University did an analysis of the economic benefits to Spanish Fork City. Based on 2005 dollar values for a 20 MW

wind farm, the total construction cost is approximately \$23.5 million (for an 18.9 MW wind farm it is estimated to cost \$30.2 million in today's dollars), of which about \$3.7 million will be spent in Utah County. Direct annual operating and maintenance costs total about \$229,000, of which about \$143,000 will be spent in Utah County.

The estimated total economic output from wind park construction and operation over the 20 year life of the project in Utah County is \$11.5 million. This number takes into account direct, indirect, and induced impacts of a 20-MW Spanish Fork project that is expected to create about \$4.7 million of economic output during construction. Once operational, an annual economic output of more than \$340,000 and **four permanent high paying jobs will be created**. The salary for these jobs is more than 160 percent of Utah County's median income.

Estimated property taxes based on conversations with the Utah State Tax Commission and the Utah County Assessor's office are expected to yield almost \$3 million dollars over the life of the project. Land Lease payments to Spanish Fork City are estimated to be about \$500k over 20 years.

Table 1: This first column labeled Property Tax Benefit shows the tax benefit in dollars over twenty years to each entity if there is no abatement. The second column labeled Property Tax Abatement Benefit provides the benefit to each entity over twenty years of a 70 percent abatement for the first ten years. The last column shows the cost to each entity should the wind farm be built. This assumes that the Nebo School District will see no increase to its student population since the worker's will be hired locally and the children will already be enrolled in the school system.

	Property Benefit	Tax	Property Benefit	Tax	Abatement	Cost Entity	Impact to Taxing
Assessing Utah County	85,388			41,798			0
Central UT Water Conservancy District	253,000			123,847			0
Nebo School District	97,308			47,633			0
Spanish Fork City	2,238,808			1,095,928			0
Total	324,278			158,739			0
	2,998,782			1,467,945			0

We hope that you can give this project the consideration that it deserves. Wasatch Wind has done its best to meet the needs of the community. The project will create high paying jobs and a tax base while not putting any burden on the city resources/services like other residential or industrial developments might—little impact to roads, no impact to the city's electrical infrastructure or municipal water and wastewater treatment plants and a net gain to the Nebo School district attending schools.

Please call us with any questions or to start the discussion.

Sincerely,



Christine Watson
Project Director, Wasatch Wind
801-455-1045

SFCN Cable TV Price Adjustment

Background

We have added **The Mountain, CSTV** and have moved **OLN** to Expanded Basic. We are now paying \$1.83 / month / customer more than last month. Since both BYU and UofU had victories last week there may not be a better time to consider a rate increase.

Staff Recommendation

I would recommend increasing the price of Expanded Basic, Digital Basic and Full Package by the \$1.83 our cost has increased.

John Bowcut

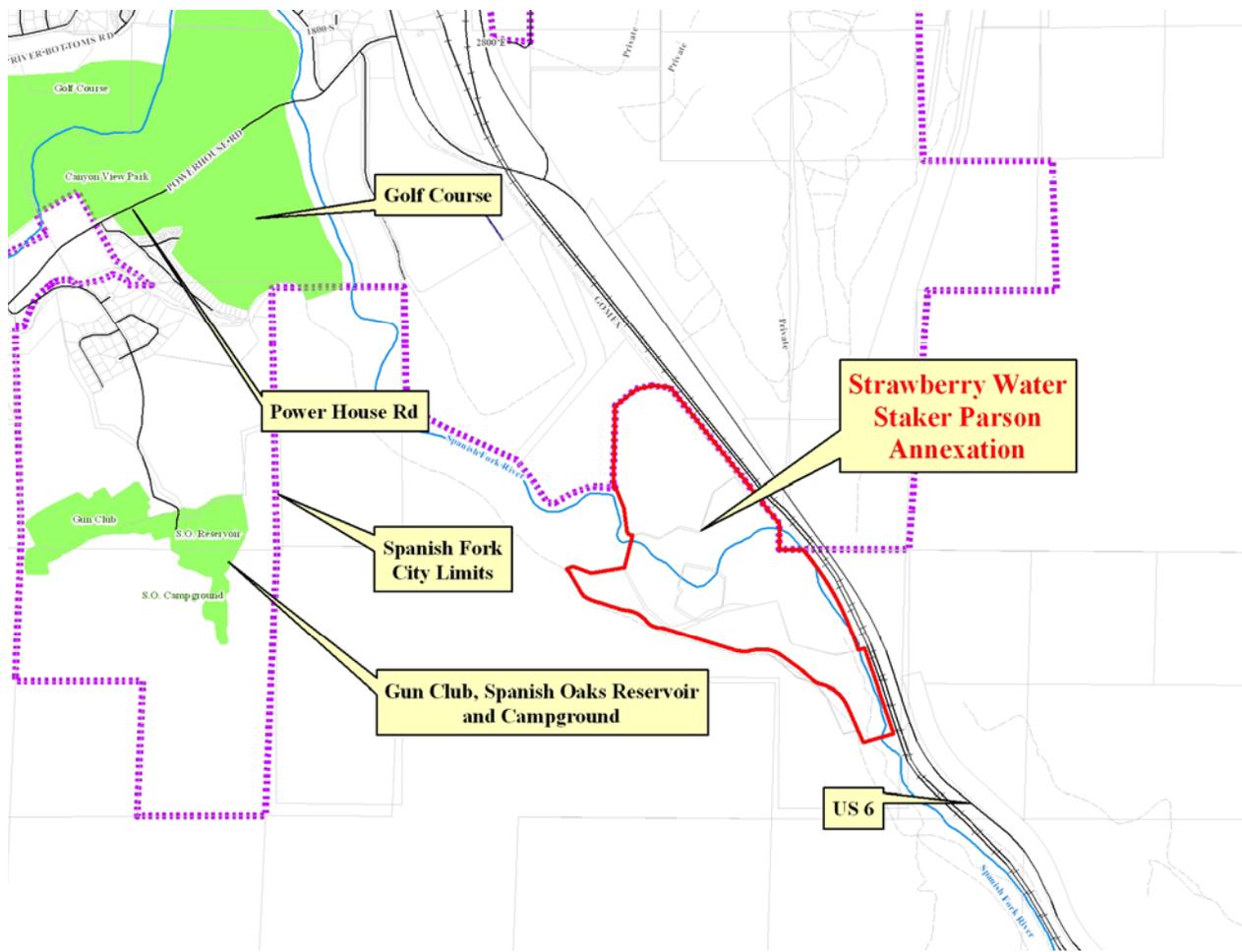
**SPANISH FORK CITY
Staff Report to City Council**



Agenda Date:	September 16, 2006
Staff Contacts:	Dave Anderson, Planning Director
Reviewed By:	the Development Review Committee
Subject:	Strawberry Water Staker Parson Annexation

Background Discussion:

Spanish Fork City is proposing to annex lands into the City as is depicted on the image provided below.



Staff understands that the main impetus of the proposed annexation is the development of a Wind Farm. Parcels included in the proposed annexation are owned by Spanish Fork City, Strawberry Water Users and Staker Parson Companies.

Development Review Committee

The Development Review Committee reviewed this request in their July 26, 2006 meeting. The following is an excerpt from the minutes of the meeting:

Strawberry Water Staker Parson (2800 South Highway 6)

Mr. Anderson gave background.

Mr. Baker made a **motion** to accept the Strawberry Water Staker Parson Annexation 2800 South Highway 6 being zoned I-2 with no conditions. Mr. Foster **seconded** and the motion **passed** all in favor.

Planning Commission

The Planning Commission reviewed this proposal in their September 6, 2006 meeting and recommended that the annexation be approved and that I-2 zoning be assigned to the property. The following are draft minutes from that meeting:

Annexation – Strawberry Water Staker Parson

Mr. Anderson gave background and explained the proposal.

Commissioner Christianson expressed concern with negligent use and whether the city would be liable.

Mrs. Johnson feels that it would not be the City's problem.

Mr. Anderson feels that the City would not be assuming additional liability in annexing these properties but noted that he would research the issue before the City Council meeting.

Christine Michael

Ms. Michael addressed the Commission with regard to wind turbines.

Commissioner Huff made a **motion** recommending to the City Council approval of the proposed Strawberry Water Staker Parson Annexation located at 2800 South Highway 6 with the Industrial 2 zoning assigned based on the following finding:

Finding:

1. That the proposed Annexation and associated zoning would allow for a type of development that is consistent with that which has been constructed in the immediate vicinity.

Commissioner Miya **seconded** and the motion **passed** by a unanimous roll call vote.

Budgetary Impact:

As the development potential of most of the subject properties is rather limited, it is unlikely that the proposed Annexation will have a significant budgetary impact on the City. Nonetheless, the construction of the Wind Farm

may generate some revenue for the City and, at a minimum, any industrial development would likely be a net gain to the City in terms of cost versus revenue.

Alternatives:

The City maintains considerable discretion with respect to approving or denying Annexations and in assigning zoning with annexed properties. The Council may approve the proposed Annexation with the Industrial 2 zoning or assign other zoning as you feel is most appropriate.

Recommendation:

Annexation

Staff recommends that the City Council approve the proposed Annexation with the Industrial 2 zoning assigned, based on the following finding:

Finding:

1. That the proposed Annexation and associated zoning would allow for a type of development that is consistent with that which has been constructed in the immediate vicinity.

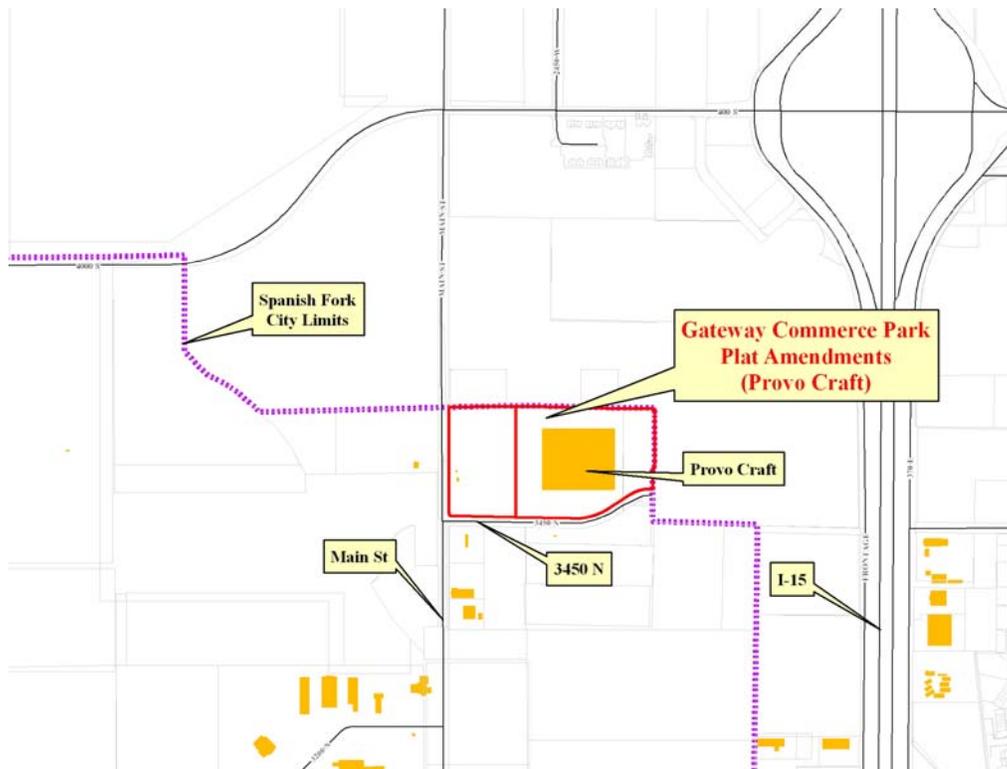
**SPANISH FORK CITY
Staff Report to City Council**



Agenda Date:	September 19, 2006
Staff Contacts:	Dave Anderson, Planning Director
Reviewed By:	the Development Review Committee
Subject:	Gateway Commerce Park Amended Plat Approval Request

Background Discussion:

The applicant, Provo Craft, is requesting Amended Plat approval for 2 lots in Plats A and C of the Gateway Commerce Park development located at 3450 North 100 East. The zoning of the property is I-1. The General Plan designates the property as Light Industrial.



Details

The proposed Amended Plat would facilitate the combination of two existing lots and the creation of an additional industrial lot. The lots that would be combined are Lot 4 of Gateway Commerce Plat A and Lot 1

of Gateway Commerce Plat C. A portion of what is now Lot 4 of Gateway Commerce Plat A would then be divided to create a new lot. Staff has no concern in recommending that the proposed Amended Plat be approved.

Development Review Committee

The Development Review Committee reviewed this request in their August 31, 2006 meeting and recommended that it be approved. The following are minutes from that meeting:

Gateway Commerce Plat B (3450 North 100 East)

Mr. Anderson gave background and explained the proposal. This is an amendment of Plat A and C, not Plat B.

Discussion was utility easements.

Mr. Baker made a **motion** recommending to the Planning Commission Plat Amendment for Gateway Commerce Plat A and C located at 3450 North 100 East amending Plat A and C eliminating Plat C creating two lots as shown. Mr. Foster **seconded** and the motion **passed** all in favor.

Planning Commission

The Planning Commission reviewed this request in their September 6, 2006 meeting and recommended that it be approved. The following are draft minutes from that meeting:

Plat Amendment – Provo Craft

Mr. Anderson explained the proposal.

Kerry Judd

Mr. Judd addressed the Commission. He explained the proposal.

Commissioner Robins made a **motion** to the City Council approval of the Amended Plat for Gateway Commerce Park subject to the following condition:

Budgetary Impact:

Given the fact that this proposal will result in no net gain or loss of industrial lots, it is likely that there will be no budgetary impact of approving the proposal.

Alternatives:

The proposed Amended Plat meets the City’s requirements for industrial subdivisions. As such, the City has no real discretion as to whether it is or is not approved.

Recommendation:

Staff recommends that the City Council approve the Amended Plat for Gateway Commerce Park subject to the following condition:

Condition:

1. That the applicant make any required corrections required by the Development Review Committee to the plat and provide staff with a corrected copy prior to the submittal of a Final Plat.

Attachment:

proposed Amended Plat for Gateway Commerce Park

