



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 January 16, 2007**.

AGENDA ITEMS:

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

- a. Pledge
- b. Layton Construction - Notice of Intent to Act as Construction Manager for Police/Courts Building

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. COUNCIL COMMENTS:

4. PUBLIC HEARINGS:

- a. Westfields Development Zone Change
- b. Cobblestone Plaza General Plan Amendment and Zone Change
- c. Pheasant Run General Plan Amendment
- d. Spanish Highlands North Zone Change
- e. Summers Ridge Town Homes
- f. Proposed Revision to Title 15 of the Municipal Code
- g. Maple Mountain Preliminary Plat
- h. Impact Fee Analysis & Enactment Ordinance
- i. FY07 Budget Revision

5. 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 – October 26, 2006, December 19, 2006

6. NEW BUSINESS:

- a. Airport Board Presentation & Budget Request
- b. Harvest Ridge Preliminary Plat
- c. Spanish Highlands North Preliminary Plat

7. OLD BUSINESS:

- a. Academy Park Zone Change Request
- b. Academy Park North Preliminary Plat Approval
- c. Academy Park South Preliminary Plat Approval
- d. Citizen Request for Access from City Property (Chad McDonald)

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.

8. OTHER BUSINESS:

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

ADJOURN:

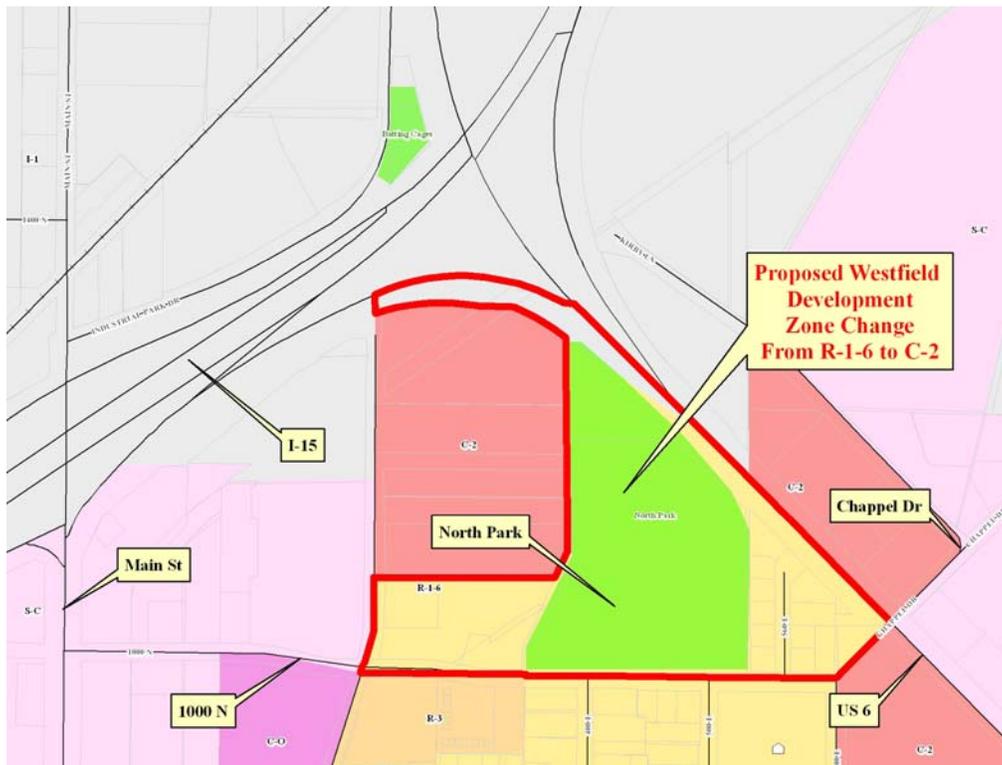
SPANISH FORK CITY
Staff Report to the City Council



Agenda Date: January 16, 2007
Staff Contacts: Dave Anderson, Planning Director
Reviewed By: the Development Review Committee
Subject: Westfield Properties Zone Change Request

Background Discussion:

The applicant, Westfield Properties, is requesting a Zone Change for a parcel located at approximately 1000 North 400 East (North Park and surrounding properties). The current zoning of the property is R-1-6; the applicant has requested that the zoning be changed to Commercial-2. The General Plan designates the parcel as General Commercial.



The proposed Zone Change would bring the zoning of the property into conformity with the General Plan. The Council should be advised that this Zone Change request may be last time that a request relative to the development of this property will be presented to the City Council. Should an applicant choose to simply present

a Site Plan for approval as the subsequent step, that would be reviewed and approved by the City's Development Review Committee and would not involve the City Council.

Another issue worth noting is the concern that UDOT's plans for future improvements will impact the subject properties. As staff has corresponded with UDOT, it appears as though UDOT's most current plans do not involve any expansion beyond the existing right-of-way line to the south and would not result in an encroachment of the subject area. Nonetheless, it is still possible that UDOT may change its plans in the future.

Development Review Committee

The Development Review Committee reviewed this request in their December 20, 2006 meeting and recommended that it be approved. Draft minutes from that meeting read as follows:

Mr. Anderson explained the proposal.

Mr. Baker said it was his understanding that the developers had requested this Zone Change for some commercial development and that some perspective retail customers were also looking at a potential site to the north.

Mr. Baker made a **motion** recommending to the Planning Commission approval of the Zone Change for Westfields Development located at 400 East 1000 North from R-1-6 to C-2 subject to the following findings:

Findings:

1. That it is consistent with the General Plan.
2. The economic development of the City for the next 20-30 years will hinge upon this commercial development based upon the perspective that retail uses coming either here or to another City will impact the growth in this area for a long time to come.

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

Planning Commission

The Planning Commission reviewed this request in their January 3, 2007 meeting and recommended that it be approved. Draft minutes from that meeting read as follows:

Westfields Development

Applicant: Westfields Development and Spanish Fork City

Zoning: R-1-6 existing, Commercial-2 requested

Location: 400 East 1000 North (North Park and surrounding properties)

Mr. Anderson gave background and explained the proposal.

Commissioner Bradford opened for public comment.

Discussion was made regarding cost of services with residential growth.

Andrea Parrish

Ms. Parrish asked if the properties had been sold.

Steve Jensen

Mr. Jensen feels that residential is being pushed out and there is a lot of other commercial property in the City that this development could go.

Rex Facer

Mr. Facer feels new access to sales tax dollars will be good.

David Biggs

Mr. Binks is opposed to this.

Grady Edenfield

Mr. Edenfield feels that the developer ought to look at Food 4 Less for this development.

Scott Parsons

Mr. Parsons addressed the Commission. He feels the number one draw to Spanish Fork was the small town atmosphere. Feels that the impact on how this area will be affected has not been addressed. Does not feel that the loss of this development will have an adverse affect on the rest of the City.

Royace Richins

Mr. Richins feels that other commercial areas in town are viable and that we need open space in this area of town. He is opposed to this proposal.

Ernst Ikler

Mr. Ikler feels that traffic is congested.

Jay Birch

Mr. Birch feels that safety is a big concern. That traffic is congested already in this area of town.

Susan Edenfield

Ms. Ednefield feels that traffic is going to be increased. Her children use the park and would like to see it stay.

Larue Petty

Ms. Petty would like to see the current park enhanced and not change the zone. That if you allow the box stores this part of town will turn into nothing but asphalt.

Jim Lock

Mr. Lock feels the City is giving ground away. He feels the state will wipe the park out when the freeway is redone.

Sharon Jensen

Ms. Jensen feels that the City is not being honest about the proposal.

Sharleen Irvine

Ms. Irvine is in favor of the Zone Change.

George Adams

Mr. Adams feels that the City should put the stores somewhere else in town where they would be easier to get to.

Geri Jackson

Ms. Jackson asked how many residential homes have been affected.

Mr. Nielsen addressed the concerns with UDOT and the freeway.

Mr. Birch addressed the Commission. He has been involved with UDOT and what they are proposing.

Discussion was made regarding UDOT and their proposals.

Commissioner Lewis **moved** to close Public Hearing on this issue. Commissioner Christianson **seconded** and the motion **passed** by a role call vote. Commissioner Robins voted nay.

Commissioner Miya likes the small town feel. But feels that there needs to be some relief on the taxes.

Commissioner Robins feels that this proposal is good but until he sees an equivalent to the current park.

Commissioner Lewis feels that if a park is there he is in favor of the Zone Change and that there will be another chance to go over the park issue.

Mr. Anderson addressed the Commission on issues relating to North Park being relocated and reconfigured.

Commissioner Christianson asked how commercial sales tax is used.

Mr. Anderson clarified the issue.

Commissioner Lewis asked Mr. Anderson to clarify the process after an approved zone change.

Mr. Anderson addressed this issue.

Commissioner Lewis made a **motion** recommending approval of the proposed Westfields Properties Zone Change request, changing the zoning at approximately 1000 North 400 East (North Park and surrounding properties) from R-1-6 to Commercial-2, based on the following findings:

Findings:

1. That the proposed Zone Change is consistent with the General Plan designation.
2. The economic development of the City for the next 20-30 years will hinge upon this commercial development based upon the perspective that retail uses coming either here or to another City will impact the growth in this area for a long time to come.

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

Budgetary Impact:

The approval of this Zone Change would facilitate a development that would be a tremendous boost to the local economy and Spanish Fork City's budgetary situation.

Alternatives:

The City maintains considerable discretion with respect to approving or denying Zone Change requests. Given the General Plan designation the Commercial-2 zoning is consistent with the General Plan.

Recommendation:

Staff recommends that the City Council approve the proposed Westfield Properties Zone Change request, changing the zoning at approximately 1000 North 400 East (North Park and surrounding properties) from R-1-6 to Commercial-2, based on the following findings:

Findings:

1. That the proposed Zone Change is consistent with the General Plan designation.
2. The economic development of the City for the next 20-30 years will hinge upon this commercial development based upon the perspective that retail uses coming either here or to another City will impact the growth in this area for a long time to come.

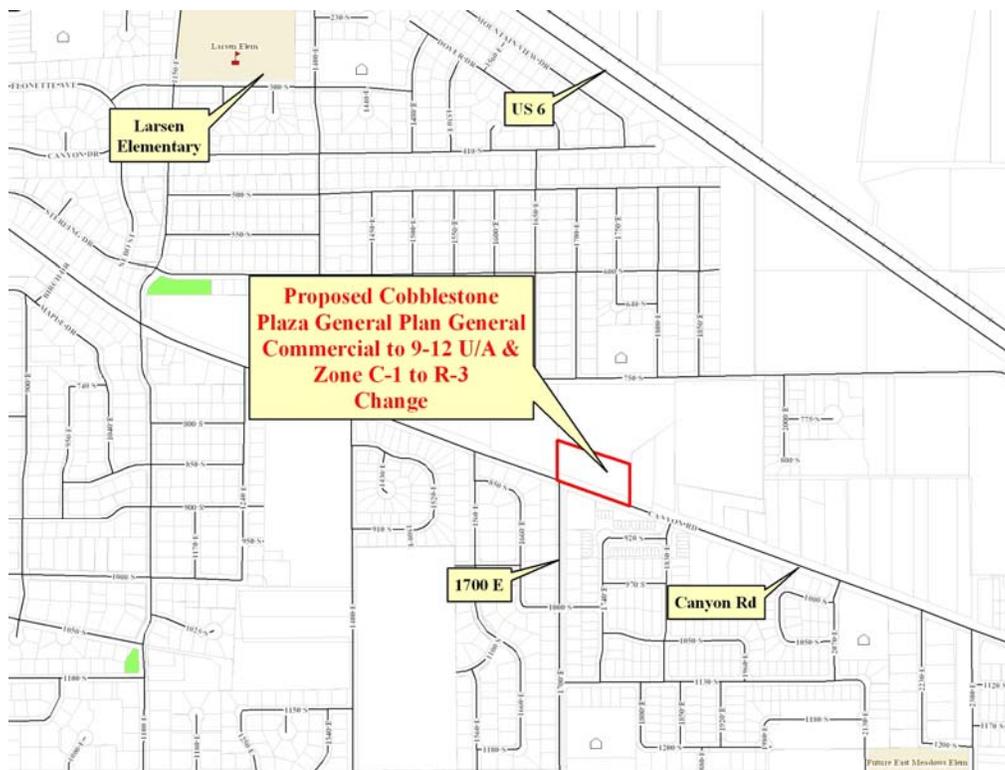
**SPANISH FORK CITY
Staff Report to City Council**



Agenda Date:	January 16, 2007
Staff Contacts:	Dave Anderson, Planning Director
Reviewed By:	the Development Review Committee
Subject:	Cobblestone Plaza General Plan and Zoning Map Amendment Request

Background Discussion:

The applicant, Clark Mitchell, is requesting a Zoning Map and General Plan Amendment for a 2.3-acre parcel located on the northeast corner of the intersection of 1700 East and Canyon Road. Currently, the General Plan designation for the subject property is General Commercial. The applicant has requested that the General Plan designation be changed to Residential 9-12 units per acre. The current zoning of the property is Commercial 1 and the applicant has requested that it be changed to R-3.



Staff understands that the General Plan and Zoning Maps were changed a number of years ago to the current commercial designations. Staff also understands that the applicant, who has owned the subject property for a number of years, has made a significant effort to market the property for commercial uses and, to date, has not been successful. Furthermore, staff understands that the applicant believes the Urban Village designation

assigned to the properties north and east of the subject property has decreased the likelihood that a commercial entity will make use of the subject property. With that said, staff understands the main impetus of the proposed change is the applicant's belief that the subject property is not viable for commercial development.

There are a number of things that, in staff's opinion, the Council should consider when reviewing this request. First, a significant amount of thought has gone into the City's General Plan and the specific designations made throughout the City. As such, requests to change the General Plan should receive some commiserate level of scrutiny and consideration before changes are made.

Second, the General Plan is a living document and it is anticipated that changes will be made.

Third, the General Plan is the City's plan for land use at buildout. That is to say that the plan identifies what the City believes are the best uses for individual properties when all or the majority of the properties in the City are developed. In my view, this concept is a key component that the Council should consider in evaluating this request. It is understood that certain land uses at certain locations will become economically viable at different times. As the Planning Director, I believe that concept is evident with the subject property. I believe it's clear that the market would today support residential development on this property and the highest monetary value may currently be associated with residential development. The same could be said of other properties in the City whose immediate value would be realized with residential development but that may ultimately support some other more unique use.

This question of timing is certainly a difficult one to address, and other questions arise as well. How long should a property owner have to wait to develop? What is the ultimate cost of losing a commercial site and having more residential development? Has the City planned for an over or under abundance of commercial sites? Do the sites planned General Commercial really have commercial potential? Are there improvements that can be made (roads, utilities, etc...) that might make a potential commercial site more attractive for commercial development? These are all valid questions that City staff and the City Council should be cognizant of as the city periodically reviews the General Plan.

With all of that said, we of course have no crystal ball and cannot see what the future will bring. However, over the years, the City has prepared a series of plans and documents that, in my opinion, establish the basis for making sound predictions as to what might occur. I believe the General Plan is a well conceived document that accurately reflects functional land use patterns.

In this case, there are some site specific factors that I feel warrant consideration. The fact that the City has planned for a large commercial development in the vicinity of this property may offer some reason to change the General Plan, it may also be justification for leaving it the same. The concept that 1700 East will extend northward from Canyon Road is another factor that may change the commercial viability of this property.

Development Review Committee

The Development Review Committee reviewed this request in their October 18, 2006 meeting. The Committee recommended that the request be denied, and excerpt from the minutes of that meeting reads as follows:

Cobblestone Plaza General Plan Amendment and Zone Change

General Plan: General Commercial existing, requesting Residential 9-12 units per acre and General Commercial

Location: 1700 East Canyon Road

Zoning: C-1 existing, R-3 requested

Applicant: Clark Mitchell

Mr. Anderson gave background and explained the proposal.

Discussion was made regarding density.

Mr. Anderson feels that there is potential for commercial development in the future at this site and that the City needs to keep this zoned for commercial uses.

Discussion was made regarding commercial property.

Mr. Mitchell addressed his concerns with not being able to sell the property.

Discussion was made regarding traffic and timing on the construction of roads.

Mr. Mitchell presented his concept plan for the density they are requesting.

Discussion was made regarding R-3 zoning, expansion of the zones in the area, the impact on the surrounding properties if zoned Urban Village, and adjacent Forest Service property.

Mr. Heaps excused himself at 11:15 a.m.

Mr. Baker made a **motion** recommending to the Planning Commission **denial** of the Cobblestone Plaza General Plan Amendment and Zone Change and that the Commission study a possible Urban Village zone, look into forest service property, and report their findings to the City Council.

Mr. Banks **seconded** and the motion to deny **passed** all in favor.

Planning Commission

The Planning Commission reviewed this request in their January 3, 2007 meeting and recommended that it be approved. Draft minutes from that meeting read as follows:

Amendment to the General Plan and Zoning Maps (continued from 12-6-2006)

Applicant: Clark Mitchell

Zoning: Commercial 1 existing, R-3 requested

General Plan: General Commercial existing, requesting Residential 9-12 units per acre.

Location: 1700 East Canyon Road

Mr. Anderson gave background and explained the proposal.

Clark Mitchell

Mr. Mitchell addressed the Commission. He is asking for instead of attaching a concept plan he would like a zone change with a development agreement.

Commissioner Robins asked if they have had anyone try to buy this property for commercial use.

Mr. Mitchell said that it has been under contract 4 separate times.

Commissioner Bradford would like to see this developed commercial.

Discussion was made regarding density and the number of units, adjacent properties being changed to commercial if a proposal was brought in.

Mr. Mitchell feels there has been a shift in how the City Council is looking at this piece. He feels that after the last meeting the Commission was more open for a residential zone.

Discussion was made regarding density and zones.

Commissioner Christianson made a **motion** to approve the General Plan Amendment of 5.5-8 units per acre and the Zoning Map to R-1-6 with a development agreement that caps the number of units at 14.

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

Budgetary Impact:

In short, this proposed change may eventually have the impact of reducing the City’s revenue while increasing, to some degree, the City’s overall cost to provide services. If the property develops commercially, there will likely be a net gain for the City in terms of revenue whereas residential development will likely not generate sufficient revenue to pay the cost to provide services.

Alternatives:

The City maintains considerable discretion with respect to approving General Plan amendments and Zone Change requests. The Council may approve or deny the proposed changes based on any findings you feel are warranted.

Recommendation:

Staff recommends that the City Council deny the proposed General Plan and Zoning Map Amendments based on the following findings:

Findings:

1. That the existing zoning and General Plan designations allow for development that will provide needed services in this area and contribute to the overall financial viability of the City.
2. That the proposed change would reduce the opportunity for businesses to serve the residents of the area and have a detrimental impact on the City’s finances.

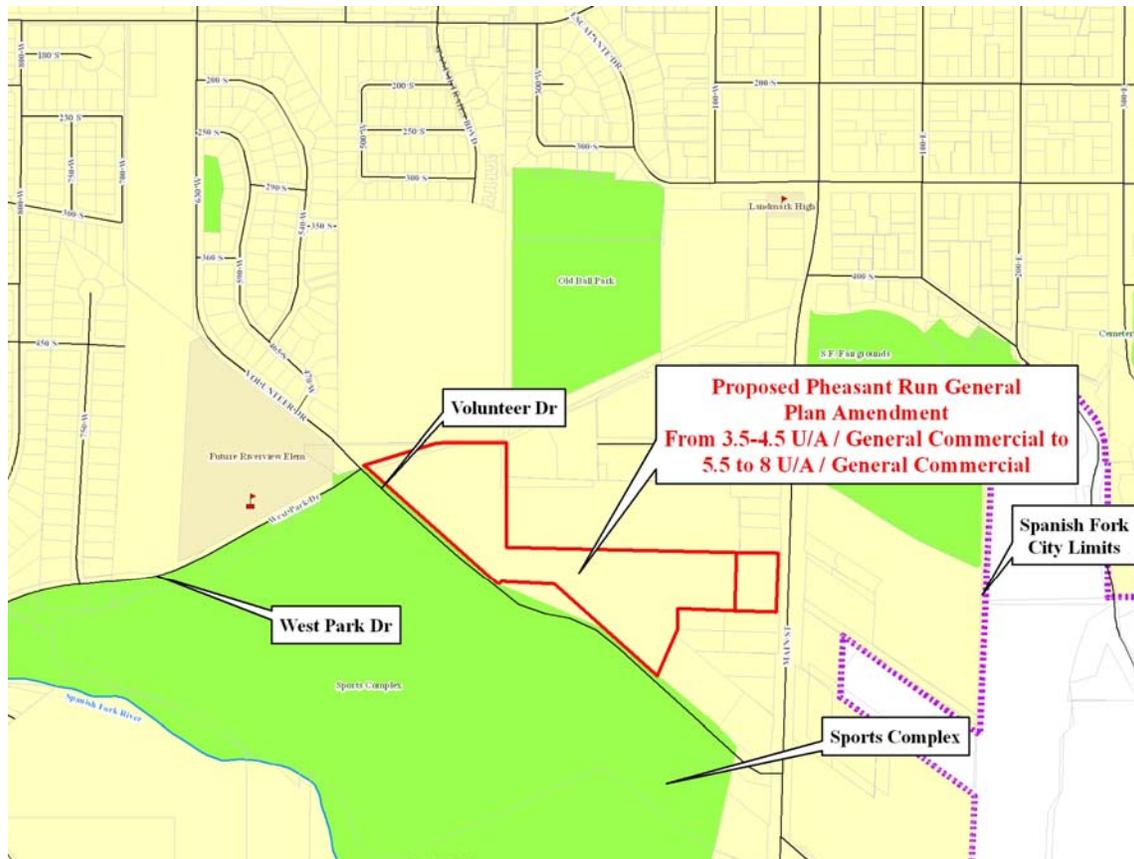
**SPANISH FORK CITY
Staff Report to City Council**



Agenda Date: January 16, 2007
Staff Contacts: Dave Anderson, Planning Director
Reviewed By: the Development Review Committee
Subject: Pheasant Run General Plan Map Amendment

Background Discussion:

The applicant, Paul Johnson, is requesting a General Plan Amendment for parcels located at approximately 300 West Volunteer Drive. The General Plan currently designates the properties General Commercial/Residential 3.5 to 4.5 units per acre and the applicant has requested a change to General Commercial/Residential 5.5 to 8 units per acre. The applicant has submitted a proposed concept plan with this application that includes some 87 single and multi-family dwelling units.



The General Plan designations for the surrounding properties include General Commercial, Public Facilities, Light Industrial, Residential 5.5 to 8 units per acre, Residential 3.5 to 4.5 units per acre and Recreation to the south on the other side of Volunteer Drive. The impetus for this request is the applicant's desire to develop the property with R-3 zoning and at a density that may approach 8 units per acre.

Given the surrounding designations and the property's configuration, staff is of the opinion that a proposed amendment is warranted. Another design element that this applicant is attempting to accommodate is the Nebo School District's desire to have a road constructed along their southern boundary, which is this development's northern property line. These factors do create a situation that is perhaps more appropriate, from a design perspective, for some type of attached housing.

The main question raised by the Development Review Committee pertained to whether it is more appropriate to change the designation to 5.5 to 8 units per acre, as requested, or to 4.5 to 5.5 units per acre. In any event, a change that will increase the number of connections consumed by any development will need to be accounted for as the City finalizes its plans to amend the Growth Boundary.

The Development Review Committee

The Development Review Committee reviewed this proposal in their December 13, 2006 meeting and recommended that it be approved. Draft minutes from that meeting read as follows:

Pheasant Run

Location: 300 West Volunteer Drive

Designation: 3.5 to 4.5 units per acre General Commercial existing, 5.5 to 8 units per acre General Commercial requested.

Applicant: Paul Johnson

Mr. Anderson gave background and explained the proposal.

Discussion was made regarding utilities, a high pressure gas line, number of proposed units, total number of acreage, changing the General Plan.

Mr. Baker made a **motion** recommending to the City Council changing the General Plan in the area shown, including also the City property in that, excluding the commercial piece on Main Street, which changes the rest of it from 3.5-4.5 units per acre to a designation of 4.5-5.5 units per acre. Mr. Foster **seconded** and the motion **passed** all in favor.

Planning Commission

The Planning Commission reviewed this request in their January 3, 2007 meeting and recommended that it be approved at a density of 4.5 to 5.5 units per acre. Draft minutes from that meeting read as follows:

Pheasant Run General Plan Amendment

Applicant: Paul Johnson

General Plan: 3.5 to 4.5 units per acre/General commercial existing, 5.5 to 8 units per acre/General Commercial requested

Location: 300 West Volunteer Drive

Mr. Anderson gave background and explained the proposal.

Commissioner Robins asked what the total acreage was.

Commissioner Lewis asked about a piece of property adjacent to this development.

Discussion was made regarding the adjacent property, a concept plan for Pheasant Run, the trail, and who will be responsible to bury the canal.

Commissioner Bradford opened for public comment.

Paul Johnson & Jay Garlick

Mr. Johnson and Mr. Garlick addressed the Commission. Mr. Johnson explained the concept plan, a Questar gas line on the property, and other issues with regard to the plan.

Commissioner Robins asked for the total number of units.

Commissioner Bradford asked about fencing.

Mr. Garlick said that the Nebo School District will have to address the fencing.

Commissioner Huff asked for clarification on the number of units adjacent to this proposal.

Commissioner Lewis asked who will be responsible for landscape on the property the City owns if it is included.

Commissioner Bradford closed public comment.

Discussion was made regarding density and if a cap could be put on the number of units if the zone was approved.

Mr. Anderson addressed the Commission on this issue.

Discussion was made regarding density, a master plan development, and the parcel of property that the City owns that is adjacent to this project.

Mr. Garlick addressed the Commission. He gave examples of what their options will be with a lower density and asked the Commission if they were comfortable with that.

Commissioner Miya likes this proposal and feels that this is a win win development.

Commissioner Bradford feels that this part of town does not have a very high density and feels that spreading high density throughout the City is good.

Mr. Anderson addressed the Commission.

Commissioner Lewis made a **motion** recommending approval of the proposed General Plan Amendment at approximately 300 West Volunteer Drive, changing the General Plan Map from General Commercial/Residential 3.5 to 4.5 units per acre to General Commercial/Residential 5.5 to 8 units per acre based on the following findings:

Findings:

1. That the proposed designation would not create an incompatible land use arrangement.
2. That the increased need to allocate sewer connections for this property can be accommodated without significantly impacting the City's current objectives.
3. That the configuration of the subject properties is conducive to the type of development that is being contemplated with the proposed amendment.

Commissioner Miya **seconded** and the motion was a **tie** by a role call vote. Commissioner Robins voted nay, Commissioner Christianson voted nay, Commissioner Huff voted nay.

Commissioner Lewis made a **motion** to withdraw his motion. Commissioner Miya **seconded** and the motion **passed** all in favor.

Commissioner Lewis made a **motion** recommending approval of the proposed General Plan Amendment at approximately 300 West Volunteer Drive, changing the General Plan Map from General Commercial/Residential 3.5 to 4.5 units per acre to General Commercial/Residential 4.5 to 5.5 units per acre based on the following findings:

Findings:

1. That the proposed designation would not create an incompatible land use arrangement.
2. That the increased need to allocate sewer connections for this property can be accommodated without significantly impacting the City’s current objectives.
3. That the configuration of the subject properties is conducive to the type of development that is being contemplated with the proposed amendment.

Commissioner Miya **seconded** and the motion **passed** by a unanimous role 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, 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. The City Council may opt to approve or deny the proposed request. In this case, the applicant is requesting a change to one density range while the D.R.C. and Planning Commission have recommended a change to a different range.

Recommendation:

General Plan Amendment

Staff recommends that the City Council approve the proposed General Plan Amendment at approximately 300 West Volunteer Drive, changing the General Plan Map from General Commercial/Residential 3.5 to 4.5 units per acre to General Commercial/Residential 4.5 to 5.5 units per acre based on the following findings:

Findings:

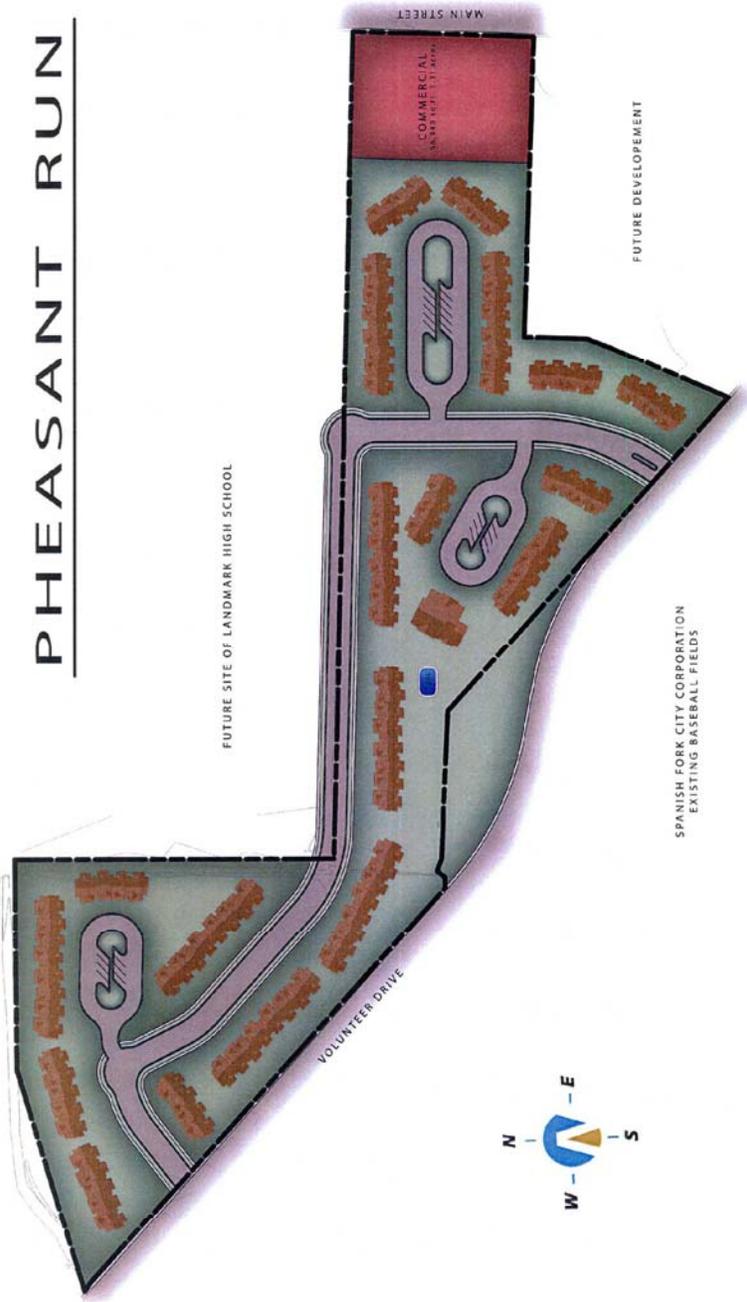
1. That the proposed designation would not create an incompatible land use arrangement.
2. That the increased need to allocate sewer connections for this property can be accommodated without significantly impacting the City’s current objectives.
3. That the configuration of the subject properties is conducive to the type of development that is being contemplated with the proposed amendment.

Attachments:

proposed conceptual plan

PHEASANT RUN

FUTURE DEVELOPMENT
W/ PRELIMINARY PLAT @ 8.15 4/20



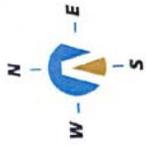
FUTURE SITE OF LANDMARK HIGH SCHOOL

VOLUNTEER DRIVE

MAIN STREET

FUTURE DEVELOPMENT

SPANISH FORK CITY CORPORATION
EXISTING BASEBALL FIELDS



PHEASANT RUN

SPANISH FORK CITY, UTAH

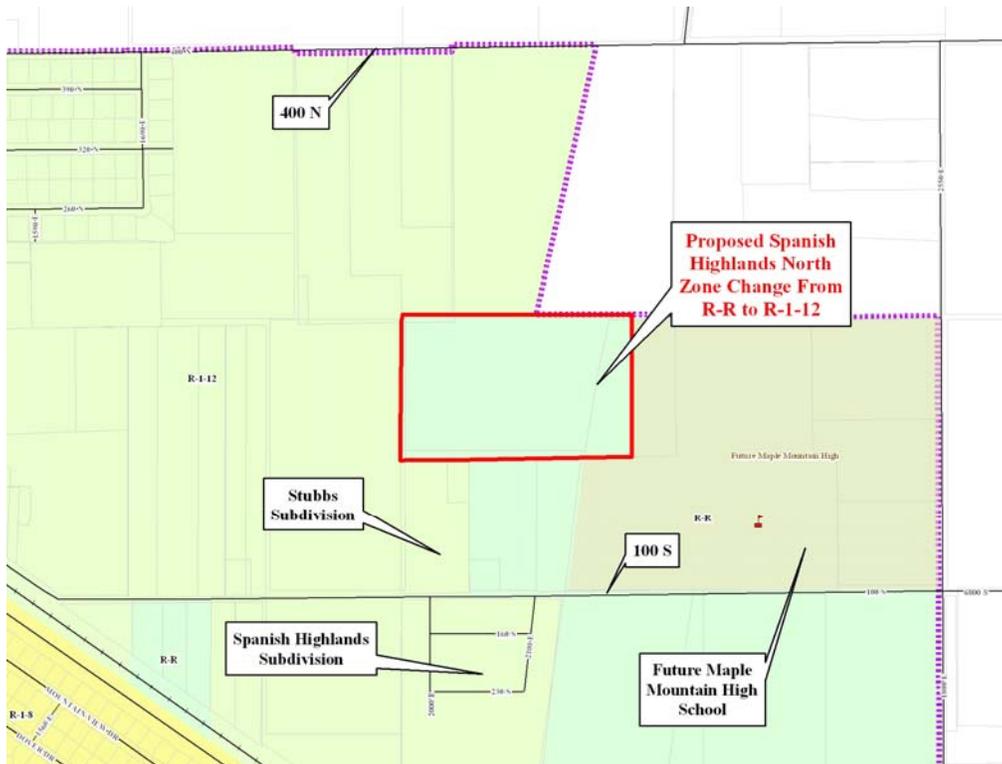
SPANISH FORK CITY
Staff Report to the City Council



Agenda Date:	January 16, 2007
Staff Contacts:	Dave Anderson, Planning Director
Reviewed By:	Development Review Committee and Planning Commission
Subject:	Spanish Highlands North Zone Change Request

Background Discussion:

The applicant, Ivory Homes, is requesting a Zone Change for a parcel located at approximately 150 North 1700 East. The current zoning of the property is Rural Residential; the applicant has requested that the zoning be changed to R-1-12. The General Plan designates the property as Residential 2.5 to 3.5 units per acre.



The General Plan designation for this property allows for residential development at densities ranging between 1.5 and 3.5 units per acre. Given the fact that developments in the area have been zoned R-1-12, the Development Review Committee felt R-1-12 zoning was the most appropriate for this property. The requested zoning, R-1-12 allows for a base density of 2.69 units per acre which is consistent with the density range specified in the General Plan.

Development Review Committee

The Development Review Committee reviewed this request in their December 20, 2006 meeting and recommended that it be approved. Draft minutes from that meeting read as follows:

Spanish Highlands North

Location: 150 North 1700 East

Zoning: Rural Residential existing, R-1-12 requested

Applicant: Ivory Homes

Mr. Anderson gave background and explained the proposal.

Mr. Baker made a **motion** recommending to the Planning Commission **approval** of the zone change request for Spanish Highlands North located at 150 North 1700 East subject to the following finding:

Findings:

1. That it is consistent with the General Plan.
2. That it is consistent with the surrounding zoning.
3. That it is consistent with the Master Plan Development request made by the applicant.

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

Planning Commission

The Planning Commission reviewed this request in their January 3, 2007 meeting and recommended that it be approved. Draft minutes from that meeting read as follows:

Spanish Highlands North Zone Change

Applicant: Ivory Homes

Zone Change: Rural Residential existing, R-1-12 requested

Location: 150 North 1700 East

Mr. Anderson gave background and explained the proposal.

Commissioner Bradford opened for public comment.

There was not any public comment.

Commissioner Bradford closed public comment.

Commissioner Robins made a **motion** recommending approval of the proposed Spanish Highlands North Zone Change request, changing the zoning at approximately 150 North 1700 East from Rural Residential to R-1-12, based on the following findings:

Findings:

1. That the proposed Zone Change is consistent with the General Plan designation.
2. That it is consistent with the surrounding zoning.

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

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 Zone Change requests. Given the General Plan Designation, Residential 2.5 to 3.5 units per acre, R-1-12 zoning is the zoning designation that would be most consistent with the General Plan.

Recommendation:

Staff recommends that the City Council approve the proposed Spanish Highlands North Zone Change Request, changing the zoning at 150 North 1700 East to R-1-12, based on the following findings:

Findings:

1. That the proposed Zone Change is consistent with the General Plan designation.
2. That it is consistent with the surrounding zoning.

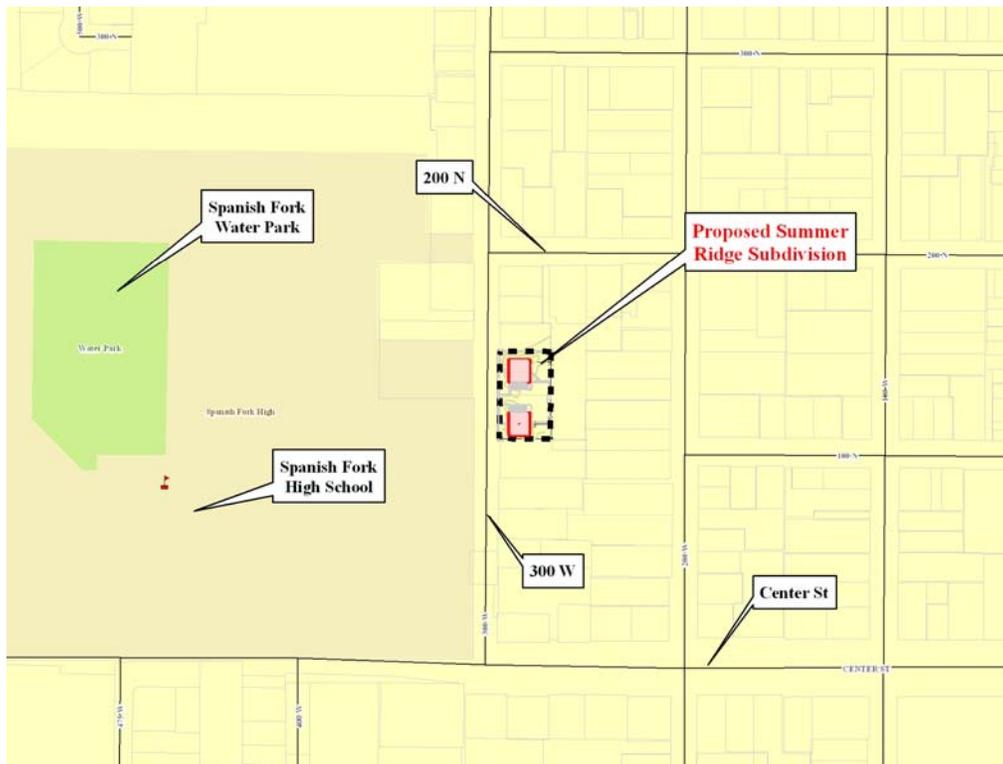
**SPANISH FORK CITY
Staff Report to City Council**



Agenda Date:	January 16, 2007
Staff Contacts:	Dave Anderson, Planning Director
Reviewed By:	the Development Review Committee
Subject:	Summers Ridge Preliminary Plat Approval Request

Background Discussion:

The applicant, Advantage Investment Group, is requesting Preliminary Plat approval in or to condominiumize two existing 4-unit structures located at 150 North 300 West. The property is zoned R-3. The General Plan designates the property as Residential 9 to 12 units per acre.



Details

Staff understands the applicant is proposing to subdivide this structure so as to be able to convey the dwelling units separately. Staff also understands that the existing structures were constructed in the relatively recent past and can be converted to condominiums without making substantial renovations. As the proposed change

involves no change of use, staff is not concerned about allowing the conversion even though the existing structures fail to meet the City's minimum lot size requirements for structures of this type.

Generally speaking, the belief exists that owner occupied dwellings are preferred to rental units as they often result in more neighborhood continuity and a higher level of care for properties. While this conversion is no guarantee that the units will be owner occupied, it is a necessary step towards making that possible.

Development Review Committee

The Development Review Committee reviewed this request in their December 13, 2006 meeting and recommended that it be approved. Draft minutes from that meeting read as follows:

Summers Ridge Townhomes

Location: 130 North 300 West

Zoning: R-1-12

Applicant: Advantage Investment Group

Mr. Anderson gave background and explained the proposal. There are some changes that need to be made with satisfying the City's parking requirements. Our building inspectors have inspected the structures and believe that the structures can be modified and stay in compliance with the IBC. The development does not meet the zoning requirements of 18,000 square feet, however he feels that by making the change from apartments with renters to condos that can be individually owned is a good thing for neighborhoods and communities and since this is not an expansion the request is permissible.

Discussion was made regarding non-conforming structures, utilities, and development of a HOA.

Mr. Baker made a **motion** recommending to the City Council approval of the Summers Ridge Town homes Condominium Preliminary Plat to convert 4-plexes to condominiums subject to the following conditions:

Conditions:

1. That the buildings themselves not be enlarged in order to cause a non-conforming structure.
2. That they make any necessary modifications to meet the current Building Code.
3. That they include covered parking according to the City's ordinance.
4. That they amend the plat to show the accurate configuration.

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

Planning Commission

The Planning Commission reviewed this request in their January 3, 2007 meeting and recommended that it be approved. Draft minutes from that meeting read as follows:

Summers Ridge Townhomes

Applicant: Advantage Investment Group

Zoning: R-3

Location: 130 North 300 West

Mr. Anderson gave background and explained the proposal.

Commissioner Bradford opened for Public Comment.

Shurl Olsen

Mr. Olsen addressed the Commission. He is concerned that a new fence be built and not at his expense.

Bill Fifield

Mr. Fifield addressed the Commission. His concern is with the fence. And the fence being fixed.

Mr. Anderson said he feels there is some justification in requiring a fence.

Discussion was made regarding the difference in the level of the land between the adjacent properties.

Jack Carter

Mr. Carter is concerned with during the reconstruction what security measures will be taken.

Commissioner Bradford closed public comment.

Commissioner Huff made a **motion** recommending approval of the Preliminary Plat for Summers Ridge subject to the following conditions:

Conditions:

1. That the building themselves not be enlarged in order to cause a non-conforming structure.
2. That they make any necessary modifications to meet the current Building Code.
3. That they include covered parking according to the City's ordinance.
4. That they amend the plat to show the accurate configuration.
5. That they meet the requirements of the City code on fencing.
6. That they remove any obstruction that is encroaching on any adjacent properties.

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

Budgetary Impact:

It is very likely that this proposal will have no budgetary impact for the City.

Alternatives:

As the lot involved with the proposed Preliminary Plat is not currently consistent with the City's standards for 4-plex structures, the City could conceivably deny this request on the basis that it is a change of use and therefore not allowable unless the proposal conforms to the current standard. Staff has taken a different position, however, by finding that the proposal does not constitute a change of use and that it is, therefore, not necessary for the project to meet the current standard.

Recommendation:

Staff recommends that the City Council approve the proposed Preliminary Plat for Summers Ridge subject to the following conditions:

Conditions:

1. That the buildings themselves not be enlarged in order to cause a non-conforming structure.
2. That they make any necessary modifications to meet the current Building Code.
3. That they include covered parking according to the City's ordinance.
4. That they meet the requirements of the City code on fencing.

5. That they remove any obstruction that is encroaching on any adjacent properties.

Attachments:

proposed Preliminary Plat for Summers Ridge

SPANISH FORK

MEMORANDUM

TO: Spanish Fork City Council
FROM: Dave Anderson, Planning Director
DATE: January 16, 2007
RE: Proposed Changes to Title 15

Master Planned Developments

The City has been approached by the developer of the proposed Maple Mountain Master Planned Development with a proposed Amendment to Title 15 of the Municipal Code. The purpose of this Amendment is to provide an avenue for property owners who may wish to jointly plan and develop properties as a Master Planned Development even though not all parcels are contiguous.

City staff has reviewed the applicant's proposal, and prepared language that would address this developer's situation and provide a means for the City to approve the Maple Mountain development and other Master Planned Developments that meet the same criteria.

The Planning Commission reviewed this proposal for the Master Planned Development section of the ordinance in their January 3, 2007 meeting and recommended that it be approved. The specific language that was reviewed by the Planning Commission reads as follows:

15.3.24.030 (3) (c)&(d)

- c. The minimum size of a Master Planned Development in the R-1-6 & R-1-3 zones is five (5) contiguous acres. School and church sites are to be excluded from the acreage calculations.
- d. In all other residential zones, the minimum size for a Master Planned Development is 20 contiguous acres, excluding school & church sites, unless the following criteria can be met:
 - 1. The City Council has made a finding that the development is consistent with the development objectives of the Comprehensive General Plan and is in the best interest of the City.
 - 2. Each individual portion of a Master Planned Development must be a minimum of 20 acres.
 - 3. The individual portions of Master Planned Developments may not be separated, at the

nearest point, by more than 1000 feet, measured in a straight line.

4. The roadways and utilities must be designed for all necessary connectivity and service.

Base Density

Staff has taken this opportunity to also prepare a modification to the zoning table found in Title 15. This change is limited to the addition of a column that specifies what the base density is for the different zoning districts that allow Master Planned Developments. The data provided in this column is not new but this is the first time that this specific information will have been included in the Municipal Code.

Staff is somewhat concerned that this critical standard has not been codified and is now recommending that it be added in the form provided below.

TABLE 1 - Residential Development Standards										
District	Base Density	Minimum Lot Area	Minimum Width ²	Minimum Depth	Minimum Setback ¹				Max. Building Height	
					Front ¹¹	Rear	Side	Corner	Principal Bldg ¹	Accessory Bldg ¹
A-E	n/a	40 acres	400'	400'	50'	50'	50'	50'	35'	35'
R-R	n/a	5 acres	200'	200'	50'	50'	25'	50'	35'	35'
R-1-80	.4 units per acre	80,000 s.f.	180'	200'	40'	80'	20'	30'	30'	20'
R-1-60	.54 units per acre	60,000 s.f.	160'	200'	40'	60'	20'	30'	30'	20'
R-1-40	.81 units per acre	40,000 s.f.	140'	200'	30'	40'	20'	30'	30'	20'
R-1-30	1.07 units per acre	30,000 s.f.	130'	150'	40'	40'	15'	25'	30'	20'
R-1-20	1.61 units per acre	20,000 s.f.	125'	150'	30'	30'	15'	25'	30'	15'
R-1-15	2.15 units per acre	15,000 s.f.	100'	125'	30'	30'	15'	25'	25'	15'
R-1-12	2.69 units per acre	12,000 s.f.	100'	100'	25'	25'	10'	15-25 ⁸	30'	15'
R-1-9	3.58 units per acre	9,000 s.f.	85'	90'	20-25 ⁶	25'	10'	15-25 ⁸	30'	15'
R-1-8	4.03 units per acre	8,000 s.f. ⁴	75 ²	90'	20-25 ⁶	25'	10'	15-25 ⁸	30'	15'

R-1-6	5.37 units per acre	6,000 s.f. _{2i}	50'	90'	20-25' ⁶	25'	5-10' ⁷	15-25' ⁸	30'	15'
R-3	5.37 units per acre	6,000 s.f. _{5 2}	50'	90'	20-25' ⁶	25'	5-10' ⁷	15-25' ⁸	30'	15'
R-O	n/a	6,000 s.f. _{2 3}	50'	90'	20-25' ⁶	25'	5-10' ⁷	15-25' ⁸	30'	15'

1- refer to 15.3.24.090(A) for accessory buildings
2- refer to 15.3.24.090(F) for flag lots.
3- 10,000 s.f. for duplex lots in the R-O zone.
4- 10,000 s.f. for twinhome or duplex lots.
5- 9700 s.f. for twinhome or duplex lots; 14,000 s.f. for 3-plex lots; 18,000 s.f. for 4-plex lots.
6- 20 feet to living areas, 25 feet to garages or carports, and 20 feet to the front of the side entry of a garage.
7- 5 feet for single family dwellings; 10 feet for twinhomes, duplexes, accessory apartments, or non-residential uses; 15 feet for 3-plexes and 4-plexes
8- 15 feet to living areas, 25 feet to garages or carports, and 20 feet to the front of the side entry of a garage.
9-80 feet for twin homes or duplexes, 40 feet per unit.
10-flagpoles are limited to the height of principal buildings in residential zones.
11-maximum setback is 250 feet, with an all-weather driveway, capable of supporting a fire truck, and with adequate turn around space for a fire truck at the end of the drive. Greater distances may be allowed if a fire hydrant is installed within 250 feet of the principal building.
12-9700 s.f. for twin home or duplex lots

Recommendation

In summary, staff is recommending that the proposed changes to Title 15 be approved.

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



Agenda Date: January 16, 2006
Staff Contacts: Dave Anderson, Planning Director
Reviewed By: the Development Review Committee
Subject: Maple Mountain Preliminary Plat Approval Request

Background Discussion:

The applicant, Salisbury Development, is requesting Preliminary Plat approval for a 98.88-acre parcel located at 150 North 1700 East. The property is zoned R-1-12. The General Plan designates the property as Residential 2.5 to 3.5 units per acre.



Details

The proposed Preliminary Plat is a Master Planned Development that contains 189 building lots and 156 townhome units for a density of 3.49 units per acre.

One of the unique details of this proposal is the fact that not all portions of the proposed development are contiguous. The development, as proposed, is the result of a joint planning and design effort that was undertaken between the parties involved with this and the Spanish Highlands North development. However, the two applicants, Ivory Homes and Salisbury Homes do not wish to have their applications reviewed as one Master Planned Development. As the City’s ordinance presently requires that all portions of Master Planned Developments be contiguous, the applicant’s have requested that ordinance to be modified as presented on your agenda this evening. From staff’s perspective, this proposed Master Planned Development is consistent with what we believe the ordinance has encouraged. With that in mind staff has supported the proposed ordinance change that would allow the City to approve this development in its current configuration.

The applicant has prepared a package of supplementary information that will be available to the Council on Friday, November 11. This information will be placed in your boxes as its format is not conducive to delivery via email or inclusion with the agenda.

Bonus Density

The applicant has requested density bonus of 79 lots. The base density in the R-1-12 zone of 2.69 units per acre allows for the development of 266 lots. In this case, the applicant is requesting a density bonus of 29 percent. The Development Review Committee reviewed the applicant’s proposal on bonus density and, after making revisions, concluded that the plat may be approved based on the bonus density calculation provided below:

Project Name:	Maple Mountain Master Planned Development			
Total Acres	98.88			
Low End Density	2.5	U/A	265.61	Units
High End Density	3.5	U/A	346.1	Units

Density Bonus	Percent Allowed	Actual Given	Units	Running Total	Items provided
Active recreation	10%	10%	26.56	292.2	railroad trail, 2.85-acre park, & parking lot
Common buildings	10%	10%	29.22	321.4	pavilion and neighborhood clubhouse
Fencing	5%	0%	0.00	321.4	
Front setback variation	3%	1%	3.21	324.6	single family fronts at least 5 feet back from next
Garage - three car	3%	0%	0.00	324.6	
Garage - setback	3%	0%	0.00	324.6	
Open space	5%	5%	16.23	340.8	4.61 acres of 5.37-acre Park
Landscaping	7%	0%	0.00	340.8	
Lot size variation	3%	0%	0.00	340.8	
Materials on front façade	5%	0%	0.00	340.8	
Mixture of housing types	5%	0%	0.00	340.8	
Off-setting lots	3%	1%	3.41	344.2	majority of lots are offsetting
Roof pitch start 6/12	3%	1%	3.44	347.7	minimum 6/12 roof pitch on all homes
Home sizes	7%	0%	0.00	347.7	
Miscellaneous	7%	1%	3.44	351.1	balance of 5.37-acre park (0.76 acres)
Miscellaneous	7%	3%	10.43	361.6	100 South trail
Miscellaneous	7%	5%	17.38	378.9	400 North trail and 14 feet of landscaping
		Total Units		379	

Without MPD

Total Acres	98.88		
Development in ROW (Acres)	25.7088		26%
Total Developable Acres	73.1712		
Zoning (R-1) (square feet)	12,000	(sq. ft. based on proposed zone)	
Total Lots/Units - straight zoning		265.61	Units

Development Review Committee

The Development Review Committee reviewed this request in their November 29, 2006 meeting and recommended that it be approved. Draft minutes from that meeting read as follows:

Maple Mountain

Location: 150 North 1700 East

Zoning: R-1-12

Applicant: Salisbury Development

Mr. Anderson gave background and explained the proposal. This is a Master Planned Development and that a neighborhood meeting was held.

Mr. Magleby feels that the neighborhood meeting went really well and that there were not very many issues.

Discussion was made regarding the parks, the elevation of the play area, and the detention basin.

Mr. Nielson said that the redline issues are as follows: need a letter from UDOT with regard to the 400 North (S.R. 147), need a letter from east bench irrigation, storm and soil reports, 1 inch pipe on the park, private streets need to be gated, cross section on the private street needs to meet the City's standards, alley standards, pavilion standards, restroom facilities for the parks, the needed corrections on the 400 North right-of-way be made, (discussion was made regarding park strips) and driveway locations on the corner lots.

David Grotegut

Discussion was made with Mr. Grotegut regarding his property.

Discussion was made regarding power, barrier fence and driveways.

David Grotegut, Lyle Haycock, Brent Bowers

Discussion was made with Mr. Grotegut, Mr. Haycock and Brent Bowers regarding the standards and the proposal.

Mr. Anderson **moved** to table the Preliminary Plat for Maple Mountain until further request from the applicant.

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

****The applicant requested that the proposal be reconsidered. Discussion was reopened.**

Discussion was made regarding the Master Planned Development.

Mr. Anderson made a **motion** to the City Council recommending approval of the Maple Mountain Master Planned Development Preliminary Plat based on the finding and subject to the following conditions:

Finding:

1. That the requested bonus density is justified.
2. That with the necessary changes the development will conform to the City's standards.

Conditions:

1. That the necessary corrections are made to the plans and the plans be resubmitted before presentation to

the City Council.

2. That they address any Electrical Department concerns prior to Final Plat submittal.
3. That they address any Engineering department concerns prior to Final Plat submittal.
4. That they obtain letters of approval from UDOT and East Bench irrigation companies.
5. Subject to the City Council approving the proposed changes to the City's Master Planned Development ordinance.
6. That any new lots fronting major collector roads be removed.
7. That any center street addresses be changed.

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

Planning Commission

The Planning Commission reviewed this request in their January 3, 2007 meeting and recommended that it be approved. Draft minutes from that meeting read as follows:

Maple Mountain Preliminary Plat (continued from 12-6-2006)

Applicant: Salisbury Development

Zoning: R-1-12

Location: 150 North 1500 East

Mr. Anderson gave background.

Commissioner Lewis is in favor of this proposal.

David Grotegut

Mr. Grotegut addressed the Commission with his issues in regard to the trail, fence and landscape.

Mr. Anderson addressed the Commission regarding the trail and the need for developers to follow the City's standards.

Commissioner Miya believes limiting access onto 400 North is a good thing and feels that there is a conflict going on between the developers on this proposal. She feels as though Mr. Grotegut is developer is trying to have it both ways.

Brent Bowers

Mr. Bowers addressed the Commission. He said the way that the proposal has been submitted meets the City code and that if it were to be submitted any other way that the Planning Commission could not approve it.

Greg Magleby

Mr. Magleby addressed the Commission. He presented the Master Planned Development packet.

Discussion was made regarding requirements of a trail and who participates in the cost.

Commissioner Lewis made a **motion** recommending approval of the Maple Mountain Preliminary Plat located at 150 North 1500 East subject to the following findings and subject to the following conditions:

Findings:

1. That the requested bonus density is justified.
2. That with the necessary changes the development will conform to the City's standards.

Conditions:

1. That the necessary corrections are made to the plans and the plans be resubmitted before presentation to the Planning Commission.
2. That they address any Electrical Department concerns prior to Final Plat submittal.
3. That they address any Engineering department concerns prior to Final Plat submittal.
4. That they obtain letters of approval from UDOT and East Bench irrigation companies.
5. Subject to the City Council approving the proposed changes to the City's Master Planned Development ordinance.
6. That any new lots fronting major collector roads be removed.
7. That any Center Street addresses be changed.

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-1-12 zone, there are not many options that the City may pursue to require modifications. 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 requested a bonus density of 79 lots which represents a 29 percent increase. As noted above, the Development Review Committee found that the proposed features warrant the requested 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. That is to say, staff believes it is very important to maintain consistency from one development proposal to another when points are allocated for bonus density.

Recommendation:

Staff recommends that the City Council approve the proposed Preliminary Plat for Maple Mountain based on the following findings and subject to the following conditions:

Findings:

1. That the proposed Preliminary Plat conforms to the City's standards for Master Planned Developments in the R-1-12 zone.
2. That the proposed features warrant the requested density bonus.

Condition:

1. That the necessary corrections are made to the plans and the plans be resubmitted before presentation to the City Council.
2. That they address any Electrical Department concerns prior to Final Plat submittal.
3. That they address any Engineering department concerns prior to Final Plat submittal.
4. That they obtain letters of approval from UDOT and East Bench irrigation companies.
5. Subject to the City Council approving the proposed changes to the City's Master Planned Development ordinance.

6. That any new lots fronting major collector roads be removed.
7. That any center street addresses be changed.

Attachments:

proposed Preliminary Plat for Maple Mountain
information from neighborhood meeting



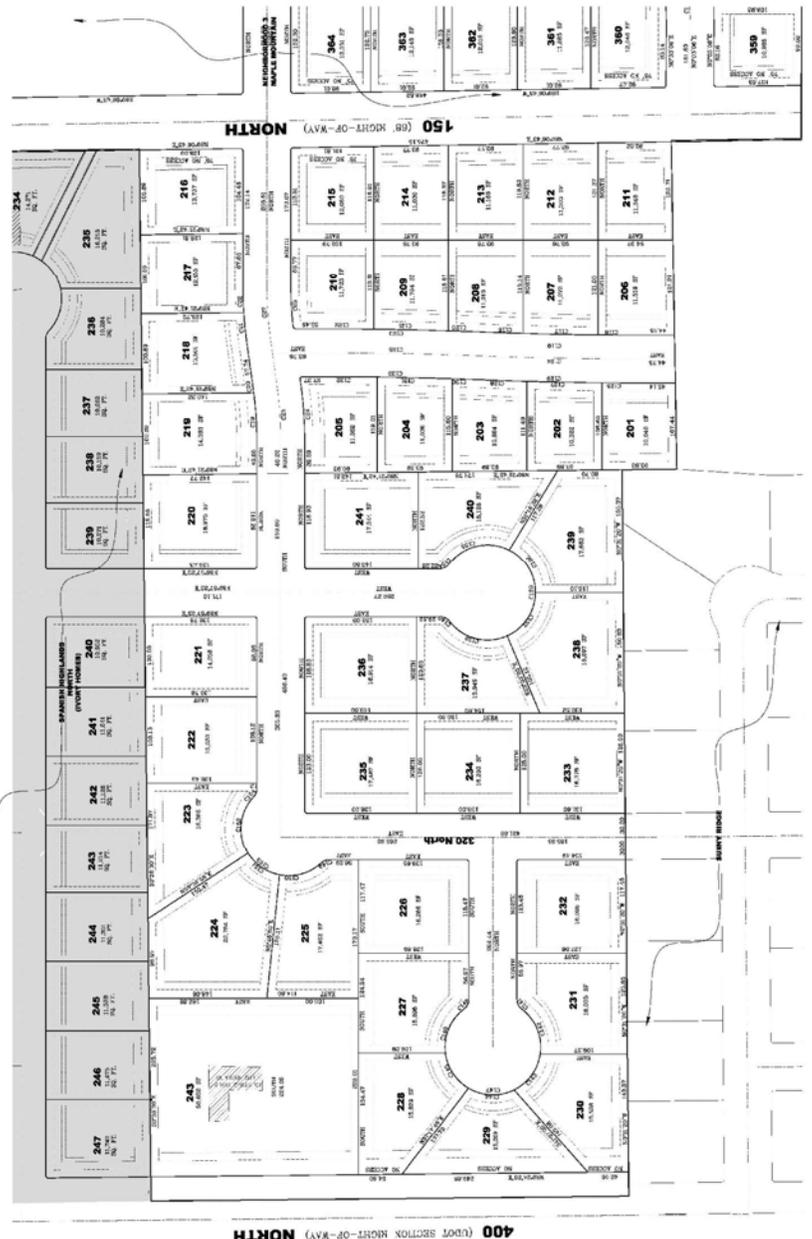
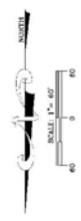
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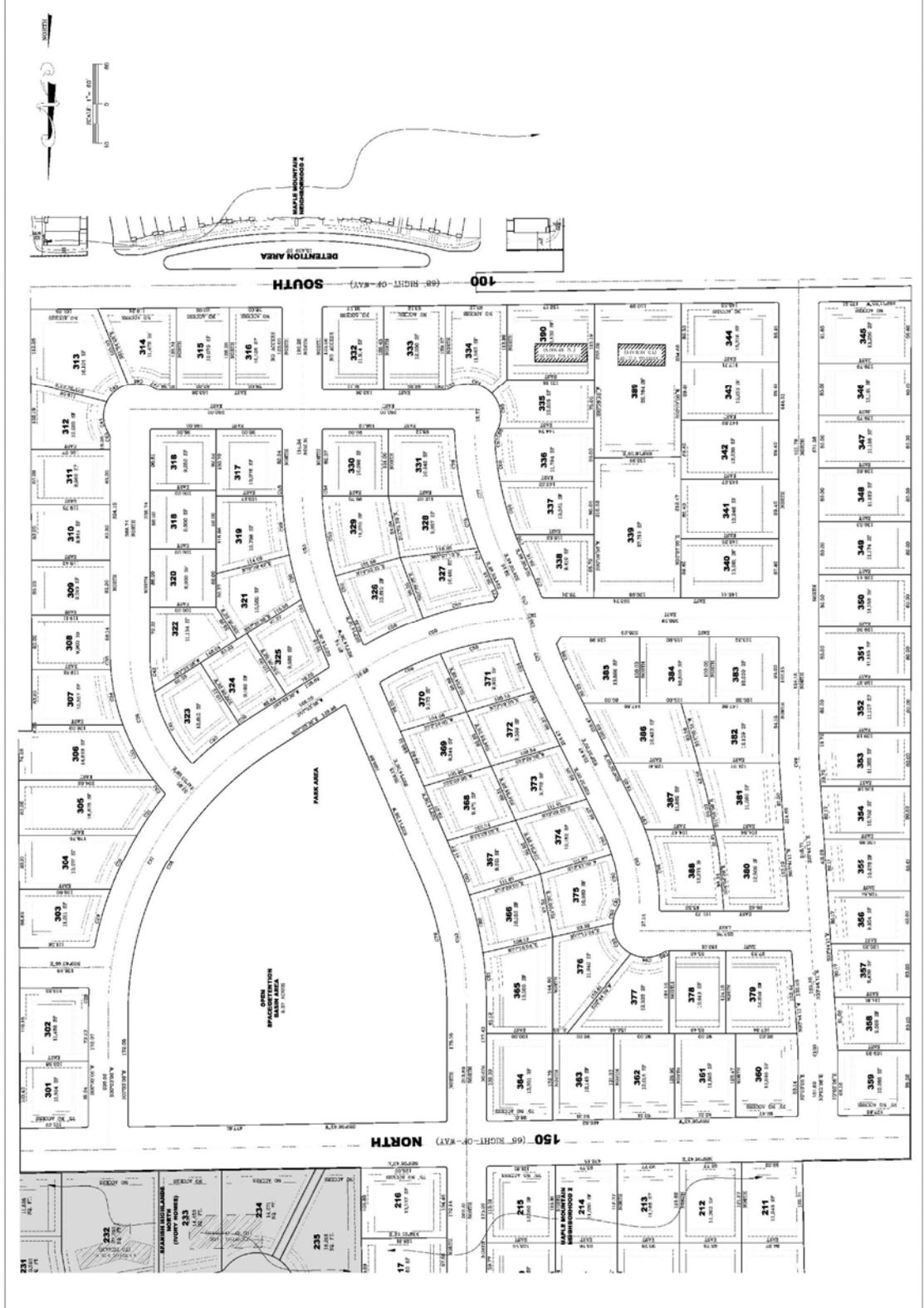
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PROJECT:	SHEET:
SCALE:	DATE:
DATE:	DATE:

MAPLE MOUNTAIN SPANISH FORM, UTM 49660 NEIGHBORHOOD #2 & GROTEGUT LOT LAYOUT

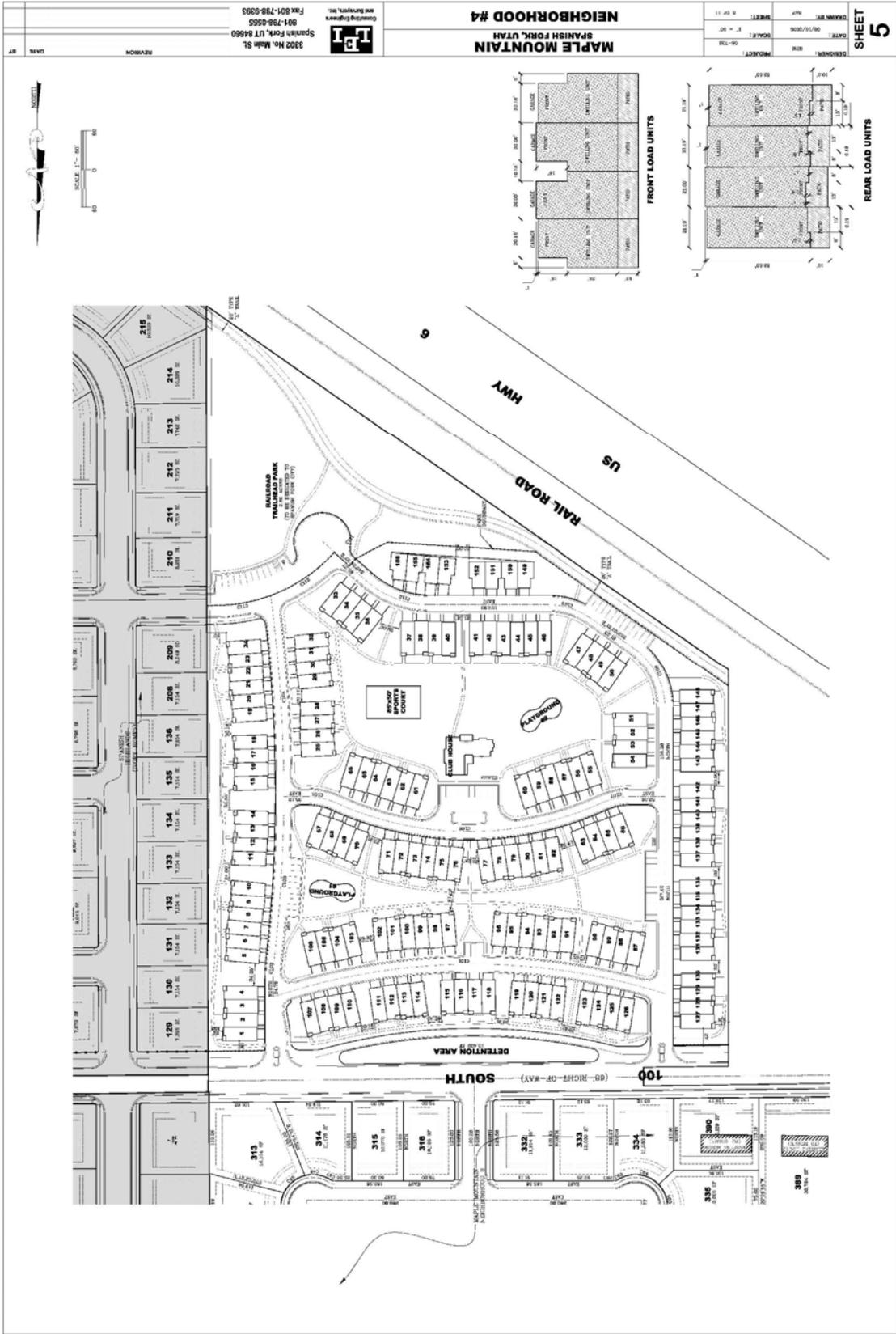
3302 No. Main St.
Spanish Fork, UT 84660
801-798-0595
P.O. Box 1798-0393

DATE:	DATE:
DATE:	DATE:
DATE:	DATE:





3302 No. Main St.
 Spanish Fork, UT 84660
 801-798-0265
 Fax 801-798-0993
 Clearing Engineers
 Inc. Engineers, Inc.



SHEET
5

DATE:	06/15/2009
SCALE:	1" = 30'
PROJECT:	06-193
DRAWN BY:	MM
SHEET:	5 OF 13



Clearing Engineers, Inc.
100 S. 1000 E., Suite 100
Spanish Fork, UT 84660
801-738-0265
Fax: 801-738-0393

3302 No. Main St.	REVISION
DATE	BY

**Spanish Highlands North
&
Maple Mountain Subdivision
Neighborhood Meeting Minutes
September 11, 2006**

A neighborhood meeting for the proposed Spanish Highlands North and Maple Mountain Subdivision was held on September 11, 2006 at 3:30pm at the offices of LEI Consulting Engineers. The required neighborhood meeting was combined for the two subdivisions due to the interconnectivity of the developments and the common neighbors. 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 20 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. 100 South Improvements. A majority of the discussion centered on the proposed improvements to 100 south and its effects to adjacent properties. The issues included:
 - Requirement for adjacent properties to improve their frontage. It was explained that properties outside of the proposed development will not be required to improve their frontages at this time.
 - The proposed roadway cross section was discussed at length with particular attention to the proposed trail, landscaped area and wall on the south side of the road. Each property owner was encouraged to review the proposed roadway and the possible future effects to their properties.
2. 400 North Improvements. Again, concerns were raised regarding the proposed trail, landscaped area and wall on the south side of the road. Individual land owners were encouraged to review these requirements with the City.
3. Center Street Bridge. The neighbors were concerned that a plan was in place for the eventual widening of the bridge as development continues. It was explained that the City is collecting funds from developments as they occur in order to expand the bridge. In addition, the connector agreement for the existing utility crossing was discussed.
4. Pierce Property. Several options were discussed should the Pierce property wish to develop in the future. These included a road connection from Spanish Highlands North or a cul-de-sac accessing from 100 South. Conceptual drawings were provided to the land owner for review
5. Other comments and discussion items included:
 - Railroad trail and proposed trailhead park within Maple Mountain.

- High school construction scheduling
- Townhome product and proposed elevation drawings.
- Spanish Highlands construction schedule

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 5:00 p.m.

Minutes prepared by Greg Magleby of LEI Consulting Engineers.

**Spanish Highlands North
&
Maple Mountain Subdivision
Neighborhood Meeting
3:30 PM, September 11, 2006**

	Print Name	Phone #
1	Lyle Haycock	798-7524
2	Monte Bingham	794-3288
3	David Grogan	799-8278
4	Rick Szymanski	
5	J Robert Creer	798-8768
6	Paul Roach	798-7235
7	Adam Harton	798-7441
8	Brent Bowers	491-9091
9	Janet Pierce	798-9586
10	Domin Hassell, Ivory Homes	747-7000
11	Brad Mackay, Ivory	747-7440
12	Betty + Larry Webster	789-9501
13	Mark Dixon	798-8174
14	Jane Dixon	798-8174
15	Jesse McGee	798-6025
16	Jared Clayton	798-1132
17		

IMPACT FEE ENACTMENT ORDINANCE

WHEREAS, Spanish Fork City continues to experience extremely rapid growth; and,

WHEREAS, new facilities are necessary to accommodate the growth; and

WHEREAS, it is fair and equitable that the entities responsible for the new facilities pay for the cost thereof; and

WHEREAS, impact fees are an appropriate mechanism to pay for facilities made necessary by rapid growth; and

WHEREAS, Spanish Fork City has prepared a capital facilities plan as part of its comprehensive general plan; and

WHEREAS, the capital facilities plan has been recently amended in order to remain current with the growth and needs of the city; and

WHEREAS, an analysis has been prepared whereby the needs, costs, and equitable allocation of those costs has been determined and fairly apportioned; and

WHEREAS, the City has an immediate need for parks and recreation facilities to accommodate the new growth; and

WHEREAS, storm water facilities are needed in various areas of the City in order for those areas to develop and accommodate the growth; and

WHEREAS, a new electric sub-station and related upgrades are necessary to provide electric power to service all of the new growth; and

WHEREAS, upgrades to the sewer plant are necessary to increase the biological capacity necessary to accommodate new growth; and

WHEREAS, expansion of the pressure irrigation (secondary water) system is necessary

to extend the life of the system and allow for growth demands; and

WHEREAS, it is fair and equitable that new residents pay their share of the buy-in cost of existing infrastructure, taking into account those factors identified in Utah Code Ann. §11-36-201; and

WHEREAS, all sources of revenue have been analyzed and considered by the City; and

WHEREAS, the City has previously adopted impact fees, which bases and analyses should be reviewed on a regular basis; and

WHEREAS, a written analysis dated January 2, 2007 has been prepared; and

WHEREAS, the written analysis has been available for public inspection for at least 14 days; and

WHEREAS, the analysis identifies the impact on improvements needed to the water system (both culinary and secondary), electric power system, sewer system, storm water facilities, and the recreation facilities required by the development activities; and

WHEREAS, the analysis demonstrates how those impacts on the improvements are related to the development activities; and

WHEREAS, the analysis makes a conservative estimate of the proportionate share of the cost of impacts on the system improvements that are reasonably related to the development activity; and

WHEREAS, the analysis identifies the amount of impact fee that could be imposed and how that fee was calculated; and

WHEREAS, the City has identified and analyzed, through the impact fee analysis, those criteria set forth in Utah Code Ann. §11-36-201(5)(b); and

WHEREAS, the impact fee proposed by this impact fee enactment does not exceed the highest fee justified by the impact fee analysis; and

WHEREAS, a public hearing was held before the Spanish Fork City Council on the 16th day of January, 2007, wherein public comment was received, not only from concerned citizens, but from developers involved in the current development within the City; and

WHEREAS, the impact fee enactment has been available for public inspection for at least 14 days preceding the public hearing; and

WHEREAS, in order to protect the health, safety, and welfare of the residents of the City, it is necessary to impose an impact fee on new development to pay for the improvements made necessary to the culinary water system, pressure irrigation (secondary water) system, sewer system, electric system, storm water facilities, and recreational facilities by that new development;

NOW THEREFORE, be it enacted and ordained by the Spanish Fork City Council as follows:

SECTION I.

1. The culinary water impact fee is hereby amended for each residential dwelling unit located in the City.

2. The amount of the impact fee for culinary water is \$807.00 for each single family detached residence, and \$704.00 for all other residential units.

3. The culinary water impact fee is hereby amended for each building in the City based upon the size of meter providing culinary water to the building.

4. The amount of the impact fee for culinary water for non-residential users is \$807.00

for a one inch meter; \$1,568.00 for a one and one-half (1½) inch meter; \$2,507.00 for a two inch meter; \$5,682.00 for a three inch meter; and \$9,734.00 for a four inch meter. Fees for meters larger than four inches will be based on an annualized average day demand and the net capital cost per gallon of capacity.

5. A pressure irrigation impact fee is hereby imposed for each building within the city.

6. The amount of the impact fee for pressure irrigation for each single family detached residential building is \$1,009.00. For all other residential and non-residential buildings, the impact fee shall be calculated based on the capital cost per acre by type of development, less principal payment for each connection to the system.

7. The recreational facility impact fee is hereby amended for each residential dwelling in the City.

8. The amount of the recreational facility impact fee is \$3,418.00 per single family detached residential dwelling. All other residential dwellings shall pay an impact fee of \$2,984.00 per unit.

9. The municipal power impact fee is hereby amended for each building in the City based upon the size of service.

10. The amount of the impact fee for power shall be as follows:

Single Phase Service Size (KVA)

24 (100A 120/240V)	\$ 1,098.00
30 (125A 120/240V)	\$ 1,356.00
36 (150A 120/240V)	\$ 1,613.00
48 (200A 120/240V)	\$ 2,129.00
54 (225A 120/240V)	\$ 2,386.00
96 (400A 120/240V)	\$ 4,190.00

Three Phase Service Size (KVA)

45.0	\$ 2,000.00
75.0	\$ 3,288.00
112.5	\$ 4,898.00
150.0	\$ 6,508.00
225.0	\$ 9,729.00
300.0	\$12,949.00
500.0	\$21,537.00
750.0	\$32,272.00
1000.0	\$43,007.00
1500.0	\$64,477.00

11. The sewer system impact fee is hereby amended for each building in the City based upon the size of water meter providing culinary water to the building.

12. The amount of the impact fee for sewer is \$1,452.00 for single family detached residential buildings, \$1,267.00 for all other residential buildings. For nonresidential building, the impact fee shall be \$1,452.00 for a one inch meter, \$2,820.00 for a one and one-half (1½) inch meter, \$4,509.00 for a two inch meter, \$10,221.00 for a three inch meter, and \$17,511.00 for a four inch meter. Meter sizes over four inches will pay an impact fee based upon the annualized day demand and the net capital cost per gallon of capacity.

13. There is hereby imposed a storm water facilities impact fee in those areas identified on the map attached as an addendum hereto. The impact fee is based upon a capital cost per acre determined by the estimated cost of the specific improvements required in the specific area identified. For nonresidential users, the impact fee will be based upon the gross floor area, in 1,000 square foot increments, determined by the estimated cost of the improvements in the specific area identified.

14. The amount of the impact fee for storm water facilities is as follows:

	<u>SE Bench</u> <u>Per Housing Unit</u>	<u>NE Bench</u> <u>Per Housing Unit</u>	<u>Westfields</u> <u>Per Housing Unit</u>
Single Family Detached	\$1846.00	\$1974.00	\$689.00
All Other Residential	\$1515.00	na	868.00
	<u>Per 1,000 Sq. Ft.</u>	<u>Per 1,000 Sq. Ft.</u>	<u>Per 1,000 Sq.Ft.</u>
Commercial / Shpg Ctr	\$1198.00	\$1287.00	\$0.00
Office / Institutional	\$824.00	\$885.00	\$512.00
Light Industrial	\$na	na	\$525.00

15. Impact fees for storm water facilities shall be collected prior to the recording of a final plat. Buildings not in a platted subdivision shall pay the impact fee as a condition of obtaining a building permit.

16. All other impact fees are due and payable when the building permit is obtained and shall be a condition precedent to the issuance of the building permit.

17. All impact fees are in addition to any other fees.

18. The impact fee shall be deposited into an interest bearing ledger account and may be only used for capital improvements to the capital facility system for which the fee was collected. These improvements may include analysis costs, the construction contract price, the cost of acquiring land, improvements, materials, and fixtures, the cost for planning, surveying, and engineering fees for services provided for and directly related to the construction of the system improvements, the debt service charges incurred if the improvements are financed by bonds, notes, or other obligations carrying debt service charges, and for the cost of issuance of any such bonds, notes or other obligations.

19. The impact fees may not be used for operation or maintenance costs for any public facilities within the City.

20. Special exceptions, waivers, or credits may be granted, in the sole discretion of the City Council, upon application in accordance with the Spanish Fork City Municipal Code §15.4.12.050.

21. In order to protect the health, safety, and welfare of the residents of the City, the impact fees identified herein shall become effective immediately.

22. These impact fees are for system improvements and in no wise repeal or rescind the water transfer required upon development, pursuant to Spanish Fork Municipal Code §13.12.010(B), to insure that an adequate supply of water exists.

SECTION II.

This ordinance shall not be part of the Municipal Code.

SECTION III.

This ordinance shall become effective immediately upon passage.

SPANISH FORK IMPACT FEES

Figure 3 - Maximum Supportable Impact Fees (from this study)

	<i>Parks & Recreation</i>	<i>Stormwater Facilities*</i>	<i>Municipal Power**</i>	<i>Water System</i>	<i>Sewer System</i>	<i>Pressure Irrigation</i>
<u>Residential</u>	<u>Per Housing Unit</u>					
Single Family Detached	\$3,418	see below	see below	\$807	\$1,452	\$1,009
All Other (per unit)	\$2,984	see below	see below	\$704	\$1,267	Except for SFD
<u>Nonresidential</u>	<u>Per Water Meter Size (inches)***</u>					
1.00	*** Water and sewer impact fees for			\$807	\$1,452	housing, the
1.50	meters larger than four inches will be			\$1,568	\$2,820	PI fee is
2.00	based on annualized average day demand			\$2,507	\$4,509	based on
3.00	and the net capital cost per gallon of			\$5,682	\$10,221	acreage.
4.00	capacity.			\$9,734	\$17,511	

*** Stormwater Facilities**

	SE Bench	NE Bench	Westfields
<u>Residential</u>	<u>Per Housing Unit</u>	<u>Per Housing Unit</u>	<u>Per Housing Unit</u>
Single Family Detached	\$1,846	\$1,974	\$689
All Other Residential	\$1,515	\$1,649	\$868
Previously Developed			\$0
<u>Nonresidential</u>	<u>Per 1,000 Sq. Ft.</u>	<u>Per 1,000 Sq. Ft.</u>	<u>Per 1,000 Sq. Ft.</u>
Commercial / Shpg Ctr	\$1,198	\$1,287	\$0
Office / Institutional	\$824	\$885	\$512
Light Industrial	na	na	\$525

**** Municipal Power Impact Fees Per Connection**

<u>Single Phase Service Sizes (KVA)</u>	
24 (100A 120/240V)	\$1,098
30 (125A 120/240V)	\$1,356
36 (150A 120/240V)	\$1,613
48 (200A 120/240V)	\$2,129
54 (225A 120/240V)	\$2,386
96 (400A 120/240V)	\$4,190
<u>Three Phase Service Sizes (KVA)</u>	
45.0	\$2,000
75.0	\$3,288
112.5	\$4,898
150.0	\$6,508
225.0	\$9,729
300.0	\$12,949
500.0	\$21,537
750.0	\$32,272
1000.0	\$43,007
1500.0	\$64,477

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Tentative Minutes
Spanish Fork City Council Work Session
October 26, 2006

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

Staff Present: Junior Baker, City Attorney; Dee Rosenbaum, Public Safety Director; Carl Johnston, Lieutenant; Richard Heap, Public Works Director; Richard Nielson, Assistant Public Works Director; Duane Brunson, Patrol Sergeant; Seth Perrins, Assistant City Manager; Dave Oyler, City Manager; Kent Clark, Finance Director; Chris Thompson, Design Engineer; Angie Jackson, Legal Secretary; Karen Bradford, Parks and Recreation Assistant Director; Dale Robinson, Parks and Recreation Director; John Bowcut, IS Director; Kimberly Robinson, Deputy Recorder

Citizens Present: Tara Flynn, Todd Hollingshead, Richard Evans, Doug Ford, Max Sabey, Don Baum, Lana Creer Harris, Richard Harris, Dave Jackson, Paul Christensen, Paul Jensen, Melody Barber

CALL TO ORDER

Mayor Thomas called the meeting to order at 2:35 p.m.

Ms. Shea thanked the Council for holding this meeting. She explained that the Hay Group is a human resources consulting firm, and is one of the oldest in the world. She has been with them since 1988.

Classification and Compensation Report:

Ms. Shea explained the compensation philosophy statement was created to involve all the information that the Council wanted. General industry was also considered.

Councilman Wadsworth asked if Spanish Fork was considered as being above average.

Ms. Shea said they consider the 75th percentile above average but yes the 60th and 65th percentile would be considered slightly above average. She said the flexibility commitment means they will change and continue to be competitive.

Councilman Wadsworth asked if the citizens were considered in this research.

Ms. Shea stated that citizens would be considered in the affordability.

Councilman Wadsworth asked how the personnel committee was used.

Ms. Shea stated they are and would be an advisory committee to management.

46 Mayor Thomas asked if the concern about the committee was that there were employees
47 on it.

48
49 Ms. Shea said the committee was to be advisory only not to make decisions.

50
51 Paul Jensen

52 Mr. Jensen asked if this was based on supervisor criteria or based on a certain job
53 classification.

54
55 Ms. Shea said they did not specifically look at the tools related to doing the performance
56 review it would be combined with the job description.

57
58 Brad Creer

59 Mr. Creer expressed his concern that they had a committee of trained employees doing
60 the job matching.

61
62 Ms. Shea explained she gave references to the committee.

63
64 Mr. Creer asked why the committee did it and not Ms. Shea.

65
66 Ms. Shea said that cost was an issue and she wants continuity in the project.

67
68 Councilman Wadsworth asked regarding the compensation with the benefits.

69
70 Ms. Shea said the benefits are often used to attract and to keep employees.

71
72 **Internal Equity Analysis:**

73 Job descriptions, job classifications or titles and job evaluations, and job grades.

74 Ms. Shea explained managers within the city updated the job positions so we had the
75 most current ones. Where there were questions they spoke with the manager directly to
76 clarify. It was a good process to update everything, and some of the descriptions were
77 updated and titles changed. They pulled together a team of five (5) that were trained
78 using a tool to measure each job against a set criteria. The criteria was considered based
79 upon know how, technical skill, managerial skills, and human relations. Problem solving,
80 thinking challenge and thinking environment were also considered. Ms. Shea stated the
81 city runs lean and the 2's and 1's were rolled up into the 3's because the staff performs
82 more duties.

83
84 Ms. Shea explained what exempt and non exempt employees are.

85
86 Mayor Thomas asked why the line was drawn where it is.

87
88 Ms. Shea said there were jobs that have been proven to be exempt.

89
90 Councilman Wadsworth asked if they can see the data.

91

92 Ms. Shea stated it would take some time but it can be made available.

93

94 **External Market Analysis:**

95 They compared the job descriptions to market, content to content what is the market
96 paying. She reiterated that people have not been added to the equation it is based on the
97 job. They wanted to have information from the private sector local sector and municipal
98 sector. Bureau Of Labor Statistics (BLS) uses content matches and she has used them the
99 whole time she was with the Hay Group. She has been working with municipal
100 governments in this area since 1991 and she has always been comfortable with the
101 Wasatch Compensation Group.

102

103 Councilman Wadsworth read an article from the Deseret News in 2005, talking about
104 cities reinforcing themselves to raise the average wages.

105

106 Ms. Shea responded she looked at the Wasatch data as well as the BLS data and she did
107 not see the expansion or the difference in the jobs compared between the two cities.

108

109 Councilman Wadsworth stated his concern on using Wasatch in the past. If Mr. Crow's
110 article is correct he is worried about the tax base for cities that we are being compared to,
111 the cities included have a bigger tax base then we do.

112

113 Ms. Shea has not seen any evidence that the Wasatch data is inflated.

114

115 Councilman Wadsworth asked how American Fork and Lehi's tax base compare to
116 Spanish Fork.

117

118 Mr. Perrins said the question is best answered by the Council as a policy body. They are
119 the ones that can say whether or not they can afford it.

120

121 Councilman Sorensen said they have the lowest certified tax rate and they consider that
122 data when they set the budget.

123

124 Mr. Creer stated there is a long history with the Wasatch data why did they not use the
125 other surveys in the area.

126

127 Ms. Shea did not consider them because she does not have a level of comfort with them.

128

129 Councilman Wadsworth asked if instead of using the Wasatch Compensation Group, if
130 we directly contacted the cities would the data show different.

131

132 Mr. Perrins replied that it would not.

133

134 Ms. Shea explained cities of different sizes are set differently, you have to look at some
135 of the bigger ones and some of the smaller ones so you know what you are doing. They
136 are not the sole basis for the theory though.

137

138
139 Brad Creer
140 Mr. Creer asked with only two private employers responding was that a sufficient number
141 of data points.
142
143 Ms. Shea would like to have had more data but feels that having them would not change
144 the outcome much. She said yes it would add credibility and substance but when they get
145 them it would not change things.
146
147 Councilman Wadsworth asked for clarification on the market average.
148
149 Ms. Shea stated that Spanish Fork is at national average as they now stand.
150
151 Ms. Shea said don't think that if you are at 100% of your range then you are at the top,
152 your not, you are at the midpoint. She stated that in interviews with the Council they
153 agreed they wanted to be better than the 50th percentile but not as much as the 75th
154 percentile because of affordability.
155
156 Councilman Barber asked what the current range reflects.
157
158 Mr. Perrins stated the current range reflects the middle or midpoint.
159
160 Ms. Shea explained that the market grade and the content grade are different and there
161 were a few examples she gave regarding the differences in the market grade.
162
163 **Guidelines for Use of Ranges:**
164 Ms. Shea explained this is how they introduce people to the equation. She feels the
165 performance management system will put pressure on job descriptions and managers to
166 fine tune the process. She feels it is an excellent way to move people through the salary
167 ranges. She feels that since we have people wearing more hats and they have a strong
168 work ethic she feels they will flourish based on job performance.
169
170 Mayor Thomas asked what they can do better.
171
172 Ms. Shea recommended they work with the managers to help them coach and move
173 forward.
174
175 Mayor Thomas said he is bias to performance based evaluation because he feels with the
176 education they will perform better.
177
178 Ms. Shea explained that full competence, equals midpoint, equals market. If they are
179 contributing above and beyond what is in their job description then it will be a higher pay
180 opportunity.
181
182 Mr. Creer asked for clarification that the midpoint and market are not the same.
183

184 Ms. Shea stated they are the same.
185
186 Mr. Perrins explained the turnover this year so far has been a rate of 5%
187
188 Doug Ford
189 Mr. Ford said healthy turnover is defined as what.
190
191 Ms. Shea defined that some turnover in an organization is good it brings new ideas and
192 new education. It could be considered healthy or not depending on why people are
193 leaving the organization.
194
195 Mr. Ford asked if the City is losing good experienced employees in this turnover.
196
197 Ms. Shea stated that retention is a big tool to keep employees.
198
199 Rick Evans
200 Mr. Evans feels a critical point is with respect to a compensation study. He feels the goal
201 is to make it that compensation is not the drive of why people work.
202
203 Mr. Jensen asked how many were let go because of poor performance.
204
205 Mr. Perrins said there have been a handful of employees with some corrective measures.
206
207 Mr. Jensen asked how many performance evaluations are given each year.
208
209 Mr. Perrins stated one per year and while on probation 3 evaluations are given.
210
211 Councilman Barber said these are general and broad will it become more detailed.
212
213 Ms. Shea would like to leave them general to begin with until they are better trained.
214
215 Councilman Barber stated that from both employee and citizens the evaluations should
216 provide clear job requirements.
217
218 Ms. Shea said they are just guidelines for now.
219
220 Councilman Andersen stated he feels the fine tuning should be done in the job
221 descriptions.
222
223 Ms. Shea thinks 75 – 80 % should be based within the job description and the rest on
224 other employees and those they work with.
225
226 Mr. Perrins said they have had a lot of discussions about the evaluations, he is committed
227 to make sure the improvement is followed through on and the managers are committed to
228 make the changes and make tough calls when needed. He feels that everyone is
229 committed to stepping it up, and likes the general guidelines.

230

231 Councilman Barber said they go through one cycle when management is learning the
232 ropes and then when the budget comes they might have to give a smaller percentage
233 because of budgetary constraints.

234

235 Councilman Wadsworth asked if it could do well to apply this methodology to the
236 Council's wages.

237

238 Ms. Shea stated there are sample policies and procedures given to handle the salaries. She
239 also gave some advice. The city does operate lean and the employees do wear many hats
240 and the city is growing. The job evaluation committee will remain in place.

241

242 Mr. Jensen stated that in the end the Council will make the call.

243

244 **The Council took a break at 4:16 p.m.**

245 **The meeting reconvened at 4:29 p.m.**

246

247 Ms. Shea stated that as part of the employee review they address the benefits package. It
248 was decided to look at the benefits list and the data sources they used. They looked at five
249 (5) primary benefits. They tried to do a multiple city survey from cities in the Wasatch
250 Valley area, they also invited cities of comparable size. They got a response from three of
251 them.

252

253 Councilman Wadsworth asked that they ask cities that participated in the salary survey to
254 use their benefits.

255

256 Ms. Shea stated they stayed with size in comparison this time.

257

258 Councilman Wadsworth stated that the cities outside Utah were much larger than Spanish
259 Fork.

260

261 Ms. Shea said they did so because of the prevalence data which is less tied to the
262 organizations size.

263

264 Mr. Jackson said Spanish Fork was the first municipality to adopt a consumer driven
265 health plan. Spanish Fork tries to be proactive and it will lower the costs short term and
266 long term. He also stated that the HMO's are still a cost effective way to go.

267

268 Ms. Shea said that even with offering above and beyond the mandated contribution,
269 Spanish Fork is competitive plus and are in the top 1/3 of cities in Utah.

270

271 Ms. Shea stated that Spanish Fork was the lowest for vacation days given.

272

273 The Council asked that the trend for sick leave be brought back.

274

275 Mr. Jackson asked for clarification that paid time off (PTO) in the private sector is big
276 but Utah cities have not gone to PTO's.
277
278 Ms. Shea said the total compensation is right around the area the Council has chosen to
279 be, they are not more competitive or less. She said Spanish Fork City is targeted
280 competitive with the benefits as they currently stand.
281
282 Alyn Olsen
283 Ms. Olsen asked what the city contributes to employee retirement.
284
285 Mr. Perrins stated the city puts the mandated 11.59% as required by the State and the city
286 contributes 6.31%
287
288 Councilman Wadsworth stated \$320,551 of the budget goes to retirement. He also asked
289 how they are considered competitive plus, and minus.
290
291 Ms. Shea explained that due to the time frame she can only provide comparable data.
292
293 Mr. Evans would like to see vision benefits added, he also stated that when they talk
294 about retirements he feels the 17% is ridiculously high. He stated they are not assessing
295 how much the other cities are contributing.
296
297 Ms. Shea stated that by quantity compared to the other cities Spanish Fork is in the top
298 1/3 with benefits as a whole.
299
300 Mayor Thomas stated there are concerns regarding the retirement, and asked if there
301 would be more ways to have information given to them.
302
303 Ms. Shea said Mr. Perrins has the cost comparison with other cities as far as what they
304 contribute.
305
306 The Council expressed their appreciation for Ms. Shea.
307
308 *Ms. Shea left the meeting at 5:08 p.m.*
309
310 The Council requested this item be on the next agenda as a public hearing November 7,
311 2006, at 6:30 p.m.
312
313 **ADJOURN**
314
315 Councilman Barber made a **motion** to adjourn at 5:12 p.m. Councilman Sorensen
316 **seconded** and the motion **passed** all in favor.
317
318 ADOPTED:
319
320

Kimberly Robinson, Deputy Recorder

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Tentative Minutes
Spanish Fork City Council Meeting
December 19, 2006

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

Staff Members Present: Seth Perrins, Assistant City Manager; Junior Baker, City Attorney; Kent Clark, Finance Director; Dave Anderson, City Planner; Richard Heap, Public Works Director; Dale Robinson, Parks and Recreation Director; John Bowcut, IS Director; Dee Rosenbaum, Public Safety Director; Kimberly Robinson, Deputy Recorder

Citizens Present: Brett Whitney, Zac Bennett, Kayden Porter, Howard Creer, Dylan Youngberg, Drew Pollard, Doug Legge, Angie Cauble, Rand Maxwell, Jeannie Maxwell, Dean Thompson, Diann Thompson, Ron Thurgood, Darin Cable, Zack Thurston, C. George Argyle, Kurtis Argyle

CALL TO ORDER, PLEDGE

Mayor Thomas called the meeting to order at 6:02 p.m.

Councilman Wadsworth lead in the pledge of allegiance.

PUBLIC COMMENTS:

Jay Birch

Mr. Birch lives at 990 North 400 East, he wants to address the Council about the North Park. He has done a lot of research about the older part of town and is concerned of the impact the city will have in planning the commercial area. He thinks there should be a buffer zone between the commercial and the residential areas. He looks at this long term as a resident regarding the impact on the proposed area. He asked if the Council has done research for the traffic impact in that area.

Councilman Wadsworth stated he did not think they had done the traffic research since this project has been in the preliminary stages.

Mr. Birch feels there are major issues with traffic flow in that area because they are not very wide. He suggested bringing another entrance off Highway 6, and moving the park to the front of the project creating a buffer for the residents in the area. Mr. Birch feels there needs to be more entrances and exits into Spanish Fork City.

Councilman Leifson said there is a traffic study being conducted for this project, the traffic flow was one of his first concerns.

Councilman Andersen said he has been down there and walked the entire property. He appreciates the opportunity to work together with Mr. Birch, and is confident there is a

47 traffic study being conducted. When staff brings back their suggestions for traffic the
48 Council will move forward from there.

49
50 Councilman Wadsworth asked what Mr. Birch envisions as a buffer for the residential
51 zone.

52
53 Mr. Birch said if the park is moved behind the commercial and next to the highway there
54 will be a big transient problem. He feels that with the neighborhood watching the park
55 there is more safety for the area. He added another concern is when you develop a landfill
56 there will have to be budgeted a larger amount of money for maintenance if they choose
57 to utilize the ground for a recreation area.

58
59 Jeanie Maxwell

60 Ms. Maxwell is concerned with the traffic on 1150 East, she hopes there can be a study
61 conducted for that area. When she moved to Spanish Fork in 1992 there was no where
62 near the traffic. Now they feel their street has been turned into a freeway. She feels traffic
63 is unreal at all times of the day and speeding is a big concern. They would like to see
64 2550 East re-open because it helped alleviate some of the traffic issues.

65
66 Mr. Heap stated the area has been a problem and they have gotten UDOT to approve
67 another access off of Highway 6, at approximately 2000 East, but it has not been built
68 yet. It is waiting on the developer to develop the property.

69
70 Councilman Wadsworth asked that there be an officer watching the intersection by the
71 Tesoro.

72
73 Mayor Thomas stated that his personal involvement with the North Park project is that it
74 was already in the process before he ever took office.

75
76 **COUNCIL COMMENTS:**

77
78 Councilman Barber feels the suggestions that were given at the last public meeting for the
79 North Park have been discussed.

80
81 Councilman Wadsworth reported the trail committee meeting will be next Thursday
82 morning, they will be discussing the different segments they would like to work on this
83 year. They have also been working on lobbying issues and Mr. Stewart will be out to give
84 a presentation in January 2007.

85
86 Mayor Thomas reported the seniors have obtained a bus through private funding, it
87 should be online by the end of January. The Council has been actively working on
88 obtaining open space and green space for the community. He would like to thank all the
89 many homes that have decorated for the holiday and congratulations to all that
90 participated. They are working on some potential changes with the golf course for the
91 possibility of creating an annual pass. The festival of lights is great this year and he
92 encourages all to go.

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Councilman Barber made a **motion** to move to the Public Hearing at 6:32 p.m.
Councilman Sorensen **seconded** and the motion **passed** all in favor.

Argyle Zone Change and General Plan Amendment

Mr. Anderson stated the DRC recommends an approval for this proposal. He feels that it is appropriate to make the change given the fact the areas around are General Planned commercial. Mr. Anderson said he feels comfortable with this change.

There was no public comment made on this agenda item.

Councilman Andersen made a **motion** to approve the proposed Argyle Zone Change and General Plan Amendment request, changing the General Plan from 1 unit per 5 acres/2.5 to 3.5 units per acre to General Commercial and the zoning from Rural Residential to Commercial 2 at approximately 275 West Arrowhead Trail, based on the following finding:

Finding:

1. That the proposed Zone Change is consistent with the General Plan designation.

Councilman Leifson **seconded** and the motion **passed** all in favor.

John Smiley Zone Change

Mr. Anderson explained the proposed request, the zoning change designation is consistent with the General Plan use. He explained we have adequate standards to protect residential and the only concern is the traffic for the area but the properties are General Planned for the proposed zone change.

Councilman Wadsworth asked how they might route the traffic.

Discussion was made regarding the traffic ideas for the area.

Glenn James

Mr. James lives in the neighborhood and he visualizes a tremendous traffic problem in that area with this proposal. He asked how much parking will be required for the project.

Mr. Anderson reminded that they do not have a site plan but there are two points of access proposed for the property. There is not currently a site plan submitted yet. The issues will be addressed as part of the site plan project including parking.

Mr. James requested that they seriously consider traffic flow and problems in that area.

Mr. Clark lives in the same area and commented that when he sees the commercial around 100 East there are tremendous parking problems. He asked if there is a traffic/parking requirement for that area so that it does not create the same issues.

Mr. Anderson said the city has parking requirements based on the square footage and the use of the buildings. The applicant is required to meet the cities parking standards.

139

140 Mr. Clark asked if the standards in the city for parking are too low because of the
141 example set by past commercial developments.

142

143 Mr. Anderson said the parking standards are similar to those across the Wasatch front. He
144 assumes the standards are adequate since they are similar to the other areas.

145

146 Councilman Leifson said there will probably be more and more situations like this on
147 Main Street, which was future planned as commercial. Other than putting stop lights on
148 every corner they will just have to look at other traffic options. He is for seeing
149 downtown and Main Street grow with commercial development and is in favor of what
150 he sees.

151

152 Councilman Wadsworth echoed what Councilman Leifson stated.

153

154 Mayor Thomas feels this is an exciting thing and hopes the Planning Commission will
155 work with the parking issues.

156

157 Councilman Leifson made a **motion** to approve the proposed John Smiley Zone Change
158 request changing the zoning from Residential Office and R-1-6 to Commercial 2 based
159 on the following finding:

160

Finding:

161 1. That the proposed Zone Change is consistent with the General Plan designation.

162 Councilman Wadsworth **Seconded** and the motion **passed** all in favor.

163

Academy Park Zone Change

164 Mr. Anderson explained the proposed project and stated that the applicants are requesting
165 the zone change as R-1-12 and R-1-15. The DRC and Planning Commission reviewed
166 these proposals and the General Plan allows for the zoning districts being requested, they
167 recommend approval of the change.

168

169
170 Ron Haymore

171 Mr. Haymore's father owns property adjacent to the proposal, he explained some
172 background on the project. He explained the developer had approached them for the
173 development and that the preliminary plat shows lines with their property included.

174

175 Glen Way

176 Mr. Way represents the development company and feels there is not a change to the
177 agreement.

178

179 Discussion was made regarding the areas proposed.

180

181 Allan Davis

182 Mr. Davis is concerned about the property lines and asked that the property lines and
183 fences be installed before approval so they are completed.

184

185 Mr. Baker stated there are no requirements for fencing between residential areas.
186
187 Mr. Way explained that through the approval process they have agreed to install a
188 concrete pre-cast fence between the school and the residential development.
189
190 Mr. Davis would like a fence to be required to be installed for the safety of the children in
191 that area.
192
193 Connie Muhlstein
194 Ms. Muhlstein lives on Mill Road and part of their property was included in the
195 development and it was their understanding the property would be used for recreation.
196 She stated the construction has destroyed the survey markings and the ditch has been
197 damaged. She is concerned about the children coming from the charter school and
198 playing in the area and getting hurt. There needs to be a fence addressed to keep those
199 children safe. They do not want to be liable for a drowning or harm from farming in that
200 area.
201
202 Mr. Way stated they will be fencing the area Ms. Muhlstein is concerned about.
203
204 Mr. Muhlstein lives on Mill Road and stated there have been addendums signed and he is
205 asking for the Council to help resolve the issues before this development is granted.
206
207 Councilman Leifson feels they need to set a precedence of having all the information
208 together and resolved before they approve projects.
209
210 Mr. Way said he is offended and shocked that he has not heard anything about the fences
211 and improvements before this and feels the application is in order to grant a zone change.
212
213 Councilman Sorensen said they are concerned about the property proposed not being
214 owned by the applicant.
215
216 Mr. Anderson said the zone change approval can be mitigated
217
218 Mr. Andersen made a **motion** to close the Public Hearing. Councilman Sorensen
219 **seconded** and the motion **passed** all in favor.
220
221 Councilman Andersen said he disagrees with the developer saying they bent over
222 backwards. He stated there has been no water delivered to the properties on the north side
223 during the last irrigation season. There has been a pipe installed but it won't deliver water
224 until a pump is installed. There has been a bill from the water company that has not been
225 paid. He feels the developers track record is not as good as he would like to have them
226 believe. He is concerned about the Mills and Isaacs and those areas that have been around
227 since before we were even born. He feels they need to be taken care of.
228
229 Councilman Andersen then listed the other issues he's found dealing with this project.
230 There has been pipe delivered but not installed. There has been no fence installed

231 between the business and the school that has been agreed to. He reiterated that lot #27 or
232 portions of lot # 26 and 28 are not yet owned by the developer. As of this time there are
233 no written contracts stating the responsibilities of each party and he feels that it would not
234 be responsible to move forward without the agreements in place. There has also been a
235 potential for contamination on the Muhlstein's property and there has been damage to the
236 water flow. He agrees full heartedly that the fencing be addressed to ensure safety for the
237 children in the area.

238

239 Councilman Andersen made a motion to table this item until these issues are addressed
240 and finished.

241

242 Councilman Wadsworth asked for clarification on the issues.

243

244 Councilman Andersen stated he would like to see when the pump is installed as far as
245 who will pay the extra cost of pumping the water.

246

247 Mr. Baker stated this agenda item can be continued to a later meeting.

248

249 Mr. Way said if he had received a call on the concerns he would have been able to
250 address the issues. He explained the utilities issues and the fencing along the school
251 property.

252

253 Councilman Leifson clarified the developer made the agreement with Mr. Isaac to install
254 the fence.

255

256 Mr. Way again discussed the water issues to the four properties.

257

258 Arguments ensued regarding water and pumping issues.

259

260 Councilman Sorensen made a **motion** to table this agenda item until the next Council
261 Meeting. Councilman Leifson **seconded** and the motion **passed** all in favor.

262

263 **CONSENT ITEMS:**

264

- 265 a. Minutes of Spanish Fork City Council Meeting – November 21, 2006
- 266 b. Elk Ridge Water Rights
- 267 c. Howard Creer Boundary Line Agreement

268

269 Councilman Leifson made a **motion** to approve the consent items as listed. Councilman
270 Sorensen **seconded** and the motion **passed** all in favor.

271

272 **NEW BUSINESS:**

273

274 **Board Appointment Assignments**

275 Mayor Thomas stated this will be on the next Council meeting agenda.

276

277 **Utility Services Presentation, Corix Utility Services – Doug Legge**
278 Councilman Sorensen asked if anyone else felt this is something they need to proceed
279 with.
280
281 Doug Legge
282 Mr. Legge gave a presentation on the services that Corix has to offer.
283
284 Councilman Wadsworth asked regarding a large regional wastewater plant.
285
286 Mr. Legge stated Fairbanks Alaska has a plant servicing 80,000 and there are other areas
287 they have worked with.
288
289 Mayor Thomas asked why they should take something that is not for profit, and give it to
290 a profitable organization. The only way he is for something like that is if it can offer a
291 better or equal service for the same or less cost.
292
293 Mr. Legge said they understand it is their responsibility to show their services would
294 benefit the city and if not, they say thank you and move on.
295
296 Mayor Thomas feels there is always room for improvements and supports looking into
297 this service.
298
299 Mr. Legge stated the Council will have to determine if this is something that will benefit
300 the community or not.
301
302 Councilman Sorensen does not want to take the time to look into the project.
303
304 Councilman Wadsworth is open to look into this service.
305
306 Mr. Legge explained big cities are not really their market, but they have provided
307 contract services to cities such as Salt Lake City.
308
309 Councilman Wadsworth feels they could provide a benefit by letting the city know if they
310 are doing things well.
311
312 Councilman Wadsworth made a **motion** to take a five minute recess. Councilman
313 Andersen **seconded** and the motion **passed** all in favor 8:52 p.m.
314
315 The meeting reconvened at 8:59 p.m.
316
317 **Temporary Land Use Ordinance**
318 Mr. Anderson explained that the Planning Commission would like not to allow master
319 plan developments while the growth issues are being addressed. The Council was in
320 agreement that the ordinance has a maximum of 90 days. They tentatively set the growth
321 meeting for January 23rd or 30th 2007.
322

323 Mr. Baker said to adopt the ordinance as is allowing the Council discretion for a shorter
324 period of time.

325

326 Councilman Wadsworth made a **motion** to adopt the Ordinance Implementing
327 Temporary Land Use Regulations Concerning Master Planned Developments.
328 Councilman Barber **seconded** and the motion **passed** all in favor.

329

330 **Special Needs Registry with Division of Homeland Security – Agreement**

331 Mr. Rosenbaum explained the service and listed the names of those allowed to access the
332 information. The following people were authorized access to the information, Seth
333 Perrins, Assistant City Manager; Dee Rosenbaum, Public Safety Director; Don Thomas,
334 Emergency Preparedness Officer.

335

336 Councilman Barber made a **motion** to authorize the Mayor sign the agreement.
337 Councilman Wadsworth **seconded** and the motion **passed** all in favor.

338

339 **Spanish Highlands North Preliminary Plat Approval**

340 **Academy Park North Preliminary Plat Approval**

341 **Academy Park South Preliminary Plat Approval**

342 Councilman Barber made a **motion** to table the agenda items as listed. Councilman
343 Leifson **seconded** and the motion **passed** all in favor.

344

345 **Arts Council Presentation**

346 Mr. Pendleton gave a handout listing the events planned for the next few years, and some
347 proposed names for appointment to the committee, he also gave other information
348 regarding proposals for a new Arts Council building.

349

350 Mayor Thomas feels the Arts Council can achieve their goals and supports them as they
351 work to achieve the funds.

352

353 Mr. Pendleton stated the Community Theater still wants to be part of the Arts Council he
354 also added that they will be creating a policy for being self sustaining. The children's
355 theater will be changing to the youth theater and they feel it is still best to keep it under
356 the Arts Council as far as leadership and decision making.

357

358 Mr. Robinson explained they have had discussion that the community school will have
359 changes and administratively it would be best to bring all of them into the Recreation
360 Department. It has been discussed to see if they qualify to become an enterprise fund as
361 well.

362

363 Councilman Barber made a **motion** that we allow the groups as proposed. Councilman
364 Leifson **seconded** and the motion **passed** all in favor.

365

366 **Corporate Alliance**

367 The Council agreed that this service looks good and they should move forward with it.

368

369 Councilman Wadsworth made a **motion** to accept the proposal to fund a membership in
370 Corporate Alliance. Councilman Sorensen **seconded** and the motion **passed** all in favor.

371

372 **ADJOURN**

373

374 Councilman Leifson made a **motion** to adjourn to executive session for Land Use Issues,
375 Councilman Wadsworth **seconded** and motion **passed** all in favor at 9:25 p.m.

376

377 ADOPTED:

378

379

Kimberly Robinson, Deputy Recorder

SPANISH FORK CITY
Staff Report to City Council



Agenda Date: January 16, 2007
Staff Contacts: Dave Anderson, Planning Director
Reviewed By: the Development Review Committee
Subject: Harvest Ridge Preliminary Plat Approval Request

Background Discussion:

The applicant, American Housing, is requesting Preliminary Plat approval for a 16-lot subdivision located at 1520 South 1400 East. The property is zoned R-1-9. The General Plan designates the property as Residential 2.5 to 3.5 units per acre.



Details

The proposed plat is a standard subdivision that meets the City's requirements for the R-1-9 zone. The proposed lots range in size from 9,000 to 12,000 square feet.

Development Review Committee

The Development Review Committee reviewed this request in their December 20, 2006 meeting and recommended that it be approved. Draft minutes from that meeting read as follows:

Harvest Ridge

Location: 1520 South 1400 East

Zoning: R-1-9

Applicant: American Housing

Mr. Anderson gave background and explained the proposal.

Mr. Baker asked if the trail continued north and south.

Discussion was held regarding the trail, planter strips, easements, curb, gutter, and road.

Mr. Baker made a **motion** recommending to the City Council **approval** of the Preliminary Plat for Harvest Ridge located at 1520 South 1400 East subject to the following conditions:

Conditions:

1. That lot number nine (9) be resized in order to be wider.
2. That curb and gutter be extended to 1400 East during the first phase of construction.
3. That they install curb and gutter and grant the appropriate easement along 1400 east.
4. That they work with the Electric Department in putting the power underground throughout the plat.
5. That they meet the City's construction and development standards.

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

Planning Commission

The Planning Commission reviewed this request in their January 3, 2007 meeting and recommended that it be approved. Draft minutes from that meeting are as follows:

Harvest Ridge Preliminary Plat

Applicant: American Housing

Zoning: R-1-9

Location: 1520 South 1400 East

Mr. Anderson gave background and explained the proposal.

Commissioner Lewis made a **motion** to approve the proposed Preliminary Plat for Harvest Ridge subject to the following conditions:

Conditions

1. That lot number nine (9) is resized in order to be wider.
2. That curb and gutter be extended to 1400 East during the first phase of construction.
3. That they install curb and gutter and grant the appropriate easement along 1400 east.
4. That they work with the Power Department in putting the power underground throughout the plat.
5. That they meet the City's construction and development standards.

Commissioner Robins **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 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:

As the lots involved with the proposed Preliminary Plat are consistent with the City's requirements, the City has some obligation to approve the plat.

Recommendation:

Staff recommends that the City Council approve the proposed Preliminary Plat for Harvest Ridge subject to the following conditions:

Conditions:

1. That lot number nine (9) be resized in order to be wider.
2. That curb and gutter be extended to 1400 East during the first phase of construction.
3. That they install curb and gutter and grant the appropriate easement along 1400 east.
4. That they work with the Electric Department in putting the power underground throughout the plat.
5. That they meet the City's Construction and Development Standards.

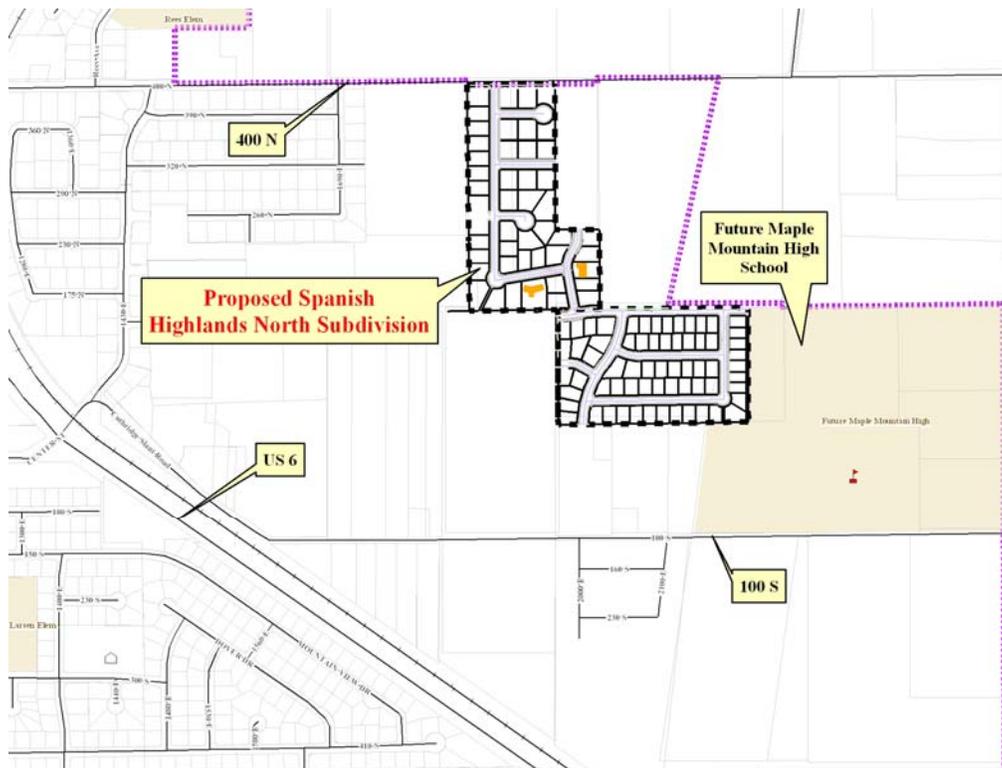
**SPANISH FORK CITY
Staff Report to City Council**



Agenda Date:	January 16, 2007
Staff Contacts:	Dave Anderson, Planning Director
Reviewed By:	the Development Review Committee
Subject:	Spanish Highlands North Preliminary Plat Approval Request

Background Discussion:

The applicant, Ivory Homes, is requesting Preliminary Plat approval for a 35.17-acre parcel located at 150 North 1700 East. The property is zoned R-1-12. The General Plan designates the property as Residential 2.5 to 3.5 units per acre.



Details

The proposed Preliminary Plat is a Master Planned Development that contains 112 building lots for a density of 3.18 units per acre. Lot sizes range from some 6,200 square feet to over 27,292 square feet.

Bonus Density

The applicant has requested density bonus of 17 lots. The base density in the R-1-12 zone of 2.69 units per acre allows for the development of 95 lots. The Development Review Committee reviewed the applicant's proposal on bonus density and, after making revisions, concluded that the plat may be approved based on the bonus density calculation provided below:

Project Name:	Spanish Highlands North Master Planned Development			
Total Acres	35.17			
Low End Density	2.5	U/A	94.47	Units
High End Density	3.5	U/A	123.1	Units

Density Bonus	Percent Allowed	Actual Given	Units	Running Total	Items provided
Active recreation	10%	0%	0.00	94.5	
Common buildings	10%	0%	0.00	94.5	
Fencing	5%	0%	0.00	94.5	
Front setback variation	3%	3%	2.83	97.3	fronts at least 5 feet back from next
Garage - three car	3%	0%	0.00	97.3	
Garage - setback	3%	0%	0.00	97.3	
Open space	5%	0%	0.00	97.3	
Landscaping	7%	5%	4.87	102.2	allowance for full front yard landscaping with 2 trees prior to occupancy time of year permitting otherwise cash bond
Lot size variation	3%	1%	1.02	103.2	limited variation exists
Materials on front façade	5%	5%	5.16	108.4	brick and stone as major material on every home
Mixture of housing types	5%	0%	0.00	108.4	
Off-setting lots	3%	1%	1.08	109.4	majority of the lots are offsetting
Roof pitch start 6/12	3%	1%	1.09	110.5	minimum 6/12 pitch on all homes
Home sizes	7%	0%	0.00	110.5	
Miscellaneous	7%	4%	4.42	115.0	400 North trail, 14-foot trail and landscaped area
Miscellaneous	7%	5%	5.53	120.5	upgraded side and rear materials - all masonry
		Total Units		120	
Without MPD					
Total Acres	35.17				
Development in ROW (Acres)	9.1442		26%		
Total Developable Acres	26.0258				
Zoning (R-1) (square feet)	12,000	(sq. ft. based on proposed zone)			
Total Lots/Units - straight zoning		94.47	Units		
U/A - straight zoning		2.69			

Development Review Committee

The Development Review Committee reviewed this request in their November 29, 2006 meeting and recommended that it be approved. Draft minutes from that meeting read as follows:

Spanish Highlands North

Location: 150 North 1700 East

Zoning: R-1-12

Applicant: Ivory Development

Mr. Anderson gave background and explained this is a Master Planned Development.

Discussion was made regarding the Master Planned Development.

Mr. Anderson asked about the trail.

Greg Magleby

Mr. Magleby said that Chris Thompson was working with the Nebo School District on realigning the trail.

Mr. Nielson is concerned with the grade on the 130 North Road.

Mr. Anderson made a **motion** to the City Council recommending approval of the Spanish Highlands North Master Planned Development Preliminary Plat located at 150 North 1700 East based on the findings and subject to the following conditions:

Findings:

1. That the proposed plat warrants the requested bonus density.
2. That the proposed plat conforms to the City's standards for Master Planned Developments.

Conditions:

1. That the Engineering issues on 150 North be addressed.
2. That they obtain letters of approval from UDOT and East Bench Irrigation companies.
3. That any Center Street addresses be changed.
4. That any Power Department issues be addressed, including the SESD power being bought out.

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

Planning Commission

The Planning Commission reviewed this request in their December 6, 2006 meeting and recommended that it be approved. An excerpt of the draft minutes from that meeting read as follows:

Spanish Highlands North Preliminary Plat

Applicant: Ivory Homes

Zoning: R-1-12

Location: 150 North 1700 East

Mr. Anderson gave background and explained the proposal.

Commissioner Robins asked why this is a Master Planned Development.

Mr. Anderson said this is a Master Planned Development because the Developer has 20 acres and that is what it takes.

Commissioner Christianson said there are eight items that they are requesting bonus density for that he would like to see more presentation on.

Discussion was made regarding bonus density.

Commissioner Bradford feels that the Commission needs to meet with the City Council and get some direction from them with regard to the matrix for Master Planned Developments.

Brad Mackey

Mr. Mackey addressed the Commission. He discussed the trail.

Discussion was made with regard to Master Planned Developments.

Commissioner Lewis made a **motion** recommending approval of the proposed Preliminary Plat for Spanish Highlands North based on the following findings and subject to the following conditions:

Findings:

1. That the proposed Preliminary Plat conforms to the City’s standards for Master Planned Developments in the R-1-12 zone.
2. That the proposed features warrant the requested density bonus.
3. That on the density bonus we will remove the 5-foot off set and replace it with installing the trail across the development.

Conditions:

1. That the Engineering issues on 150 North be addressed.
2. That they obtain letters of approval from UDOT and East Bench Irrigation companies.
3. That any Center Street addresses be changed.
4. That any Power Department issues be addressed, including the SESD power being bought out.
5. That they construct the trail on their property.

Commissioner Robins **seconded** and the motion **passed** with a 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-1-12 zone. There are not many options that the City may pursue to require modifications. 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 requested a bonus density of 17 lots which represents a 15 percent increase. As noted above, the Development Review Committee found that the proposed features warrant the requested 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. That is to say, staff believes it is very important to maintain consistency from one development proposal to another when points are allocated for bonus density.

Recommendation:

Staff recommends that the City Council approve the proposed Preliminary Plat for Spanish Highlands North based on the following findings and subject to the following conditions:

Findings:

1. That the proposed Preliminary Plat conforms to the City's standards for Master Planned Developments in the R-1-12 zone.
2. That the proposed features warrant the requested density bonus.

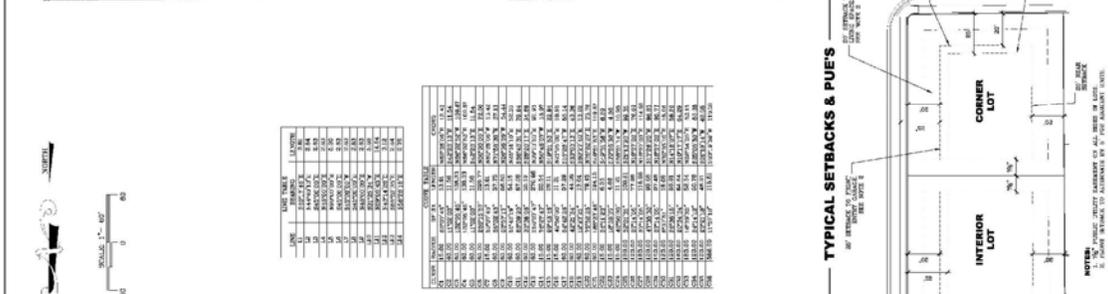
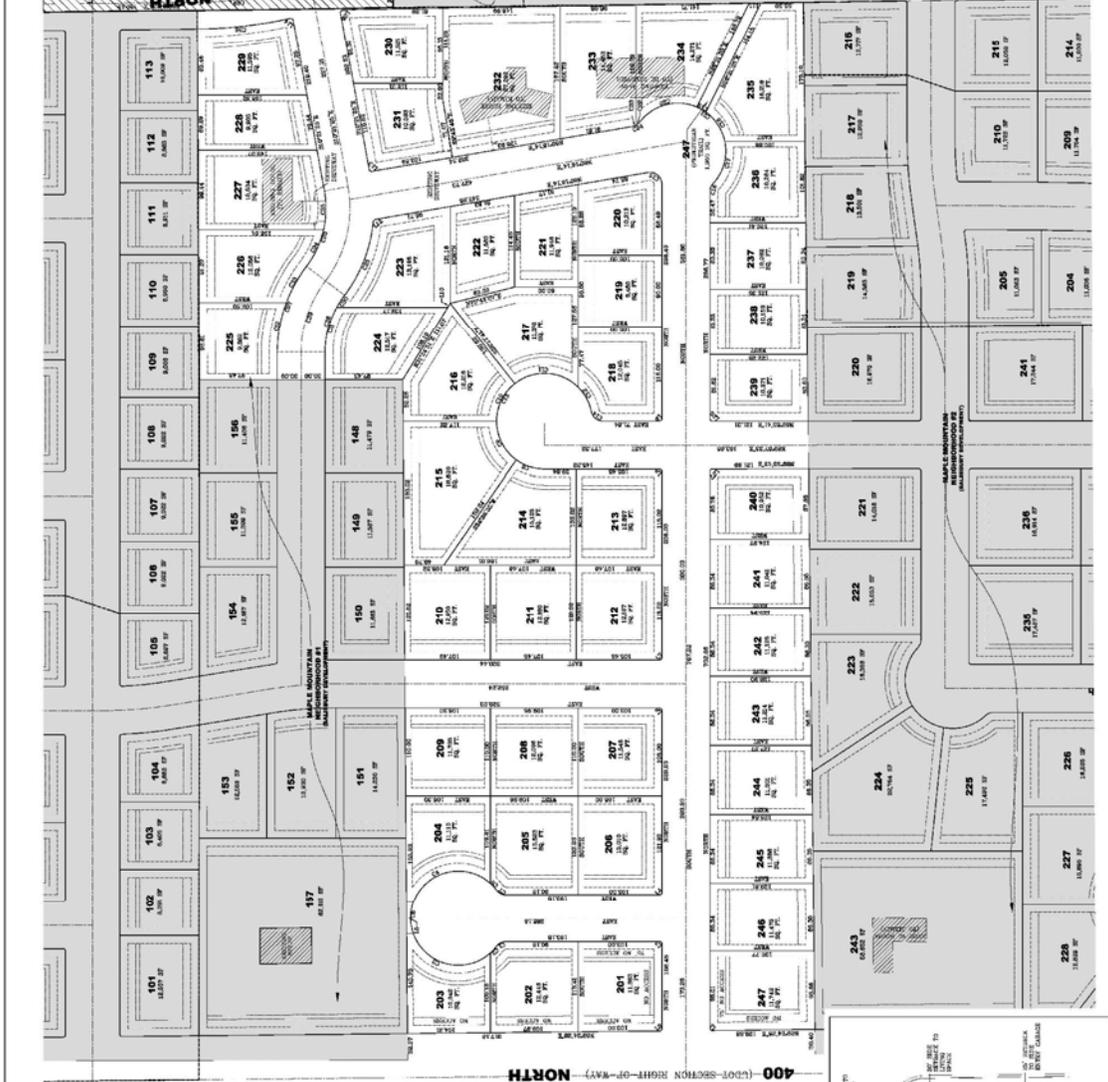
Conditions:

1. That the Engineering issues on 150 North be addressed.
2. That they obtain letters of approval from UDOT and East Bench Irrigation companies.
3. That any Center Street addresses be changed.
4. That any Power Department issues be addressed, including the SESD power being bought out.
5. That the applicant construct the trail on the development's property.

Attachments:

proposed Preliminary Plat for Spanish Highlands North
information from neighborhood meeting

DATE:	09/16/2008	SHEET NO.:	2
DESIGNER:	ICF	PROJECT:	SPANISH HIGHLANDS NORTH
DATE:	09/16/2008	SCALE:	1"=40'
DATE:	09/16/2008	SCALE:	1"=40'



LOT NO.	AREA (SQ. FT.)	PERCENTAGE COVER
101	1,837.27	1.84
102	1,837.27	1.84
103	1,837.27	1.84
104	1,837.27	1.84
105	1,837.27	1.84
106	1,837.27	1.84
107	1,837.27	1.84
108	1,837.27	1.84
109	1,837.27	1.84
110	1,837.27	1.84
111	1,837.27	1.84
112	1,837.27	1.84
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126	1,837.27	1.84
127	1,837.27	1.84
128	1,837.27	1.84
129	1,837.27	1.84
130	1,837.27	1.84
131	1,837.27	1.84
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**Spanish Highlands North
&
Maple Mountain Subdivision
Neighborhood Meeting Minutes
September 11, 2006**

A neighborhood meeting for the proposed Spanish Highlands North and Maple Mountain Subdivision was held on September 11, 2006 at 3:30pm at the offices of LEI Consulting Engineers. The required neighborhood meeting was combined for the two subdivisions due to the interconnectivity of the developments and the common neighbors. 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 20 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. 100 South Improvements. A majority of the discussion centered on the proposed improvements to 100 south and its effects to adjacent properties. The issues included:
 - Requirement for adjacent properties to improve their frontage. It was explained that properties outside of the proposed development will not be required to improve their frontages at this time.
 - The proposed roadway cross section was discussed at length with particular attention to the proposed trail, landscaped area and wall on the south side of the road. Each property owner was encouraged to review the proposed roadway and the possible future effects to their properties.
2. 400 North Improvements. Again, concerns were raised regarding the proposed trail, landscaped area and wall on the south side of the road. Individual land owners were encouraged to review these requirements with the City.
3. Center Street Bridge. The neighbors were concerned that a plan was in place for the eventual widening of the bridge as development continues. It was explained that the City is collecting funds from developments as they occur in order to expand the bridge. In addition, the connector agreement for the existing utility crossing was discussed.
4. Pierce Property. Several options were discussed should the Pierce property wish to develop in the future. These included a road connection from Spanish Highlands North or a cul-de-sac accessing from 100 South. Conceptual drawings were provided to the land owner for review
5. Other comments and discussion items included:
 - Railroad trail and proposed trailhead park within Maple Mountain.

- High school construction scheduling
- Townhome product and proposed elevation drawings.
- Spanish Highlands construction schedule

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 5:00 p.m.

Minutes prepared by Greg Magleby of LEI Consulting Engineers.

**Spanish Highlands North
&
Maple Mountain Subdivision
Neighborhood Meeting
3:30 PM, September 11, 2006**

	Print Name	Phone #
1	Lyle Haycock	798-7524
2	Monte Bingham	794-3288
3	David Grogan	798-8278
4	Rick Sorenson	
5	J Robert Creer	798-8768
6	Paul Roach	798-7235
7	Adam Harton	798-7441
8	Brent Bowers	491-9091
9	Janet Pierce	798-9586
10	Domin Hassel, Ivory Homes	747-7000
11	Brad Mackay, Ivory	747-7440
12	Betty + Larry Webster	789-9501
13	Mark Dixon	798-8174
14	Jane Dixon	798-8174
15	Jesse McGuff	798-6025
16	Jared Clayton	798-1132
17		

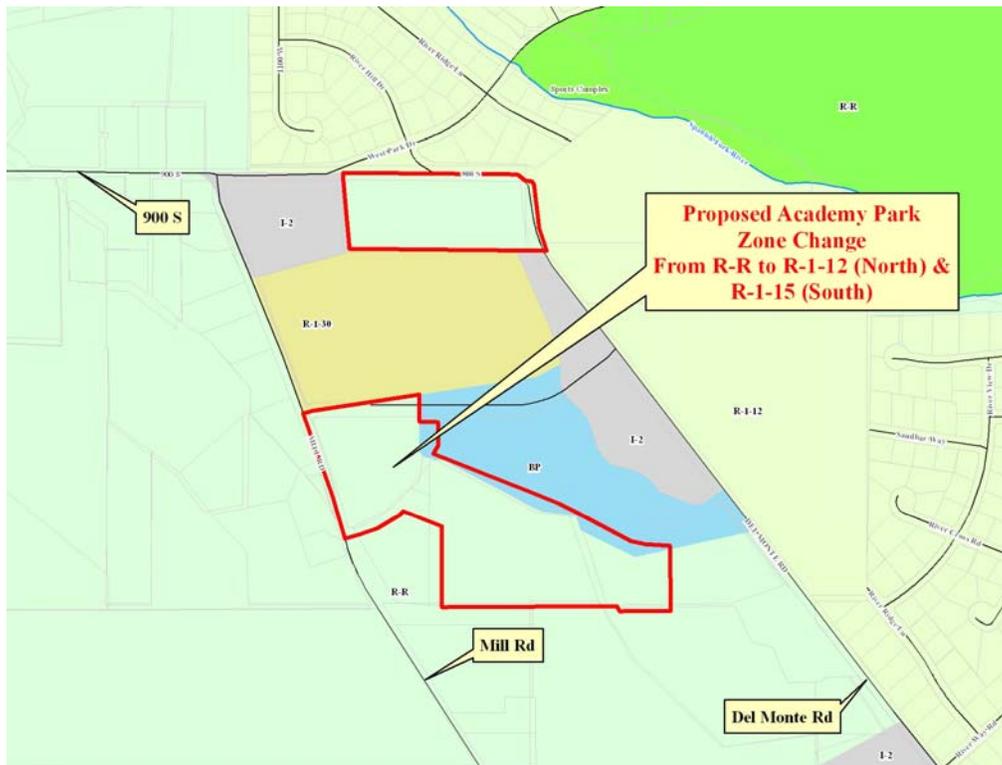
**SPANISH FORK CITY
Staff Report to City Council**



Agenda Date: December 19, 2006
Staff Contacts: Dave Anderson, Planning Director
Reviewed By: the Development Review Committee
Subject: Academy Park Zone Change Request

Background Discussion:

The applicant, Glenn Way, is requesting a Zone Change for 2 parcels located at approximately 1200 South Del Monte Road. The current zoning of the property is Rural Residential; the applicant has requested that the zoning be changed to R-1-12 and R-1-15. The General Plan designates both parcels as Residential 2.5 to 3.5 units per acre.



Both the R-1-12 and R-1-15 zoning districts provide for development densities that fall within the General Plan's 2.5 to 3.5 unit per acre range. As such, staff and the Development Review Committee have felt comfortable recommending that the proposed Zone Change request be approved.

Budgetary Impact:

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

Development Review Committee:

The Development Review Committee reviewed this request in their November 29, 2006 meeting and recommended that it be approved. Draft minutes from that meeting read as follows:

Academy Park

Location: 1170 South Del Monte

Zoning: Rural Residential existing, R-1-12 and R-1-15 requested

Applicant: Glenn Way

Mr. Anderson explained the proposal. The Northern portion request to be zoned R-1-12 and the Southern portion request to be zoned R-1-15.

Mr. Anderson is concerned about the type of border that will be constructed between the mill and this development.

Mr. Way said they are planning on putting in a concrete wall.

Mr. Johnston is concerned with the noise of the mill. He feels that a barrier wall being taller than six (6) feet would be beneficial in the reduction of noise.

Discussion was made regarding the barrier wall, noise reduction and a berm.

Mr. Foster would like the electrical underground.

Mr. Baker made a **motion** to the City Council for approval of the Zone Change of the northern piece of Academy Park to R-1-12 and the southern piece of Academy Park to R-1-15 located at 1170 South Del Monte based on the following finding and subject to the following conditions:

Finding:

1. The zones are consistent with the General Plan.

Conditions:

1. That they construct a berm with a six-foot concrete wall on top of it to produce a sound barrier between the development and the mill.
2. That the property being rezoned matches property lines.

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

Planning Commission:

The Planning Commission reviewed this request in their December 6, 2006 meeting and recommended that it be approved. An excerpt of the draft minutes from that meeting read as follows:

Academy Park Zone Change

Applicant: Glenn Way

Zoning: Rural Residential existing, R-1-12 and R-1-15 requested

Location: approximately 1200 South Del Monte Road

Mr. Anderson gave background and explained the proposal.

Discussion was made regarding Mill Road.

Commissioner Bradford opened into Public Hearing on this item.

Mary Isacc

Ms. Isacc addressed the Commission. She is concerned about residential moving in next to industrial. She would like a masonry wall between their property and the development.

Mike Morley

Mr. Morley said the plan is for a 4-foot berm with a 6-foot masonry wall.

Alan Davis

Mr. Davis is concerned about access to Mill Road and fencing.

Discussion was made with regard to fencing around the development.

Pat Davis

Ms. Davis is concerned that the Commission understood Mr. Haymore's concerns.

Ben Davis

Mr. Davis would like to know if there will be access from the stadium to Mill Road.

Ms. Davis would like to know what will be along the fence.

Discussion was made with regard to parking on Mill Road, the right-of-way with regard to a sewer main that needs to be relocated.

Mr. Nielson addressed the Commission's concern. He said there is a bond for a sewer line to be taken care of.

Commissioner Lewis asked about the triangle piece of property adjacent to the development.

Discussion was made with regard to the areas within the development that could settle etc., that the City is not liable, an irrigation canal that has been buried and liability, and egress and ingress within the development.

Brian Redd

Mr. Redd addressed the Commission. He is in favor of the development, and feels the Charter School has been a good neighbor.

Ms. Isacc feels that the berm should be on the developer's property.

Commissioner Bradford closed Public Hearing on this issue.

Commissioner Christianson **moved** to close Public Hearing. Commissioner Lewis **seconded** and the motion **passed** by a unanimous roll call vote.

Alternatives:

The City maintains considerable discretion with respect to approving or denying Zone Change requests. Given the General Plan designation, Residential 2.5 to 3.5 units per acre, R-1-12 and R-1-15 zoning designations are both consistent with the General Plan.

Recommendation:

Staff recommends that the City Council recommend approve the proposed Academy Park Zone Change request, changing the zoning at approximately 1200 South Del Monte Road from Rural Residential to R-1-12 and R-1-15, based on the following finding and subject to the following conditions:

Finding:

1. That the proposed Zone Change is consistent with the General Plan designation.

Conditions:

1. That they construct a berm with a six-foot concrete wall on top of it to produce a sound barrier between the development and the mill.
2. That the property being rezoned matches property lines.

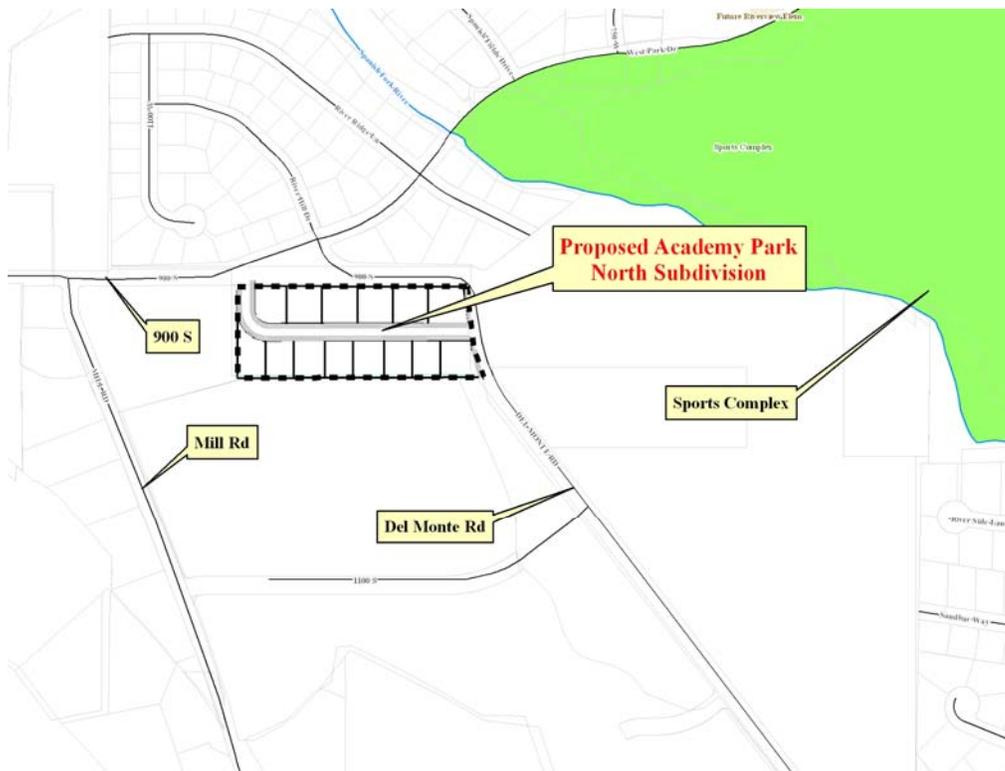
SPANISH FORK CITY
Staff Report to City Council



Agenda Date:	December 19, 2006
Staff Contacts:	Dave Anderson, Planning Director
Reviewed By:	the Development Review Committee
Subject:	Academy Park North Preliminary Plat Approval Request

Background Discussion:

The applicant, Glenn Way, is requesting Preliminary Plat approval for a 6.17-acre parcel located at approximately 1200 South Del Monte Road. The applicant has also requested that the zoning be changed to R-1-12. The General Plan designates the property as Residential 2.5 to 3.5 units per acre.



Details

The proposed Preliminary Plat is a standard subdivision that contains 14 lots. The proposed lots all meet the development requirements of the R-1-12 zone.

Development Review Committee

The Development Review Committee reviewed this request in their November 29, 2006 meeting and recommended that it be approved. Draft minutes from that meeting are provided below.

Academy Park

Location: 1170 South Del Monte

Zoning: R-1-12 and R-1-15

Applicant: Glenn Way

Mr. Anderson gave background and explained the proposal.

Discussion was made regarding the property that the City owns, access to the development, and the division of this development into three (3) separate applications (Academy Park, Academy Park North, and Academy Park South.)

Mr. Baker made a **motion** to the Planning Commission for approval of the Preliminary Plat for Academy Park North located at 1170 South Del Monte subject to the following conditions:

Conditions:

1. That the applicant provide a preliminary title report.
2. That the applicant incorporate the property to the north triangle into the plat.
3. That the applicant work with the Power Department on the power issues including working around the SESD line easement.
4. That the applicant place a berm with a masonry wall on the west border adjacent to the Leland Mill.
5. That the applicant relocate the utilities on the west end into the location they are suppose to be.
6. That the applicant redraft the legal description to the easement.
7. That a note be placed on the plat indicating that because it is adjacent to an industrial area that there will be noise and dust issues, and subject to the language being refined.
8. That the development meet the City's construction and development standards.
9. That the applicant submit a corrected electronic version.

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

Planning Commission:

The Planning Commission reviewed this request in their December 6, 2006 meeting and recommended that it be approved. An excerpt of the draft minutes from that meeting read as follows:

Academy Park North Preliminary Plat

Applicant: Glenn Way

Zoning: Rural Residential existing, R-1-12 and R-1-15 requested

Location: Approximately 1200 South Del Monte Road

Commissioner Robins made a **motion** recommending to the City Council approval of the proposed Preliminary Plat for the Academy Park North based on the following finding and subject to the following conditions:

Finding:

1. That the proposed Preliminary Plat conforms to the City's standards for developments in the R-1-12 zone.

Conditions:

1. That the applicant provide a preliminary title report.
2. That the applicant incorporate the property to the north triangle into the plat.
3. That the applicant work with the Power Department on the power issues including working around the SESD line easement.
4. That the applicant place a berm with a masonry wall on the west border adjacent to the Leland Mill.
5. That the applicant relocate the utilities on the west end into the location they are suppose to be.
6. That the applicant redraft the legal description to the easement.
7. That a note be placed on the plat indicating that because it is adjacent to an industrial area that there will be noise and dust issues, and subject to the language being refined.
8. That the development meet the City’s construction and development standards.
9. That the applicant submit a corrected electronic version.

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

Commissioner Huff **moved** to go back into Public Hearing. Commissioner Christianson **seconded** and the motion **passed** all in favor.

Budgetary Impact:

Staff anticipates providing the Planning Commission and 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 a standard subdivision that meets the City’s requirements in the R-1-12 zone. As such, the City has little ability to compel the applicant to modify his proposal. In this case, staff does not believe modifications to the Plat are necessary or that changes would enhance the project.

Recommendation:

Staff recommends that the City Council approve the proposed Preliminary Plat for the Academy Park North based on the following finding and subject to the following conditions:

Finding:

1. That the proposed Preliminary Plat conforms to the City’s standards for developments in the R-1-12 zone.

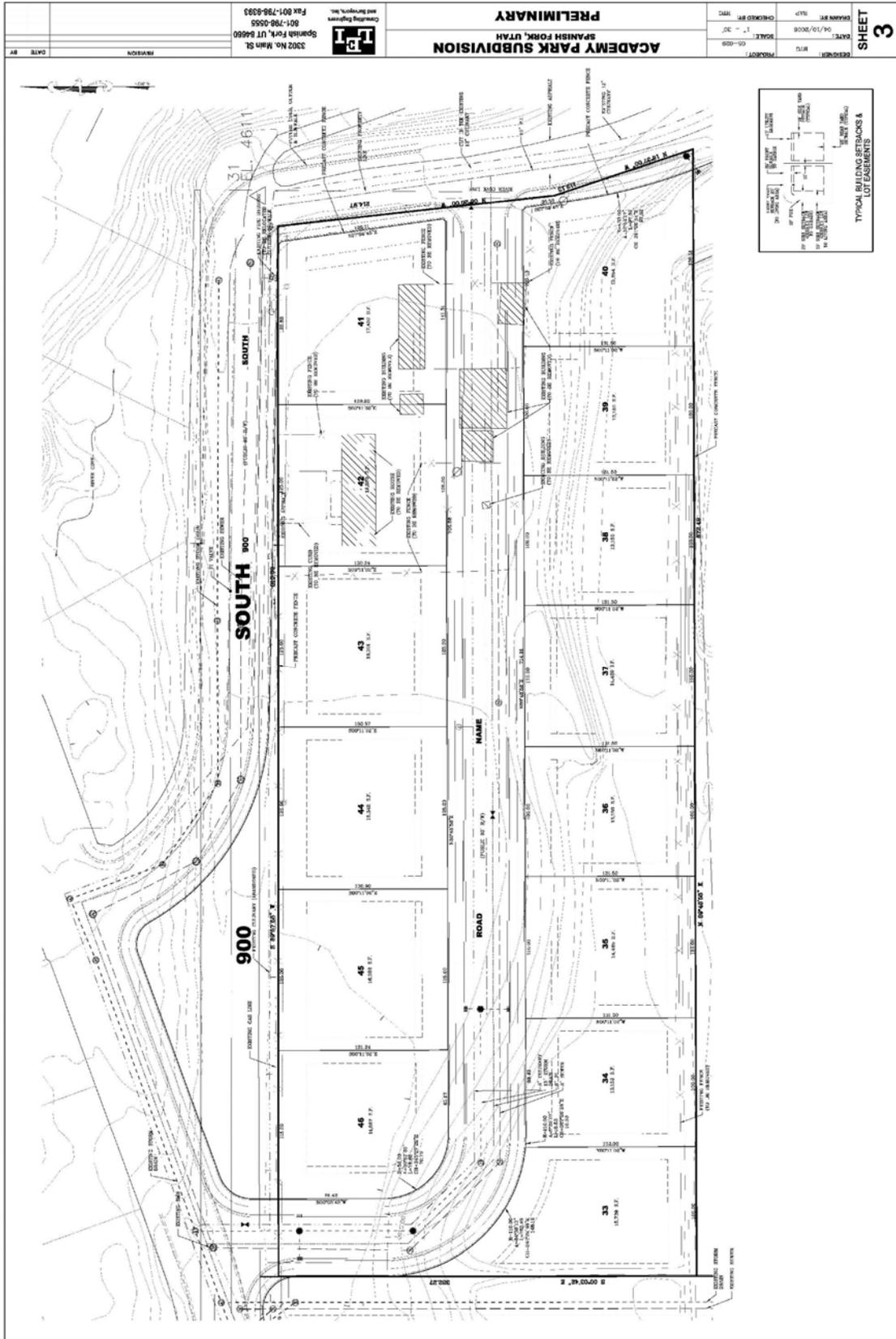
Conditions:

1. That the applicant provide a preliminary title report.
2. That the applicant incorporate the property to the north triangle into the plat.
3. That the applicant work with the Power Department on the power issues including working around the SESD line easement.
4. That the applicant place a berm with a masonry wall on the west border adjacent to the Leland Mill.
5. That the applicant relocate the utilities on the west end into the location they are suppose to be.
6. That the applicant redraft the legal description to the easement.

7. That a note be placed on the plat indicating that because it is adjacent to an industrial area that there will be noise and dust issues, and subject to the language being refined.
8. That the development meet the City's construction and development standards.
9. That the applicant submit a corrected electronic version.

Attachment:

proposed Preliminary Plat for the Academy Park North



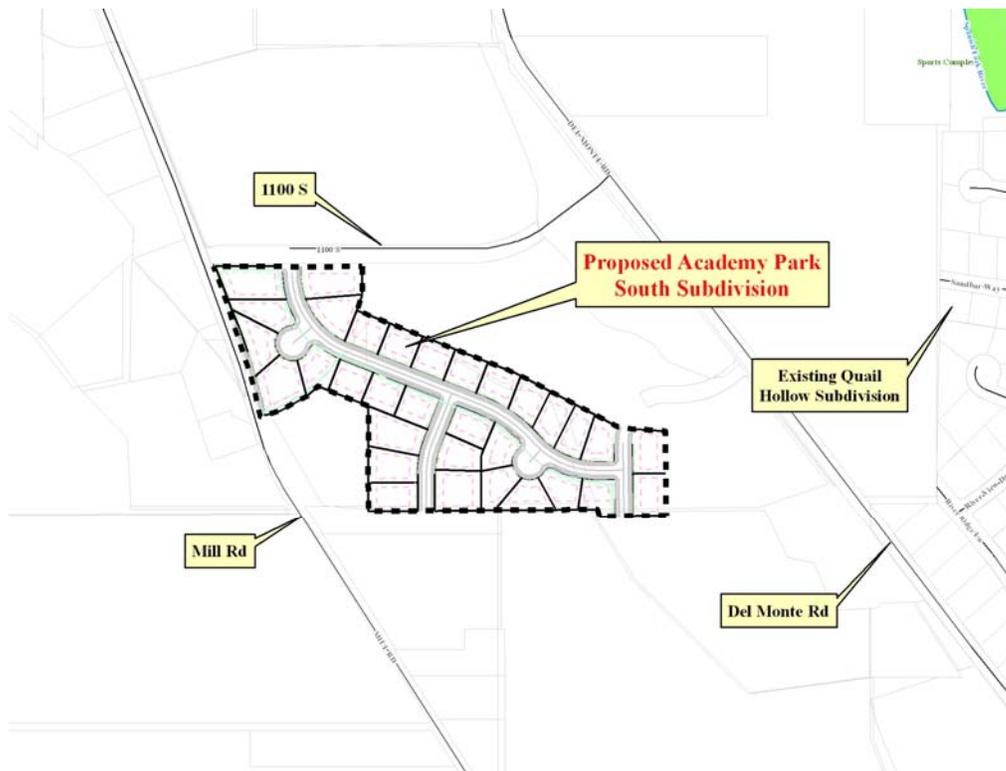
SPANISH FORK CITY
Staff Report to City Council



Agenda Date:	December 19, 2006
Staff Contacts:	Dave Anderson, Planning Director
Reviewed By:	the Development Review Committee
Subject:	Academy Park South Preliminary Plat Approval Request

Background Discussion:

The applicant, Glenn Way, is requesting Preliminary Plat approval for a 16.54-acre parcel located at approximately 1200 South Del Monte Road. The applicant has also requested that the zoning be changed to R-1-15. The General Plan designates the property as Residential 2.5 to 3.5 units per acre.



Details

The proposed Preliminary Plat is a standard subdivision that contains 32 lots. The proposed lots all meet the development requirements of the R-1-15 zone.

Development Review Committee

The Development Review Committee reviewed this request in their November 29, 2006 meeting and recommended that it be approved. Draft minutes from that meeting are provided below.

Academy Park

Location: 1170 South Del Monte

Zoning: R-1-12 and R-1-15

Applicant: Glenn Way

Mr. Anderson gave background and explained the proposal.

Discussion was made regarding the property that the City owns, access to the development, and the division of this development into three (3) separate applications (Academy Park, Academy Park North, and Academy Park South.)

Mr. Baker made a **motion** to the City Council for approval of the Preliminary Plat for Academy Park South located at 1170 South Del Monte subject to the following conditions:

Conditions:

1. That the applicant change the existing power over from SUVP to Spanish Fork remove SUVP power poles and work with the Power Department on providing a more efficient and effective service to the seminary and MATC auto shop.
2. that the applicant provide a preliminary title report.
3. That the development meet the City's construction and development standards.
4. That the applicant submit a corrected electronic version.

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

Planning Commission:

The Planning Commission reviewed this request in their December 6, 2006 meeting and recommended that it be approved. An excerpt of the draft minutes from that meeting read as follows:

Academy Park South Preliminary Plat

Applicant: Glenn Way

Zoning: Rural Residential existing, R-1-12 and R-1-15 requested

Location: Approximately 1200 South Del Monte Road

Commissioner Robins made a **motion** recommending to the City Council approval of the proposed Preliminary Plat for the Academy Park South based on the following finding and subject to the following conditions:

Finding:

1. That the proposed Preliminary Plat conforms to the City's standard for developments in the R-1-15 zone.

Conditions:

1. That the applicant change the existing power over from SUVP to Spanish Fork, remove SUVP power poles and work with the Power Department on providing a more efficient and effective service to the seminary and MATC auto shop.
2. That the applicant provide a preliminary title report.
3. That the development meet the City's construction and development standards.
4. That the applicant submit a corrected electronic version.

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

Budgetary Impact:

Staff anticipates providing the Planning Commission and 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 a standard subdivision that meets the City's requirements in the R-1-15 zone. As such, the City has little ability to compel the applicant to modify his proposal. In this case, staff does not believe modifications to the Plat are necessary or that changes would enhance the project.

Recommendation:

Staff recommends that the City Council approve the proposed Preliminary Plat for the Academy Park South based on the following finding and subject to the following conditions:

Finding:

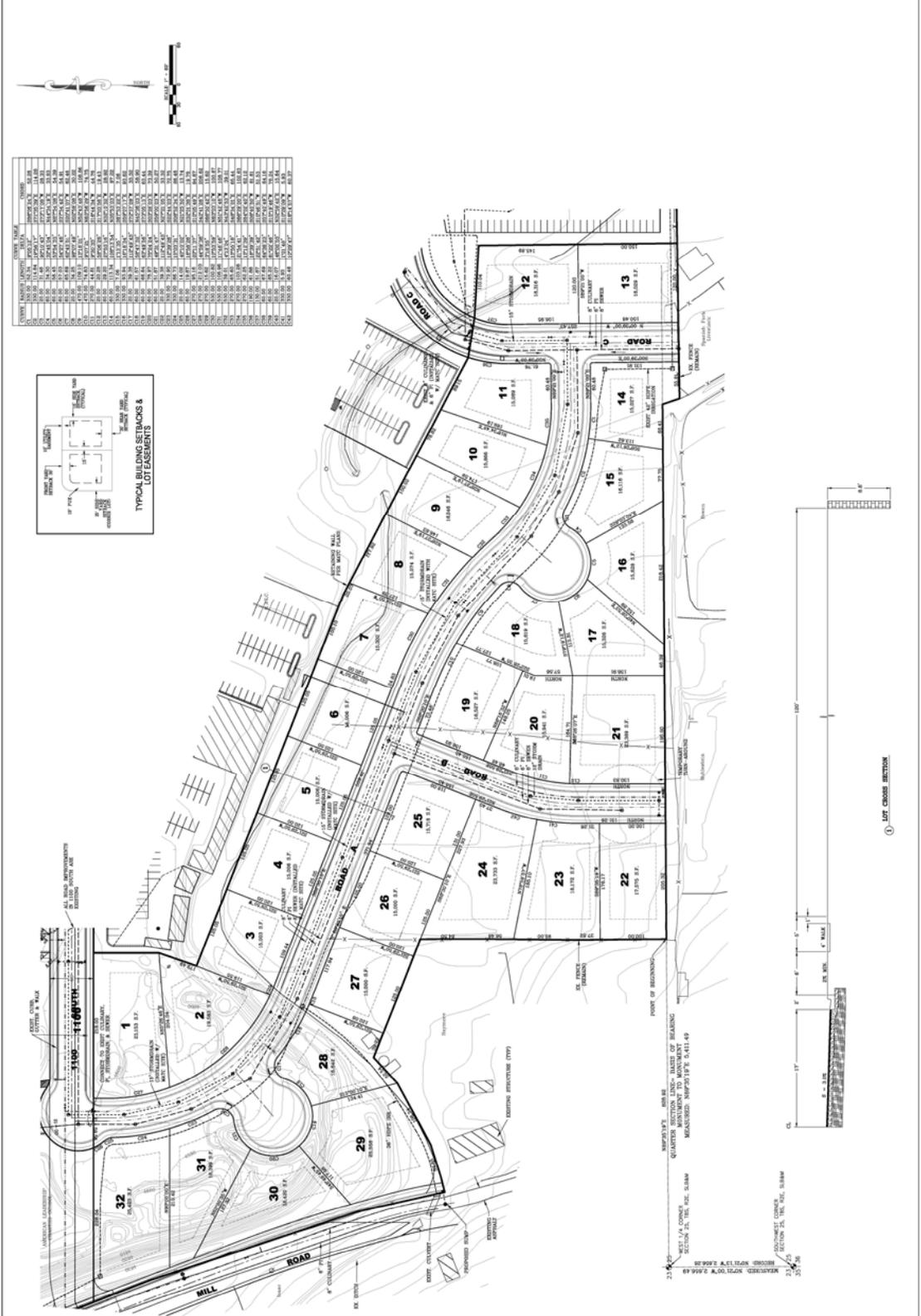
1. That the proposed Preliminary Plat conforms to the City's standards for developments in the R-1-15 zone.

Conditions:

1. That the applicant change the existing power over from SUVP to Spanish Fork remove SUVP power poles and work with the Power Department on providing a more efficient and effective service to the seminary and MATC auto shop.
2. That the applicant provide a preliminary title report.
3. That the development meet the City's construction and development standards.
4. That the applicant submit a corrected electronic version.

Attachment:

proposed Preliminary Plat for the Academy Park South



LOT NO.	AREA (S.F.)	SETBACKS (F.T.)	EASEMENTS
1	15,000	10/10/10	None
2	15,000	10/10/10	None
3	15,000	10/10/10	None
4	15,000	10/10/10	None
5	15,000	10/10/10	None
6	15,000	10/10/10	None
7	15,000	10/10/10	None
8	15,000	10/10/10	None
9	15,000	10/10/10	None
10	15,000	10/10/10	None
11	15,000	10/10/10	None
12	15,000	10/10/10	None
13	15,000	10/10/10	None
14	15,000	10/10/10	None
15	15,000	10/10/10	None
16	15,000	10/10/10	None
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18	15,000	10/10/10	None
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25	18,470	10/10/10	None
26	18,470	10/10/10	None
27	18,470	10/10/10	None
28	18,470	10/10/10	None
29	18,470	10/10/10	None
30	18,470	10/10/10	None
31	18,470	10/10/10	None
32	18,470	10/10/10	None

