



ADDENDUM 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 November 20, 2007**.

AGENDA ITEMS:

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

- a. Pledge

2. PUBLIC COMMENTS:

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

3. COUNCIL COMMENTS:

4. PUBLIC HEARINGS: 6:00 p.m.

- a. [Maria Christina Dominquez Zone Change Request](#)
- b. [Spanish Fields Business Park Plat Approval Request](#)
- c. [Christensen General Plan Amendment](#)
- d. [Envision General Plan Amendment](#)
- e. [Proposed Changes to Title 15](#)

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 – November 6, 2007](#)

6. NEW BUSINESS:

- a. Canvass of 2007 General Election
- b. Historic Committee Appointments
- c. [Appeal of Staff Denial of Billboard Building Permit – Jamie Evans](#)
- d. Allied Waste Contract Amendment

7. OTHER BUSINESS:

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

ADJOURN:

Notice is hereby given that:

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

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

SPANISH FORK CITY
Staff Report to the City Council



Agenda Date: November 20, 2007
Staff Contacts: Dave Anderson, Planning Director
Reviewed By: the Development Review Committee
Subject: Maria Cristina Dominguez Zone Change Request

Background Discussion:

The applicant, Maria Cristina Dominguez, is requesting a Zone Change for property located at 630 East 800 North. The subject property is .15 acres. At present, there is one dwelling located on the subject property. The current zoning of the property is R-1-6; the applicant has requested Commercial 2 zoning. The subject property is currently designated Residential 5.5 to 8 units per acre on the General Plan.



Staff understands that the applicant has applied for the Commercial 2 zoning so as to be able to convert a Home Occupation on the subject property into a Commercial Day Care. Staff acknowledges that some properties in this part of the City are currently undergoing something of a transformation. With the recently approved Northpark development getting under construction commercial development will be occurring one-half a block north of the

subject property. Also, all of the properties immediately north of the subject property have a General Commercial designation on the General Plan.

Even so, staff has significant reservations about changing the zoning on this one parcel. The subject property is only .15 acres and, in staff's opinion, is not large enough to support a full scale commercial operation. Also, the proposed zoning is not consistent with the General Plan. Another concern is the conflict that may arise with the presence of a commercial operation that would be immediately surrounded by residential uses.

With all of that said, staff has recommended that the proposed Zone Change be denied. Staff does however believe that this particular block, the north half of 800 North between 600 and 700 East, may be an appropriate candidate for a General Plan Amendment in the upcoming years.

Budgetary Impact:

Given the size of the subject property, staff anticipates no change in the City's budgetary position whether the request is granted or not.

Development Review Committee:

The Development Review Committee reviewed this request in their October 31, 2007 meeting and recommended that it be denied. Draft minutes from that meeting read as follows:

Christina's Day Care

Applicant: Maria Dominguez
General Plan: Residential 5.5-8 Units Per Acre
Zoning: R-1-6
Location: 630 East 800 North

Mr. Banks made the **motion** to **recommend** denial to the Planning Commission of the Christina's Day Care Zone Change with the following findings:

1. It is not consistent with the General Plan.
2. It is an isolated piece of property that does not connect with commercial development.
3. The property is not large enough to accommodate a commercial development.

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

Planning Commission:

The Planning Commission reviewed this request in their November 7, 2007 meeting and recommended that it be denied. Draft minutes from that meeting read as follows:

Maria Cristina Dominguez Zone Change

Applicant: Maria Dominguez
General Plan: Residential 5.5 to 8 Units Per Acre
Zoning: R-1-6
Location: 630 East 800 North

Mr. Anderson explained the applicant has a City business license for a home occupation daycare and in order to have a home occupation in Spanish Fork City you must reside at the residence. The applicant no longer wishes to reside at the subject property and is proposing to change the zoning from R-1-6 to C-2. The Development Review Committee's recommendation was to deny the zone change and explained that at present properties immediately north are general planned for commercial uses and the commission may want to consider a change on that side at some point in the future.

Maria Dominguez

Ms Dominguez said her purpose was for the request was to increase her business and help out the City by tending more children.

Gary Jarvis

Mr. Jarvis feels that if it was to be zoned commercial what would happen to the zoning on the adjacent properties. He supports any change; anything to get rid of the snakes.

Gloria Christensen

Ms. Christensen submitted a letter to be read. Chairman Robins read the letter. Ms. Christensen is opposed to this change.

Troy Christensen

Mr. Christensen is not for the zone change and feels that the lot is too small and that 800 North is too busy.

Chairman Robins feels that the property would not support commercial parking and is not a big enough parcel to support commercial at this time.

Commissioner Marshall made a **motion** to recommend **denial** of the proposed Maria Cristina Dominquez Zone Change request, changing the zoning at approximately 630 East 800 North from R-1-6 to Commercial 2, based on the following findings:

Findings

1. That the proposed Zone Change is not consistent with the General Plan.
2. That the proposed Zone Change would establish incompatible uses on adjacent properties.
3. That the subject property is not sufficiently sized to accommodate a functional commercial development.

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. In this case, should the Council wish to approve the change, it would be most appropriate to continue the Zone Change request and instruct staff to initiate a General Plan Amendment. This would allow the Planning Commission to make a recommendation on whether to amend the General Plan and the Zoning Map in their December meeting and would avoid the possibility of creating an inconsistency between those two documents.

Recommendation:

Staff recommends that the City Council deny the proposed Maria Cristina Dominquez Zone Change request, changing the zoning at approximately 630 East 800 North from R-1-6 to Commercial 2, based on the following findings:

Findings:

1. That the proposed Zone Change is not consistent with the General Plan.
2. That the proposed Zone Change would establish incompatible uses on adjacent properties.
3. That the subject property is not sufficiently sized to accommodate a functional commercial development.

SPANISH FORK CITY
Staff Report to Appeal Authority



Agenda Date:	November 20, 2007
Staff Contacts:	Dave Anderson, Planning Director
Subject:	Appeal of Staff Denial of Building Permit

Background Discussion:

On October , 2007, the applicant, Jamie Evans, applied for a building permit to construct a billboard on the Staker Parson Companies property at approximately 2200 North and 300 East. On October 10, 2007 City staff denied the application based on the finding that the applicant did not own or lease the property that the billboard was proposed to be constructed on. Much of staff's decision was made based on correspondence provided by Staker Parson Companies that specified their position relative to their properties ownership and their disposition towards having a building permit issued on their property.

Attached to this report are three letters. One is an October 8, 2007 letter provided by Staker Parson Companies. The second is an October 10, 2007 letter provided by Dave Anderson the Planning Director. The last is an October 16, 2007 letter provided by Jamie Evans.

Mr. Evans goal in filing this appeal is to have staff's decision to deny reversed and to have a Building Permit issued.

Budgetary Impact:

The Appeal represents no anticipated budgetary impact for the City.

Recommendation:

Staff recommends that the Appeal Authority deny the proposed Appeal based on the following findings:

Findings:

1. The applicant does not own the land.
2. The applicant has no lease with Staker Parson, the City is not in a position to determine the validity of an earlier lease with Staker Parson's predecessor in interest visa vie Staker's current ownership.
3. The prior sign was damaged in a wind storm on September 29, 2007.
4. Simmons is entitled to reconstruct the damaged sign in accordance with Utah Code Annotated 510-9a-513.

attachments: October 8, 2007 Staker Parson Companies letter
 October 10, 2007 Dave Anderson letter
 October 16, 2007 Jamie Evans letter



October 8, 2007

Spanish Fork City
Attn. Dave Anderson
40 South Main Street
Spanish Fork, UT 84660

RE: Billboard Permit/Lease for property located at approximately 2100 North 200 East

Dear Dave,

For clarification regarding any billboard lease on the above state property, Staker & Parson Companies has not signed any valid billboard lease with any individual or entity as of this date.

Therefore, we request that Spanish Fork City not accept any application for permit on our property unless the individual or entity has a copy of a valid lease and/or an authorization signed by us.

Sincerely,

A handwritten signature in blue ink, appearing to read "Dak Maxfield".

Dak Maxfield
Real Estate Manager

Staker & Parson Companies
Dak Maxfield – Real Estate Manager

PO Box 3429
Ogden, UT 84409

Off (801) 409-2404
Fax (801) 409-2604

SPANISH FORK CITY

October 10, 2007

Mr. Jamie Evans, Evans Grader and Paving Service
2068 Mountain Vista Lane
Provo, Utah
84606

RE: Application for Sign Permit

Mr. Evans,

As I mentioned in a letter addressed to you that I sent on October 8, I spoke with Junior Baker this morning about your situation and the materials you left in my office earlier this week.

In short, Mr. Baker has directed me to accept your application, which the City has now done. Mr. Baker has also directed me to deny your application, which the City has also done.

The basis for denying the application is correspondence provided by Staker Parson Companies that indicates that you have no interest in their property and no authorization to submit an application for improvements on their property. In their correspondence they have expressly requested that no permits be issued for their property unless they make application themselves. I understand their position is something you may contest. Should you be able to resolve that issue with Staker Parson and provide written authorization from them as the owner of record we would reconsider your application.

If you have questions about this response please feel free to contact either myself or Junior Baker.

Sincerely,

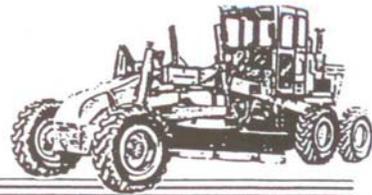


Dave Anderson, AICP
Planning Director

cc: Junior Baker, City Attorney

40 South Main Street, Spanish Fork, Utah
Phone 801.798.5000 · facsimile 801.798.5005

Evans Grader and Paving, Inc.
Excavating, Asphalt Paving, and Rock Products



2068 South Mountain Vista Lane
Provo, Utah 84606
(801)377-9999 Fax 373-8988

October 16, 2007

RE: Sign/Building Permit Denied

Spanish Fork City
40 S. Main Street
Spanish Fork, UT 84660

To Whom It May Concern:

This is in regards to a sign/building permit application that was denied on October 8, 2007 by Dave Anderson in the Planning department. The application was submitted with all the required materials needed, and was still rejected. I would like to be put on the next City Council agenda to appeal the Planning department's decision. I am applying for a permit to build a billboard sign on parcel 26:049:0031. As required under 15.3.24.020 Billboards paragraph 1 in the Spanish Fork City Land Use Code, there is no sign within 500' from where I would like to locate. I have a land lease on this property that is owned by Staker Parsons Company. In the land lease, under the last paragraph, it states "This land lease shall run with the land and this agreement shall inure to the benefit of and shall be binding upon the heirs, personal representatives, successors, and assigns of the parties hereto". It is not within Spanish Fork's jurisdiction to decide whether or not this lease is appropriate to run with the land.

Please check the State code before issuing another building permit within the 500' I have applied for.

I have enclosed documentation supporting my point of view. Please contact me with the date and time this matter will be on the City Council agenda.

Sincerely,

A handwritten signature in cursive script that reads "Jamie Evans".

Jamie Evans
Evans Grader & Paving

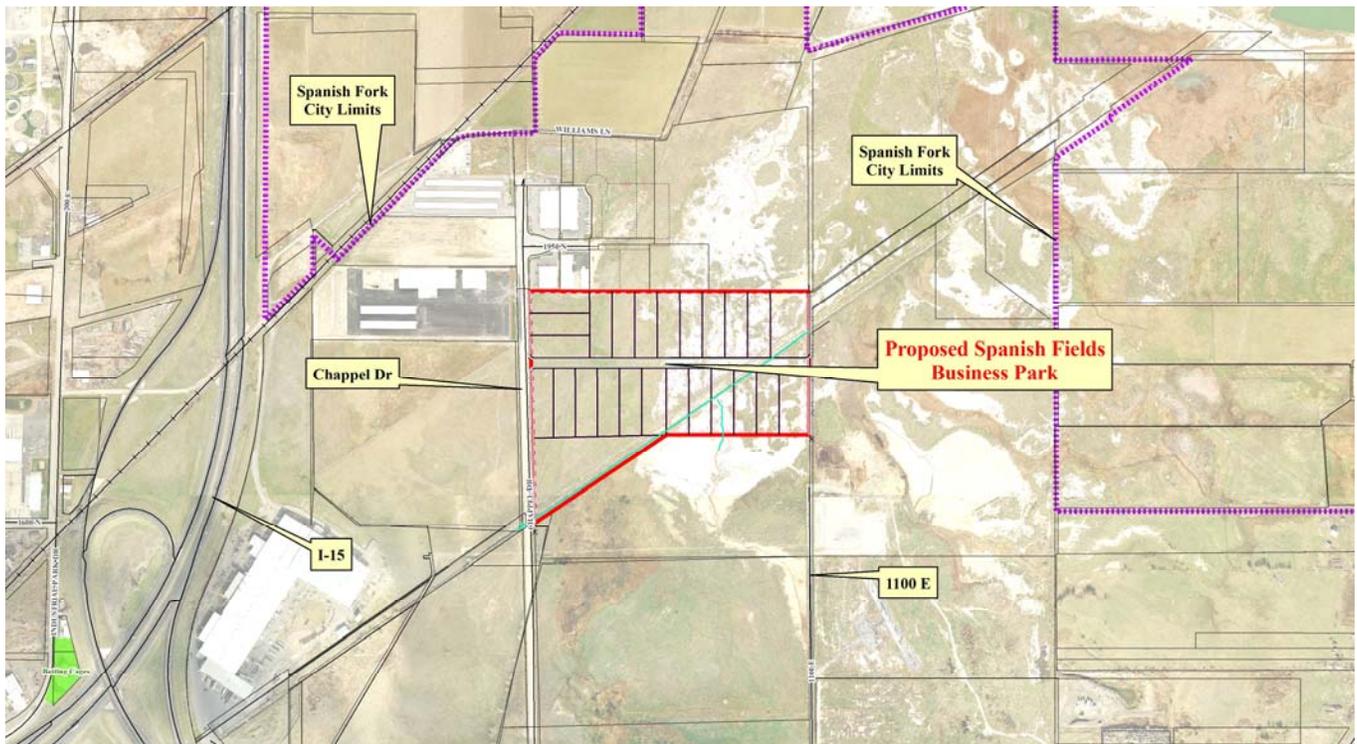
SPANISH FORK CITY
Staff Report to the City council



Agenda Date: November 20, 2007
Staff Contacts: Dave Anderson, Planning Director
Reviewed By: the Development Review Committee
Subject: Spanish Fields Business Park Plat Approval Request

Background Discussion:

The applicant, Dan Williams, is requesting Preliminary Plat approval for a 30-acre site located at approximately 2000 North and Chappel Drive. The zoning of the property is Industrial 1. The General Plan designates the property as Light Industrial. As this is an industrial subdivision, a public hearing is required. The proper notice has been provided and a public hearing is scheduled as part of your review of the plat.



Details

The proposed Preliminary Plat includes 25 industrial lots. In performing its review of the project, the DRC identified one issue that requires some additional research prior to the preparation of a Final Plat. There is some thought that Chappel Drive and 1100 East need to be larger facilities than what the City has planned for

in the past. In light of this situation, staff will be meeting in the upcoming weeks to determine what the necessary right-of-way width is. With that said, it is possible that the applicant will need to modify the design to include larger roads than what are represented on the Preliminary Plat.

Development Review Committee

The Development Review Committee reviewed this request in their October 24, 2007 meeting and recommended that it be approved.

Planning Commission:

The Planning Commission recommended that the proposed Preliminary Plat be approved. Draft minutes from their November 7, 2007 meeting read as follows:

Spanish Fields Business Park Preliminary Plat

Applicant: Dan Williams

General Plan: Light Industrial

Zoning: Industrial 1

Location: approximately 2000 North Chappel Drive

Mr. Anderson gave background and explained that in order to provide traffic circulation in this area an expansion of 1100 East from a three lane to a five lane road would be needed and the applicant would need to provide 15 feet more than what is shown on the plat. Mr. Anderson expressed concern about wetlands on the subject property which the developer may have delineated with the Corps of Engineers, he did not know because the City requires developers to deal with the Corps of Engineers themselves. Final Plat approval cannot take place without the wetland approval from the Corps.

Dan Williams

Mr. Williams explained that he did have a professional look at the wetland issues and does not know if it has been recorded with the Corps. He asked for the width of the 5 lane right-of-way and Mr. Thompson gave him the specifications.

Discussion was held regarding the storm drain ditch and the realignment of it.

No public comment.

Commissioner Lewis supports the project but only with approval from the core of engineers.

Commissioner Lewis made a **motion** to recommend **approval** of the proposed Preliminary Plat for the Spanish Fields Business Park subdivision based on the following finding and subject to the following conditions:

Finding

1. That the proposed plat does conform to the City's requirements for subdivisions in the Industrial 1 zone.

Conditions

1. That the applicant address redlines provided by the City and submit 3 corrected copies of the plat for the City's files.
2. That the applicant makes any necessary adjustments to the right-of-way widths on his submittal for Final Plat approval.

3. That the applicant have the wetland issues reviewed and approved by the Corps of Engineers and any unmitigated wetland areas be identified as unbuildable area on the Final Plat.

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

Budgetary Impact:

The development of this property with industrial uses will in all likelihood result in an increase in revenue for the City. Property taxes will increase with the development of the lots and sales tax may be generated by some or all of the businesses that might eventually be located in this development. Generally speaking, industrial developments generate more revenue than expenses for municipalities. In this case, it is certainly anticipated that this development will generate more revenue than expense for the City.

Alternatives:

The proposed Preliminary Plat is consistent with the City's standards for developments in the Industrial 1 zone. Given the development's conformity with the City's standards the Development Review Committee and Planning Commission recommended that it be approved.

Recommendation:

Staff recommends that the City Council approve the proposed Preliminary Plat for the Spanish Fields Business Park subdivision based on the following finding and subject to the following conditions:

Finding:

1. That the proposed plat does conform to the City's requirements for subdivisions in the Industrial 1 zone.

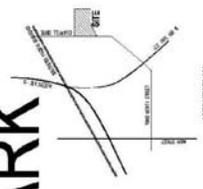
Conditions:

1. That the applicant address redlines provided by the City and submit 3 corrected copies of the plat for the City's files.
2. That the applicant make any necessary adjustments to the right-of-way widths on his submittal for Final Plat approval.
3. That the applicant have the wetland issues reviewed and approved by the Corps of Engineers and any unmitigated wetland areas be identified as unbuildable area on the Final Plat.

attachments: proposed Preliminary Plat

SPANISH FIELDS BUSINESS PARK

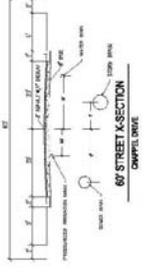
SPANISH FORK, UTAH



NOTIFICATION

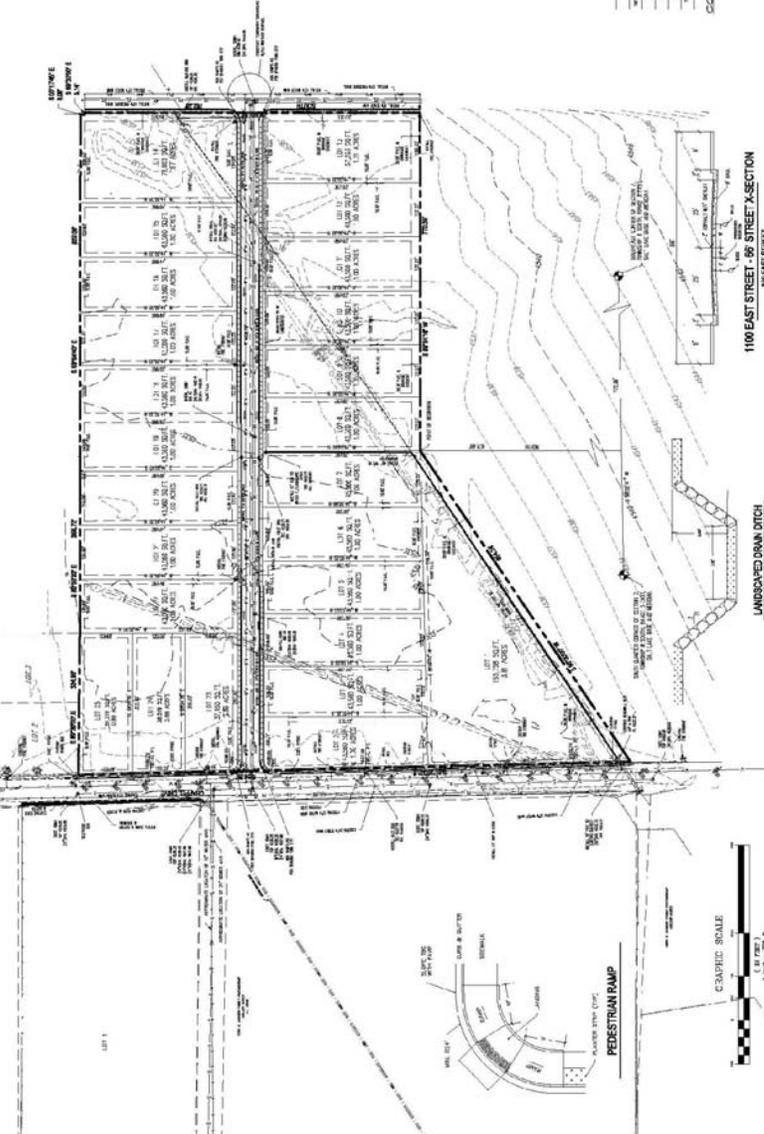
CONTRACTOR SHALL VERIFY ALL DIMENSIONS AND LOCATIONS OF ALL UTILITIES AND STRUCTURES PRIOR TO CONSTRUCTION. CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE APPROPRIATE AGENCIES. CONTRACTOR SHALL MAINTAIN ACCESS TO ALL ADJACENT PROPERTIES AT ALL TIMES. CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE APPROPRIATE AGENCIES. CONTRACTOR SHALL MAINTAIN ACCESS TO ALL ADJACENT PROPERTIES AT ALL TIMES.

DATE 10/15/2007



CONCRETE TOLERANCE TABLE

ITEM	CONCRETE TOLERANCE
FINISH SURFACE	± 1/8"
FORMWORK	± 1/4"
REINFORCEMENT	± 1/4"
ADJACENT SURFACES	± 1/4"
VERTICAL CURVES	± 1/4"
GRAVEL SURFACES	± 1/4"
PAVEMENT SURFACES	± 1/4"
CONCRETE SURFACES	± 1/4"
FINISH SURFACES	± 1/8"
FORMWORK	± 1/4"
REINFORCEMENT	± 1/4"
ADJACENT SURFACES	± 1/4"
VERTICAL CURVES	± 1/4"
GRAVEL SURFACES	± 1/4"
PAVEMENT SURFACES	± 1/4"
CONCRETE SURFACES	± 1/4"



DUDLEY & ASSOCIATES
ENGINEERS PLANNERS SURVEYORS
OREM, UTAH
801-224-1292

SPANISH FIELDS BUSINESS PARK
PRELIMINARY PLAN
SPANISH FORK, UTAH

DATE: 8-09-07
SCALE: 1"=100'
DRAWN BY: J.A.W.
UTAH TRADING NO. L-19147

SHEET 1 OF 1

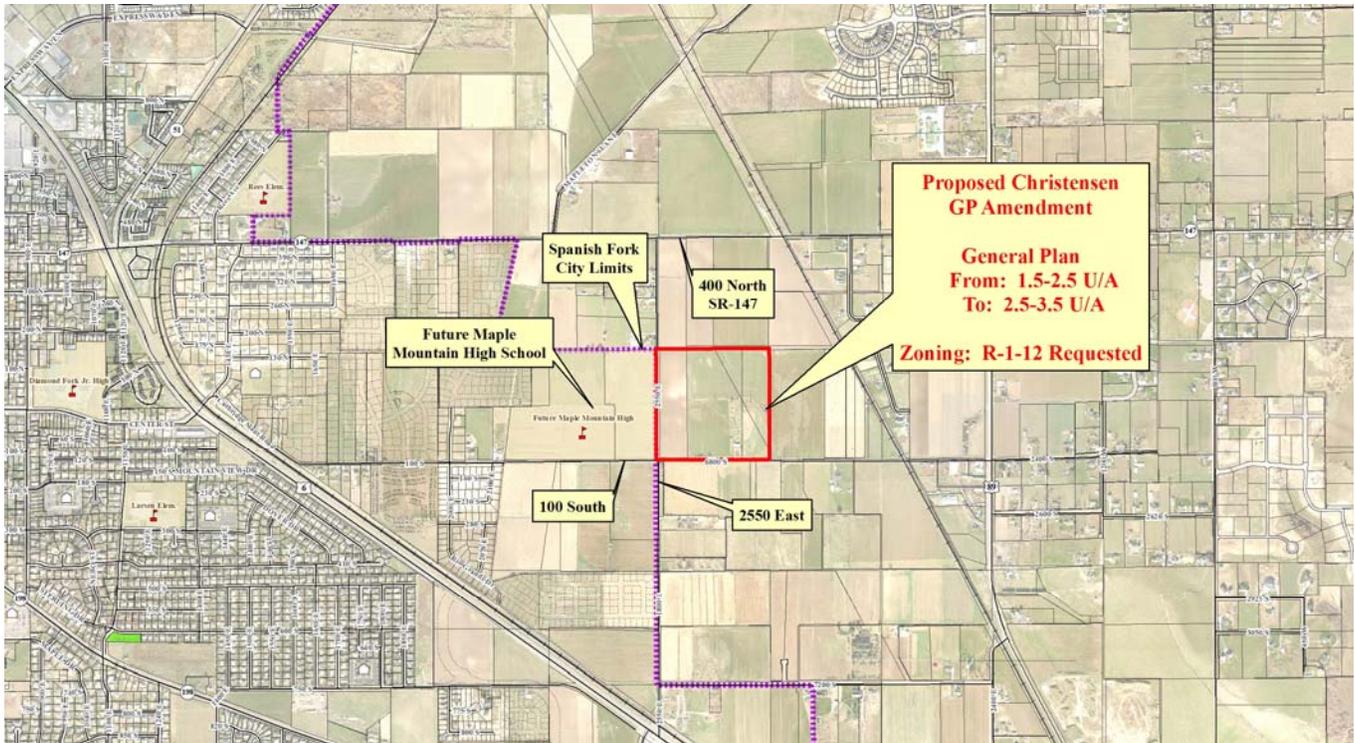


SPANISH FORK CITY
Staff Report to the City Council

Agenda Date:	November 20, 2007
Staff Contacts:	Dave Anderson, Planning Director
Reviewed By:	the Development Review Committee
Subject:	Christensen General Plan Amendment

Background Discussion:

The applicant, Kimberly Dewey, is proposing to change the General Plan for several properties that are included in an Annexation that the City is currently reviewing. The General Plan designation for the subject property is Residential 1.5 to 2.5 units per acre. The applicant has requested that the General Plan be changed to Residential 2.5 to 3.5 units per acre. The subject property is located at 200 North 2600 East.



Staff understands that the applicant would like to change the General Plan so as to be able to develop an R-1-12 standard subdivision when the property is annexed. The current General Plan designation would require that the property be zoned R-1-15 or a less dense zone.

At present, 2550 East is the boundary between properties that are General Planned for R-1-12 and R-1-15 zoning. In short, staff believes the current arrangement of the General Plan is the ideal for the area. In staff's view, it would be a mistake to amend the General Plan so as to have one sprawling area of homogenous development. In its current form, the General Plan encourages development east of 2550 East that would be more like the Old Mill Estates development than Sunny Ridge or Maple Mountain.

Keeping the current arrangement would facilitate some additional level of diversity in the area. Relative to the diversity that would be created with larger lots, staff believes it is essential to maintain a healthy inventory of land uses. Just as staff has argued in other parts of the City that higher densities are appropriate, staff believes this area is appropriate for a lower, albeit slightly lower, density. The basic concept of having higher density or intensity uses at the core of a community, with lower and lower intensities radiating from that core, seems to be the fundamental basis for the City's General Plan. Also, the development that is occurring in Mapleton City, in close proximity to the subject property is generally comprised of one-half to full acre lots.

With all of that said, staff would like to be clear in stating its willingness to help the applicant in preparing development plans that will meet their expectations. This particular applicant has stated a desire to have a development approved with 2.4 units per acre. 2.4 units per acre is a density that is achieved with relative ease if the applicant were to submit to have a Master Planned Development approved. That is to say that the City could leave the current General Plan designation in place, assign R-1-15 zoning to the property upon annexation and ultimately approve a Master Planned Development for the property at a density of 2.4 units per acre. As the base density in the R-1-15 zone is 2.15 units per acre, the upgrades an applicant would need to provide to achieve a density of 2.4 units per acre would be relatively light.

The Development Review Committee:

The Development Review Committee reviewed this proposal in their October 31, 2007 meeting and recommended that it be denied.

The Planning Commission:

The Planning Commission reviewed this request in their November 7 meeting and recommended that it be denied. Draft minutes from that meeting read as follows:

Christensen General Plan Amendment

Applicant: Kimberly Dewey
General Plan: Residential 1.5 to 2.5 Units Per Acre existing
Residential 2.5 to 3.5 Units Per Acre proposed
Zoning: R-1-12 requested
Location: approximately 200 North 2600 East

Mr. Anderson explained where the cut off for the higher density residential housing was so as not to have a homogenous area. He expressed the importance of maintaining consistency with the current general plan.

Kimberly Dewey

Ms. Dewey agreed with the comments and feels the City should not have a homogenous area but asked the Commissioners to take into consideration some unique factors with this particular proposal: explained the power lines, 2550 East collector road and a high power City power line. She feels that the property continues to shrink

in size and does not feel that people would want to live in a half million dollar home by high power lines and two major collector roads. She then explained what she felt would be financial feasible.

Ms. Stoors asked Ms. Dewey what she felt the smallest lot size would be.

Ms. Dewey replied 8,000 square feet.

Discussion was held regarding the easement for the Rocky Mountain power line, collector road size, a master planned development for the proposal and what the lot sizes would be, and the trail system in the area.

Commissioner Lewis feels that there are some issues worth supporting but would not support 8,000 square foot lots.

Discussion was held regarding the railroad crossing, time-frame for preliminary plat approval, size of the dwelling and cost of the homes, size of the 2550 East collector road, and possible number of lots.

Mr. Anderson explained that up until today he understood that Ms. Dewey would be doing 2.4 units per acre.

Sharon Stoors

Ms. Stoors feels that their property will be devalued if the lot sizes are smaller.

Commissioner Christianson feels that if they grant this proposal higher density than what will happen will the next person want even more. He agrees with staff's recommendation on this.

Commissioner Marshall recognizes there are extenuating circumstances in the area but still feels that a lower density is best.

Commissioner Christianson **moved** to recommend **denial** of the proposed General Plan Amendment at approximately 200 North and 2600 East, changing the General Plan from Residential 1.5 units per 2.5 acre to Residential 2.5 to 3.5 units per acre based on the following findings:

Findings

1. That the current General Plan designation encourages the most functional pattern of land uses on the northeast bench.
2. That the applicant can essentially accomplish their ultimate goal without changing the General Plan.

Commissioner Marshall **seconded** and the motion **passed** by a roll call vote. Commissioner Lewis voted nay. He feels with the extenuating circumstances due to the railroad tracks, the proposed power line on 2550 East and increased road width on both collector roads he is willing to reduce the lot size to 12,000 square foot lots.

Budgetary Impact:

This change would allow for the development of considerably more homes on the subject property but likely would not result in any significant impact on the City's budget.

Alternatives:

The City maintains considerable discretion with respect to approving or denying General Plan Amendments. The Council may opt to approve or deny the proposed request or consider some alternate action.

Recommendation:

Staff recommends that the City Council deny the proposed General Plan Amendment at approximately 200 North and 2600 East, changing the General Plan from Residential 1.5 units per 2.5 acre to Residential 2.5 to 3.5 units per acre based on the following findings:

Findings:

1. That the current General Plan designation encourages the most functional pattern of land uses on the northeast bench.
2. That the applicant can essentially accomplish their ultimate goal without changing the General Plan.

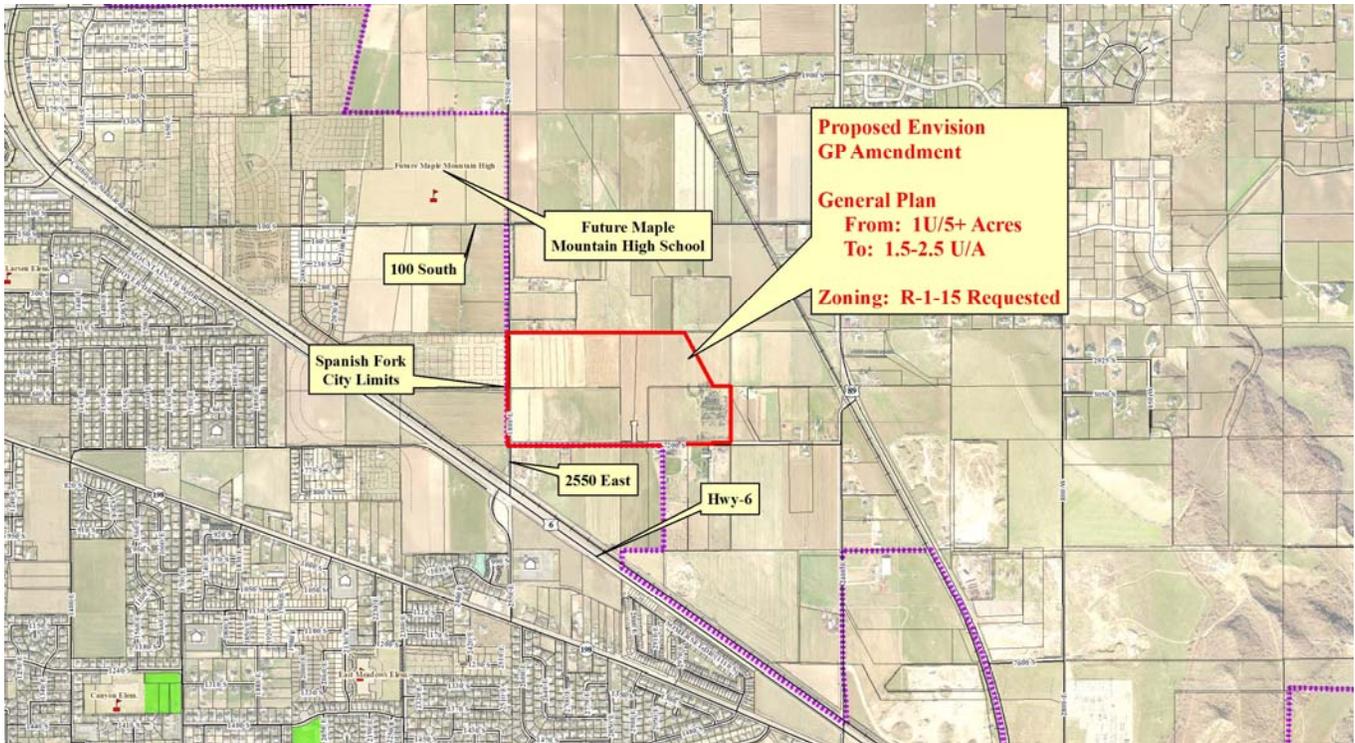


**SPANISH FORK CITY
Staff Report to the City Council**

Agenda Date:	November 20, 2007
Staff Contacts:	Dave Anderson, Planning Director
Reviewed By:	the Development Review Committee
Subject:	Envision General Plan Amendment

Background Discussion:

The applicant, Mr. Kay Heaps, is proposing to change the General Plan for several properties that are included in an Annexation that the City is currently reviewing. The General Plan designation for the subject property is Residential 1 unit per 5 Acres. The applicant has requested that the General Plan be changed to Residential 1.5 to 2.5 units per acre. The subject property is located at 600 South 2550 East.



Staff understands that one of the reasons for the current General Plan designation of the property is concern about utility limitations on the northeast bench as a whole. Work recently performed by the City's Engineering

Department has, however, confirmed that there is adequate capacity available to serve the development of these parcels at a rate of 2.5 units per acre or less. That particular density, 2.5 units per acre or less, is essentially what the applicant is requesting.

Given the understanding that adequate utility capacity can be made available for the density that the applicant is requesting, staff sees no reason to deny the request. The Residential 1.5 to 2.5 units per acre designation would allow for the properties to be developed in the R-1-15 zone. That zoning designation would allow for the properties involved to be developed in a manner that is consistent with the City's Plans for the properties to the north.

The Development Review Committee:

The Development Review Committee reviewed this proposal in their October 31, 2007 meeting and recommended that it be approved.

The Planning Commission:

The Planning Commission reviewed this request in their November 7 meeting and recommended that it be approved. Draft minutes from that meeting read as follows:

Envision General Plan Amendment

Applicant: Kay Heaps

General Plan: Residential 1.5 to 2.5 Units Per Acre

Zoning: R-1-15 requested

Location: 600 South 2550 East

Mr. Anderson explained the dividing line for what is currently planned for residential zone.

Commissioner Marshall asked if the City had a number of how many it can serve with regard to utilities. He does not feel that he has been presented with enough material to make a decision with regard to this proposal.

Mr. Anderson explained reports have been prepared and will be presented soon.

Kay Heaps

Mr. Heaps explained that Mr. Hallam's property will remain a R-R zone and the property adjacent will be R-1-15.

Commissioner Lewis feels that the entire area adjacent to the proposal should be R-1-15 and until the railroad crossing at 2550 East reopens the City should not approve anymore development in this area.

Discussion was held regarding the time frame on the reopening of the railroad crossing at 2550 East, and the configuration of the crossing.

Commissioner Robins said he will not support anymore development in this area until the railroad crossing reopens. Commissioner Lewis agreed.

Commissioner Lewis **moved** to recommend **approval** of the proposed General Plan Amendment at approximately 600 South 2550 East, changing the General Plan from Residential 1 unit per 5 acres to residential 1.5 to 2.5 units per acre based on the following findings:

Findings

1. That the proposed Amendment would allow for development that is consistent with what the City is planning in the immediate vicinity.
2. That the City has adequate utility capacity to serve development with the residential 1.5 to 2.5 units per acre General Plan designation.

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

Budgetary Impact:

This change would allow for the development of considerably more homes on the subject property but likely would not result in any significant impact on the City's budget.

Alternatives:

The City maintains considerable discretion with respect to approving or denying General Plan Amendments. The Council may opt to approve or deny the proposed request or consider some alternate action.

Recommendation:

Staff recommends that the City Council approve the proposed General Plan Amendment at approximately 600 South 2550 East, changing the General Plan from Residential 1 unit per 5 acres to Residential 1.5 to 2.5 units per acre based on the following findings:

Findings:

1. That the proposed Amendment would allow for development that is consistent with what the City is planning in the immediate vicinity.
2. That the City has adequate utility capacity to serve development with the Residential 1.5 to 2.5 units per acre General Plan designation.

SPANISH FORK CITY

MEMORANDUM

TO: Spanish Fork City Council
FROM: Dave Anderson, Planning Director
DATE: November 20, 2007
RE: Proposed Changes to Title 15

Background

Several months ago, the applicant, Jed Morley, approached the City about constructing storage units on a parcel of land located at the intersection of Arrowhead Trail and Del Monte Road. As the property is currently zoned Industrial 2, Mr. Morley is entitled to have that particular use approved on the property as self storage units are a Conditional Use in the Industrial 2 zone.



The change that is proposed to Title 15 has come about as the Industrial 2 Zone requires a 50-foot setback between uses in that zone and the property line. Mr. Morley would like to locate his storage units 10 feet from the property line. Therefore, staff has prepared language for a Text Amendment that would provide the Planning Commission with an opportunity to reduce the required setback from 50 feet to 10 feet. As currently written, the proposed amendment would have the Planning Commission exercise

discretion as applicants in the Industrial 2 zone apply for Conditional Use approval.

Staff's main motivation in supporting this change is the belief that allowing the setback reduction is preferred to other options the applicant has in using the property. As the property is zoned Industrial 2, the range of permitted uses is broad and includes uses that are certainly not appropriate in such close proximity to residential areas.

Staff understands that the applicant is concerned about staff's unwillingness to make an additional change to the ordinance that would make self storage units a permitted, rather than conditional, use in the Industrial 2 zone. To that effect, Mr. Morley has submitted a letter that is attached to this report.

The first revision involves the footnotes found to Table 2 - Commercial and Industrial Development Standards, the language that is proposed to be added is identified in red.

1- Where range is indicated, side or rear setbacks are when the adjacent parcel is a residential use or district

2- Lower heights shown are for buildings and structures within 50 feet of a residential district or use.

Note: There are no minimum lot size, width, or lot frontage requirements. However, any new building or development must have permanent access on a paved road or driveway with a minimum width of 24 feet, with proper base material. Other improvements, such as curb and gutter, sidewalk, and additional pavement width or thickness may be required depending upon the nature of the business. (Ord. No. 07-04, Amended Industrial Zones Height Restriction, 05/04/2004)

3 - The setback for self storage units in the I-2 Zone may be reduced by the Planning Commission as noted in 15.3.16.130 E 1.

The second revision involves adding language to the description of the Industrial 2 Zone, the additional language is provided below in red:

15.3.16.130. I-2 Medium Industrial.

This district is intended to provide for employment related uses including light manufacturing, assembling, warehousing, and wholesale activities. Associated office and support commercial uses are water, or noise pollution may be considered as conditional uses. Residential uses are not allowed.

A. Permitted Uses:

1. Manufacturing and assembly of finished products except animal and marine fats and oils, ammunition, and those manufacturing uses listed as conditional uses.
2. Wholesale trade businesses except explosives or automobile wrecking or salvage yards.
3. Lumber and building material yards.
4. Contractor warehouse and storage yards.
5. Trucking and warehousing.
6. Research, development, and testing services.
7. Automotive service, paint and body work, other consumer goods repair.
8. Municipal facilities required for local service.
9. Trade or business schools.
10. Office supply, copying, printing businesses.
11. Offices.
12. Restaurants.

13. Financial institutions.
14. Retail businesses
15. Telecommunication towers not taller than sixty (60) feet.

B. Uses Subject to Conditions (as described in §15.3.24.010 et seq.):

1. Seasonal sales and special events.

C. Uses Subject to Conditional Use Permit (see §15.3.08.060):

1. Manufacture of concrete products.
2. Outdoor commercial recreation facilities.
3. Drive-in theaters.
4. Commercial kennels, animal shelters, and veterinary hospitals with outdoor boarding or exercise facilities.
5. Telecommunication towers taller than sixty (60) feet.
6. Self-storage warehouses and/or recreational vehicle storage.

D. Accessory Buildings and Uses (see §15.3.24.090):

1. Caretaker's residence.

E. Development Standards (see Table 2):

1. The setback for self storage units may be reduced to as little as 10 feet, at the discretion of the Planning Commission, based on the creation of an adequate buffer between the self storage units and the adjacent property. The adequate buffer shall include landscaping, architectural upgrades and any other measures deemed necessary by the Commission.

F. Site Plan/Design Review (see §15.4.08.010 et seq.).

G. Landscaping, Buffering, Walls (see §15.4.16.130).

H. Signs (see §5.36.010 et seq.).

TABLE 2 - Commercial and Industrial Development Standards

Development Review Committee

The DRC reviewed the above described changes in their October 31 meeting and recommended that they be approved.

Planning Commission

The Planning Commission reviewed this request in their November 7, 2007 meeting and recommended that it be approved. Draft minutes from the Planning Commission's meeting read as follows:

Spanish Fork Storage Conditional Use and Ordinance Amendment

Applicant: Jed Morley

General Plan: General Commercial

Zoning: Industrial 2

Location: Arrowhead Trail and Del Monte Road

Mr. Anderson explained that in order for the applicant to develop according to his specific desire the ordinance needs to be amended. He also explained the changes that would need to be made in the ordinance. He feels that given all the facts this is the best decision for the City and explained that the Development Review Committee was not comfortable in supporting Mr. Morley's request to make self storage units a Use Subject to Conditions. This is mainly because several other properties in the City are zoned I-2 that are also islands within residential zones which heighten concerns about forgoing the discretion that the current Conditional Use status allows the City to exercise.

Commissioner Christianson asked about notification to adjacent property owners. Mr. Anderson explained the notification process and standards.

Jed Morley

Mr. Morley explained he has spent a lot of time with consultants in designing a concept plan. He realizes this is a gateway to the City and feels he will have adequate parking, lighting, and decorative walls that are pleasing to the eye and that will also reduce sound, and noise. He feels this will be more of a retail look than self storage.

Chairman Robins does not like shrinking setbacks and asked Mr. Morley to help him understand how shrinking the setback would be the best option.

Mr. Morley explained the architecture of the wall will be very pleasing and in front of that will be nice landscape as well as an existing canal that will serve as cushion between his proposal and adjacent properties.

Commissioner Christianson asked Mr. Morley if he had researched or thought of other uses.

Mr. Morley explained that he had but feels his proposal is conducive to the current market demand.

Discussion was held regarding zoning and what Mr. Morley's concept presentation for Conditional Use would be.

James Webster

Mr. Webster appreciates Mr. Morley's comments. He feels the proposal will be an eyesore and cannot make sense of an Industrial zone being next to a low density residential zone. He feels the City should look at zoning this property to residential.

Mr. Anderson passed out the concept plan for the architecture of the proposed masonry wall.

Mr. Morley explained the concept plan and feels that it is very pleasing to the eye.

Diedre Henderson

Ms. Henderson asked where the ingress and egress would be. Mr. Morley explained. Ms Henderson feels that the access onto Del Monte is not good and does not see how the road could accommodate an increase in traffic.

Discussion was held regarding the use at the proposed site and that traffic would be affected no matter what. Chairman Robins discussed with Ms. Henderson what she felt would be the best Industrial use on the property.

Clark Olson

Mr. Olson explained that Arrowhead peaks right in the middle of the proposed project and feels that there will be a lot of accidents. Would like to see professional office buildings and feels they would be the best fit.

Sharon Bies

Ms. Bies explained she was in an accident in Provo where a vehicle hit her because they failed to see her due to a reduced setback. She feels that she is living proof that the reduction in setbacks is dangerous.

Mr. Morley feels that the setback issue only applies to the residential side and will not affect visual on the other sides.

Mr. Anderson explained that this setback will not change the line of sight requirements on the intersection.

Discussion was held regarding site design, the conditional use approval process and notification standards.

Commissioner Christianson feels that something other than a wall would be preferable at the egress and ingress of Quail Hollow and feels the City could put in a right turn lane on Del Monte.

Commissioner Marshall made a **motion** to recommend **approval** of the proposed changes to Title 15 changing the footnotes found on Table 2 – Commercial and Industrial Development Standards by adding:

3 – The setback for self storage units in the I-2 Zone may be reduced by the Planning Commission as noted in 15.3.16.130 E 1.

Second revision involves adding language to the description of the Industrial 2 Zone, 15.3.16.130 I-2 Medium Industrial, A. Permitted Uses, E. Development Standards, 1. The setback for self storage units may be reduced to as little as 10 feet, at the discretion of the Planning Commission, based on the creation of an adequate buffer between the self storage units and the adjacent property. The adequate buffer shall include landscaping, architectural upgrades and any other measures deemed necessary by the Commission.

Commissioner Lewis **seconded** and the motion **passed** by a roll call vote. Chairman Robins voted nay. He feels there is no good reason to shrink a setback for any use.

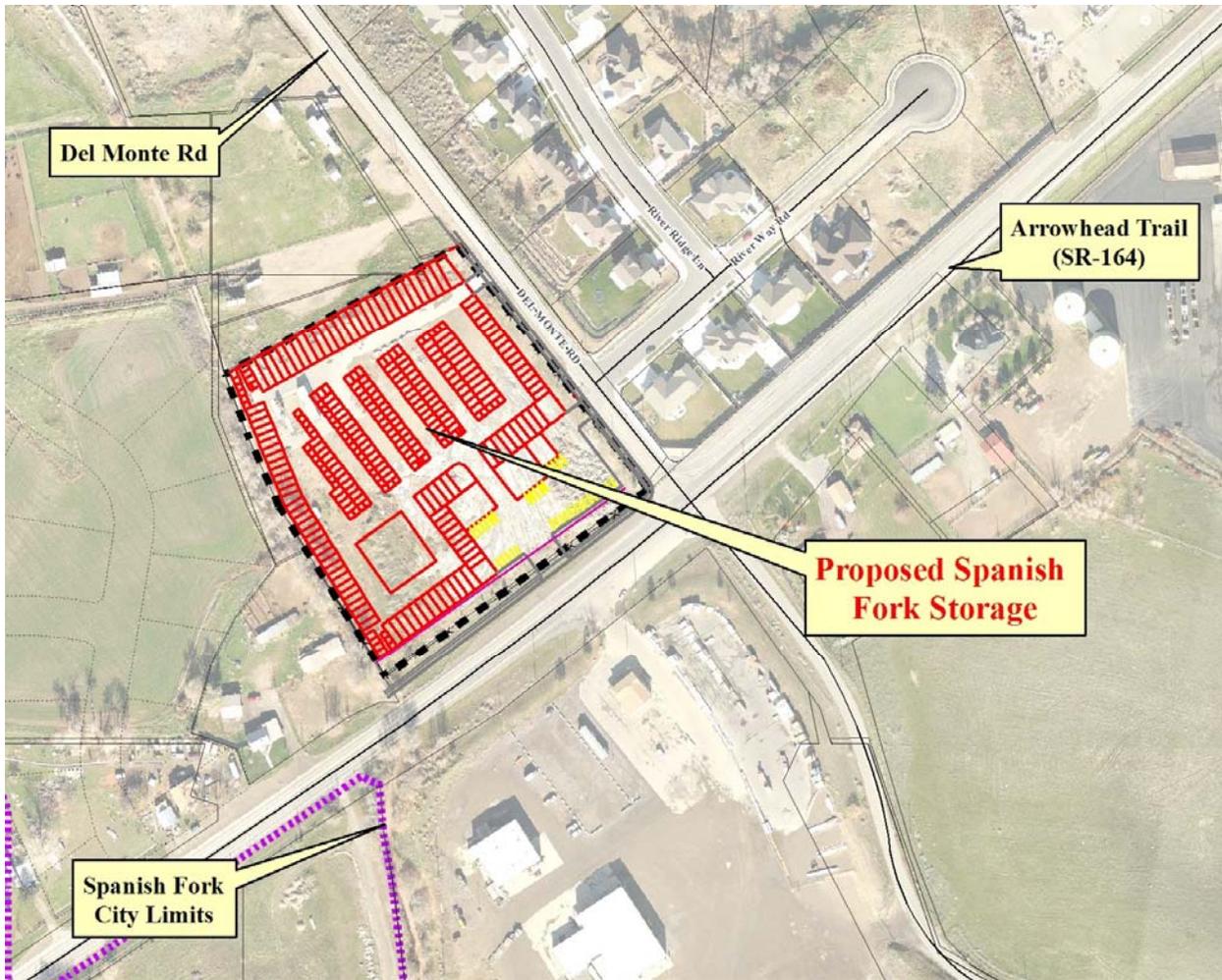
Recommendation

Staff recommends that the City Council approve the proposed Zoning Text Amendment based on the following findings:

Findings:

1. That the proposed changes allow for more functional development.
2. That the proposed changes do not reduce the City's ability to impose site specific conditions to mitigate any adverse impacts on the surrounding area.

attachments: image describing proposed Site Plan
November 1, 2007 Jed Morley letter



November 1, 2007

Mr. Dave Anderson
Spanish Fork City Planner

RE: SF Storage Zoning

Dear Mr. Anderson,

After meeting with the DRC and discussing all the options about the potential zoning I wanted to make sure that the intent of my request is understood. As you know over the past six months I have met with you and discussed the potential for storage units and what I should do. I have filled out all the options from re-zoning the property from I2 to I1, text amendment and conditional use permits etc.

In the last two meetings with staff you have suggested that I can do a text amendment and leave it in the I2 zone as a conditional use. I however do not want a conditional use and do not feel that it meets any different requirements than that of I1 to be a permitted use with conditions.

After carefully reading the I2 zoning, which is, ironically heavier industrial there are several consistent uses to storage such as contractor storage with ware yards etc. Yet it says storage units are conditional. I feel that the conditional use permit has hurt the process and not allowed me to formalize my drawings, engineering and costs.

I am asking that the city change the text amendment request to allow storage units in the I2 zone as a permitted use but with conditions for a lesser set back than that of fifty feet. I feel this set back may only be applies to I2 because there are so few zones left in the city which this will effect, unlike I1.

The conditions for the decreased setback up to 10 feet from property line for storage units in the I2 zone should be as follows:

Landscape The overall project shall meet a landscape plan with increased focus in curb appeal to city streets. All areas in setbacks are to be landscaped and shall have trees, wall shrubs and greenery within the 10 foot setback.

Walls The outside walls may only be used as the exterior portion of the storage building if they are a minimum 60% masonry with decorative accents and details. The maximum height with the reduced setback is sixteen feet. This height may be increased higher with a greater setback.

Lighting All lighting shall be themed decorative and shine downward along residential boundaries.

I know by allowing these changes this will increase the overall project design and image of traditional storage units from industrial to commercial and becomes neighborhood friendly. This

zone change benefits everyone by increasing sights, sounds and security to a much greater level. This should become a standard that will increase the storage unit design and not lower it, thus keeping with the Spanish Fork city motto of Pride and Progress.

I appreciate all you feedback and help.

Regards,

Jed Morley

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Tentative Minutes
Spanish Fork City Council Meeting
November 6, 2007

Elected Officials Present: Mayor Pro Tem Matthew D. Barber, Councilmember's G. Wayne Andersen, Steven M. Leifson, Seth V. Sorensen, and Chris C. Wadsworth

Staff Present: Dave Oyler, City Manager; Seth Perrins, Assistant City Manager; Dave Anderson, City Planner; Richard Heap, Public Works Director; Kent Clark, Finance Director; Christine Johnson, Assistant City Attorney; Kimberly Robinson, Deputy Recorder

Citizens Present: Colby Bellows, Ashlee Swenson, Lysie Beckstrom, Merrell Jolley, Veronica Hancock, Heidi Hancock, Spencer Borup, Stephen Atkinson, Ralph Calder, Kaiden Hunt, Calvin Hansen, Ray Galt, Ken *Illegible*, Heather Campbell, Chris Hansen, Taalin Rasmussen, Jackson Frame, Caleb Dayley, Brendan Dayley, Heath Morgan, Tanner Sandbakken, Ethan Lowe, Cody Fillerup, Jacob Wahinehookae, D. Weatherford, Shay LeFevre, Matt Chandler, Pat Parkinson, Josh Butler, Trevor Carter, Mallory Kelly, Katie Jackson, Alexa Beck, Matt Gardner, Alex Rodriguez Vaugas, Shiloh Nelson, Justin Humphreys, Spencer Barber, Bruce Fallon, Josh Fallon, Todd Mitchell, Silas Baum, Levi Mitchell, Justin Bradford, Treyven Harrison, Lafe Baum, Susan Barber, Ralph Calder

CALL TO ORDER, PLEDGE:

Mayor Pro Tem Barber called the meeting to order at 6:00 p.m.

Scout Ethan Lowe led in the pledge of allegiance.

Mayor Pro Tem Barber recognized Planning Commissioner Sharon Miya for receiving a state science teacher award.

PUBLIC COMMENTS:

Susan Barber

Ms. Barber suggested adding on the city utility bill a place where people can donate to the pioneer cemetery. It will be in the same place as where they can donate to the Red Cross currently located on the city bill.

Mr. Clark explained they have done donations on the utility bill, there are a few options as to how to place it onto the bill.

Mayor Pro Tem Barber asked staff to see how to get the information on the city bill.

Mr. Clark explained the city will gather funds under a separate GL and then it will be spent by the city on what the DUP would like it to be.

COUNCIL COMMENTS:

Councilman Andersen commented there are two hours left before the polls close they encourage all to vote.

51 Councilman Leifson reported the 9th grade football team won the state tournament last week,
52 which has not been done since the 1980's.

53
54 Mayor Pro Tem Barber thanked all the staff and kids for the spook alley this year.

55
56 **PUBLIC HEARING:**

57
58 Councilman Sorensen made a **Motion** to move to public hearing at 6:08 p.m. Councilman
59 Andersen **Seconded** and the motion **Passed** all in favor.

60
61 **Budget Revision FY 2008**

62
63 Mr. Clark handed out the 2008 Budget Revision 1, and explained the budget process. He then
64 reviewed the changes made to the general fund.

65
66 Mr. Robinson explained the changes to the parks and recreation.

67
68 Mr. Clark explained changes to the enterprise funds.

69
70 Mr. Heap noted they had to replace two pumps, and there was some sidewalk replacement.

71
72 Mr. Clark explained the rate changes, and changes to the building permit fees.

73
74 This item was opened for public comment.

75
76 Pat Parkinson

77 Ms. Parkinson explained when her subdivision was built the developer was going to install the PI
78 system. The homeowners gave money to install the service and it never got done. They paid
79 \$2,000 before anyone else paid it and now they pay the rate as well, she would like to know why
80 her 15 house development had to pay the impact fee too.

81
82 Councilman Sorensen made a **Motion** to close the public hearing. Councilman Andersen
83 **Seconded** and the motion **Passed** all in favor at 6:28 p.m.

84
85 Councilman Leifson disclosed he has a conflict with the Better Biodiesel contract and excused
86 himself from voting on that item.

87
88 Councilman Sorensen made a **Motion** to adopt the FY 2008 Budget Revision 1. Councilman
89 Leifson **Seconded** and the motion **Passed** by a roll call vote.
90 Councilman Andersen voted Nay because he would like to read through the information better.
91 Councilman Barber voted Nay because this is the first time they have seen it and he would like to
92 have more time to review it. The motion **Passed** 3-2.

93
94 This item was requested to be on the next agenda at the next Council meeting.

95
96 **CONSENT ITEMS:**

97
98 **Minutes of Spanish Fork City Council Meeting – October 16, 2007**

99 **Better Biodiesel Contract**

100 **Electric Easement Agreement with BALY**

101
102 Councilman Sorensen made a **Motion** to accept the consent items. Councilman Wadsworth
103 **Seconded** and the motion **Passed** all in favor.

104
105 **NEW BUSINESS:**

106
107 **I-15 Corridor EIS Project Update**

108
109 Merrill Jolley
110 Mr. Jolley is the project manager for UDOT. He then gave an update of the project. They are
111 about to publish their environmental document draft. They are looking at minor changes to the
112 off ramps from Main Street and Highway 6. Public Hearings will be held December 13th and
113 15th.

114
115 Councilman Sorensen explained what a Budget Revision is and that it is the same budget
116 approved at the first of the year, this is where they reconcile the changes they made between the
117 time they approve the budget and the next budget.

118
119 **Appeals Authority – Ridgeline Development Inc.**

120
121 Mr. Baker explained this is an appeal for a decision made in the planning office. He reviewed the
122 land use development appeal board duties. There are five criteria that have to be met in order to
123 qualify for a variance. It cannot be a financial hardship and must meet the general intent of the
124 code. This is not a public hearing, but notices have been sent to the adjacent property owners as
125 interested parties.

126
127 Mr. Anderson explained the request, and some background information. In 2006 the city annexed
128 the Andersen salvage property and the subject property, the ground is currently zoned I-1. The
129 specific zoning standard Mr. Calder is requesting tonight would change the city setback
130 requirement for I-1 land next to residential property. The standard requirement for an I-1 zone is
131 25 feet from the property line. He noted prior to the property being annexed there would be no
132 property setback required. There are five different standards in our ordinance and in order for the
133 Council to grant a variance they all must be met. The property owner owns a 25 ft roadway
134 easement to the north that would not be buildable. He then listed the five findings that need to be
135 met in order to grant a variance.

136
137 1. That the literal enforcement of the zoning ordinance would cause an unreasonable hardship for
138 the applicant that is not necessary to carry out the general purpose of the zoning ordinance
139 because it would not allow the construction of a building that is essential to the continued
140 operation of an existing business.

141 2. That there are special circumstances attached to the property that does not generally apply to
142 other properties in the same district because of the presence of the easement on the property line.

143 3. That granting the Variance is essential to the enjoyment of a substantial right possessed by
144 other property in the same district as it is the only means of the City issuing a permit for the
145 garage.

146 4. That the Variance will not substantially affect the General Plan and will not be contrary to the
147 public interest as the existing easement will ensure an adequate separation between the garage
148 and any residential use on the adjacent property.

149 5. That the spirit of the zoning ordinance is observed and substantial justice done as the Variance
150 allows the owner to make use of his property to the same extent that he would have been able to
151 before the adjacent property was annexed in 2006.

152
153 Councilman Wadsworth asked how long the applicant has owned the property.

154
155 Ralph Calder
156 Mr. Calder stated he has been there approximately 15 years.

157
158 This item was opened for any adjacent or across the street land owners to give public comments.

159
160 There was no comment made at this time.

161
162 Councilman Andersen made a **Motion** to approve the proposed variance for Ridgeline Inc. based
163 on the five findings:

164
165 **Findings:**

166 1. That the literal enforcement of the zoning ordinance would cause an unreasonable hardship for
167 the applicant that is not necessary to carry out the general purpose of the zoning ordinance
168 because it would not allow the construction of a building that is essential to the continued
169 operation of an existing business.

170 2. That there are special circumstances attached to the property that does not generally apply to
171 other properties in the same district because of the presence of the easement on the property line.

172 3. That granting the Variance is essential to the enjoyment of a substantial right possessed by
173 other property in the same district as it is the only means of the City issuing a permit for the
174 garage.

175 4. That the Variance will not substantially affect the General Plan and will not be contrary to the
176 public interest as the existing easement will ensure an adequate separation between the garage
177 and any residential use on the adjacent property.

178 5. That the spirit of the zoning ordinance is observed and substantial justice done as the Variance
179 allows the owner to make use of his property to the same extent that he would have been able to
180 before the adjacent property was annexed in 2006.

181
182 Councilman Sorensen **Seconded** and the motion **Passed** all in favor.

183
184 **Board and Commission Appointments – Historic Committee**

185
186 This item was moved to a later meeting.

187
188 **Adjourn to Redevelopment Agency**

189
190 Councilman Sorensen made a **Motion** to move to the Redevelopment Agency Meeting.

191 Councilman Leifson **Seconded** and the motion **Passed** all in favor at 6:57 p.m.

192
193 Councilman Sorensen made a **Motion** to close the RDA public hearing and return to the regular
194 Council meeting. Councilman Leifson **Seconded** and the motion **Passed** all in favor at 6:59 p.m.

195
196 **OTHER BUSINESS:**

197

198 Mr. Heap explained they want to discuss with the Council how to deal with private streets, and
199 whether they want to have narrower streets or to do away with private streets. He would like
200 input from the Council on the issue of private streets.
201

202 Councilman Leifson feels if there are houses there needs to be sidewalks, he is fine having gated
203 communities but feels their streets should meet our standards. He feels really strong there should
204 be sidewalks on both sides of the streets.
205

206 Councilman Sorensen is not a fan of private subdivisions, he feels they tend to have more issues,
207 in most cases the HOA can't sustain the needs of the community. He agrees with Councilman
208 Leifson that everything has to meet city standards.
209

210 Councilman Andersen feels any of those streets that have ingress and egress onto the major roads
211 should be owned by the city. Being able to gate or hamper the cities ability to provide services is
212 not justifiable to him.
213

214 Councilman Sorensen noted an issue that came up with a private street that will cause traffic
215 problems.
216

217 Councilman Wadsworth noted this issue has come up a few times over the years, he asked what
218 the positives have been with the private streets.
219

220 Mr. Heap stated people like living on private streets because they do not have as much traffic.
221

222 Councilman Leifson stated Somerset Village works because there is no through traffic.
223

224 Councilman Wadsworth likes the idea of private roads like Somerset Village.
225

226 Mr. Anderson explained there is an option to create a smaller street standard to correspond with
227 some of the private roads.
228

229 Mr. Heap stated there would be restrictions on how many homes are allowed on it etc.
230

231 Mr. Anderson suggested staff give some options for private street standards.
232

233 The Council agreed they would like to see a standard that works for everyone involved.
234

235 Councilman Andersen does not like to be held in a position that could jeopardize the health
236 safety and welfare of the citizens and have no control over it.
237

238 Mayor Pro Tem Barber would like to see options for fire and emergency access.
239

240 Councilman Leifson wants it to meet the city standards so in the future if the city has to take over
241 it will not need to be brought to the city standards with tax payer dollars.
242

243 The Council agreed they would like to see the process gone through and brought back to the
244 Council.
245

246 Mayor Pro Tem Barber encouraged staff to work on the traffic issues on Escalante drive.
247

248 Mr. Heap said they are looking at some other options, such as traffic counts and speeds.

249

250 **ADJOURN:**

251

252 Councilman Sorensen made a **Motion** to adjourn to executive session for Legal and Land Issues

253 Councilman Leifson **Seconded** and the motion **Passed** all in favor at 7:18 p.m.

254

255 ADOPTED:

256

257

Kimberly Robinson, Deputy Recorder