



## AMENDED CITY COUNCIL AGENDA

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 August 21, 2012**.

### AGENDA ITEMS:

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

- a. Pledge, led by invitation
- b. Life Saving Recognition
- c. Employee of the 2<sup>nd</sup> Quarter

#### 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. 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 – July 31, 2012
- b. \* Legacy Farms Connector's Agreement
- c. \* R&C Supply Connector's Agreement
- d. \* UDOT Cooperative Agreement – Main Street Arrowhead Pedestrian Crossing
- e. \* Fairgrounds Ornamental Fence Agreement with Standard Fence, Inc. Ratification
- f. \* Fairgrounds Arena Lighting Change Order with Rydalch Electric Ratification

#### 5. PUBLIC HEARING:

- a. \* Ordinance #10-12 Making Miscellaneous Changes to Title 15

#### 6. NEW BUSINESS:

- a. \* Preliminary Plat, Old Mill Estates located at approximately 1500 South Mill Road
- b. \* Preliminary Plat, Somerset Village located at approximately 2700 East Canyon Road

#### 7. CLOSED SESSION:

- a. Legal
- b. Property Purchase

### ADJOURN:

\* Supporting documentation is available on the City's website [www.spanishfork.org](http://www.spanishfork.org)

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 meeting for any of the purposes identified in that Chapter.
- This agenda is also available on the City's webpage at [www.spanishfork.org](http://www.spanishfork.org)

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 804-4530.

Draft Minutes  
Spanish Fork City Council Meeting  
July 31, 2012

Elected Officials Present: Mayor G. Wayne Andersen, Councilmembers Steve Leifson, Keir A. Scoubes, Richard Davis. Absent: Councilmembers Rod Dart, Brandon Gordon.

Staff Present: David Oyler, City Manager; Junior Baker, City Attorney; Seth Perrins, Assistant City Manager; Dave Anderson; Community Development Director; Chris Thompson, Public Works Director; Steve Adams, Public Safety Director; Shelley Hendrickson, Planning Secretary.

Citizens Present: Allison John, Levi John, Don Thomas, name illegible, Brad Tanner, Cary Hanks, Cary Robarge.

**CALL TO ORDER, PLEDGE, RECOGNITION:**

Mayor Andersen called the meeting to order at 6:00pm and led in the pledge of allegiance.

**PUBLIC COMMENTS:**

Levi John expressed his thanks to the City's Emergency Services, Fire Department and the Police Department.

Cary Hanks, Director of the Spanish Fork/Salem area Chamber of Commerce and Brad Tanner, who is the president elect, addressed the Council. Mr. Tanner gave an update from the Chamber and Ms. Hanks announced a ribbon cutting event that will be held along Main Street; marking the end of the I-core project.

**COUNCIL COMMENTS:**

Councilman Davis expressed that he thought Fiesta Days was awesome and thanked the Fiesta Day Chairman and all of the volunteers.

Councilman Leifson explained that he had spoken to people outside of our City who had attended the Fiesta Days Celebration and that they all said that they loved it. He thanked everyone who was involved with Fiesta Days.

Councilman Scoubes expressed that Fiesta Days was great and thanked the Fire, Police, and EMS Departments for the calls and traffic control.

Mayor Anderson explained that a lot had happened within the City this past year and expressed how great our City is. He expressed his appreciation to everyone who has spent their time making Spanish Fork the City that it is.

**CONSENT ITEMS:**

- a. Minutes of Spanish Fork City Council Meeting – July 17, 2012
- b. Rocky Mountain Power Gateway South Transmission Project, Consent to Entry
- c. Net Metering Agreement with William Whitney
- d. ICPE Master Services Agreement
- e. Strawberry Project Water Dedications Lease Back Agreements

49 Councilman Leifson made a **Motion to Approve** the consent items.  
50 Councilman Scoubes **Seconded** and the motion **Passed** all in favor.

51

52 **NEW BUSINESS:**

53 **Planning Commission Appointments**

54 Mayor Andersen expressed thanks to Mike Christianson, Rick Evans and David Stroud who are  
55 at the end of their term of service on the Planning Commission. He appointed Richard Heap,  
56 Bruce Fallon and Reed Swenson, as their replacements, to the Planning Commission.

57

58 Councilman Davis made a **Motion to Approve** Richard Heap, Bruce Fallon and Reed Swenson to  
59 the Planning Commission.

60 Councilman Leifson **Seconded** and the motion **Passed** all in favor.

61

62 **Resolution #12-07 Authorizing the Electric Superintendent to execute net metering contracts**

63 Mr. Baker explained that two years ago UMPA changed their policy to allow for net metering.  
64 Net metering allows residents to provide some electric generation that back feeds onto the City's  
65 system. An individual is moving into the City that would like to place five solar panels on their  
66 home. In order to do so; they need to sign a contract. The contract has a few changes (from the  
67 contract that the City Council reviewed two years ago). The contract will allow for the Electric  
68 Superintendent to review the plans and sign the contract.

69

70 Councilman Leifson made a **Motion to Approve** Resolution #12-07 Authorizing the Electric  
71 Superintendent to execute net metering contracts.

72 Councilman Davis **Seconded** and the motion **Passed** all in favor by a roll call vote.

73

74 **CitizenServe Service Agreement**

75 Mr. Anderson explained that the contract, before the City Council, had been changed. He  
76 handed the Council a document and explained the changes. Mr. Anderson further explained the  
77 level of on-line service that the City will be able to provide (such as automate building  
78 applications, apply for permits, schedule inspections, view inspection reports etc.) with the  
79 implementation of this software. Everything that a citizen would need to come into the office for  
80 today, will now be able to be done remotely.

81

82 Councilman Davis **Moved to Approve** the CitizenServe Service Agreement.

83 Councilman Leifson **Seconded** and the motion **Passed** all in favor.

84

85 **ADJOURN:**

86 Councilman Davis made a **Motion to Adjourn**.

87 Councilman Scoubes **Seconded** and the motion **Passed** all in favor at 6:33 p.m.

88

89 **ADOPTED:**

90

91

---

Shelley Hendrickson, Planning Secretary



## MEMO

**To: Mayor and Council**  
**From: S. Junior Baker**  
**Date: 3 Aug 2012**  
**Re: Legacy Farms Connector's Agreement**

On the Council agenda for August 21, is a connector's agreement for the Legacy Farms development on 400 North. They ran culinary water and pressure irrigation water lines in 400 North from approximately 1880 East to 2010 East. They also ran electric line in 2550 East from 400 North to approximately 130 North. They ran an electric line in 400 North from 2550 East to approximately 2065 East. They are seeking pro-rata reimbursement from those other properties who connect to it. This is a standard connector's agreement and thus, appears on the consent agenda.



## CONNECTOR'S AGREEMENT

This Connector's Agreement made this 21<sup>st</sup> day of August, 2012, by and between Spanish Fork City, hereinafter called City, and Legacy Farms at Spanish Fork, LLC, hereinafter called Developer.

### RECITALS

WHEREAS, Developer is the owner of real property in Spanish Fork City; and,

WHEREAS, in order to develop that property, Developer has installed offsite utility improvements which will benefit other properties as they develop in the future; and

WHEREAS, a portion of the cost of the offsite improvements are due to upsizing for future growth and will be reimbursed from impact fees, leaving the balance to be recovered from the properties benefitting therefrom pursuant to this connector's agreement; and

WHEREAS, Developer has installed a sixteen (16) inch culinary waterline in 400 North from approximately 2010 East to 1880 East, a distance of 600 feet, at a cost of \$52,897.74, of which \$9,225.47 will be reimbursed from impact fees, leaving a balance due under this contract of \$43,672.27, or \$72.79 per foot; and

WHEREAS, Developer has installed a fourteen (14) inch pressurized irrigation waterline from approximately 2010 East to 1880 East, a distance of 600 feet, at a cost of \$46,781.74, of which \$5,488.71 will be reimbursed from impact fees, leaving a balance due under this contract of \$41,293.03, or \$68.82 per foot; and

WHEREAS, Developer has installed an electric line in the north side of 400 North from approximately 2065 East to 2550 East, and in the west side of 2550 East from 400 North to 130 North, for a total distance of 3,455 feet, at a cost of \$438,481.63, of which \$71,310.01 will be reimbursed from impact fees, leaving a balance due under this contract of \$367,171.62, or \$106.27 per foot; and

WHEREAS, there will be electric lines on both sides of 2550 East, as well as 400 North, making the full amount reimbursable to connecting frontage on the side of the street where the electric line is located; and

WHEREAS, Exhibit A, attached hereto and incorporated herein by this reference, identifies the culinary waterline, pressurized irrigation waterline, and electric lines installed by Developer; and

WHEREAS, it is anticipated that other owners of adjacent property will, at some

time in the future , desire to develop their property; and

WHEREAS, those other property owners would have to install equivalent facilities to develop their property, if not already installed by Developer; and

WHEREAS, City has determined that it is just and proper that owners of property who develop their property and attach to the sixteen (16) inch culinary waterline should reimburse Developer at the rate of \$36.39 per foot for the length of the property developed, provided a land owner who attaches merely for the purpose of extending the culinary waterline shall not be responsible for the cost thereof; and

WHEREAS, City has determined that it is just and proper that owners of property who develop their property and attach to the fourteen (14) inch pressurized irrigation waterline should reimburse Developer at the rate of \$34.41 per foot for the length of the property developed, provided a land owner who attaches merely for the purpose of extending the pressurized irrigation waterline shall not be responsible for the cost thereof; and

WHEREAS, City has determined that it is just and proper that owners of property who develop and attach to the electric lines should reimburse Developer at the rate of \$106.27 per foot for the length of the property developed, provided a land owner who attaches merely for the purpose of extending the electric line shall not be responsible for the cost thereof;

NOW, THEREFORE, in consideration of ten dollars and other good and valuable consideration paid by Developer to City, the parties agree as follows:

### TERMS

1. City will require the payment of \$36.39 per frontage foot of property developed and connecting to the sixteen (16) inch culinary waterline shown on Exhibit A as a condition of permitting any owner of property connecting to the culinary waterline to develop their property.
2. City will require the payment of \$34.41 per frontage foot of property developed and connecting to the fourteen (14) inch pressurized irrigation line shown on Exhibit A as a condition of permitting any owner of property connecting to the pressurized irrigation line to develop their property.
3. City will require the payment of \$106.27 per frontage foot of property developed and connecting to the electric lines shown on Exhibit A as a condition of permitting any owner of property connecting to the electric line to develop their property.

4. That payment of the sums mentioned in the preceding paragraphs shall bear no interest from the date hereof to date of payment.
5. That if a development application is made after thirty years from the date hereof, there shall be no payment required as a pre-condition of development approval.
6. That upon receipt of any sums due hereunder, City agrees to remit said sum to Developer or its assignees.
7. That it shall be the responsibility of Developer or its assigns to advise City, in writing, of any impending development which likely would trigger the connector's fee. In no event shall City be liable for failure to make collection, it being understood and agreed that City will use it's best efforts to make such collection.

SPANISH FORK CITY by:

\_\_\_\_\_  
G. WAYNE ANDERSEN, Mayor

Attest:

\_\_\_\_\_  
KENT R. CLARK, Recorder

LEGACY FARMS AT SPANISH FORK, LLC by:

\_\_\_\_\_  
DUANE F. HUTCHINGS, Manager

# Legacy Farms Connectors Agreements

Exhibit A



1" = 400 Ft

## Legend Connectors Agreement Use

- █ Culinary Water
- █ Pressurized Irrigation
- █ Electric

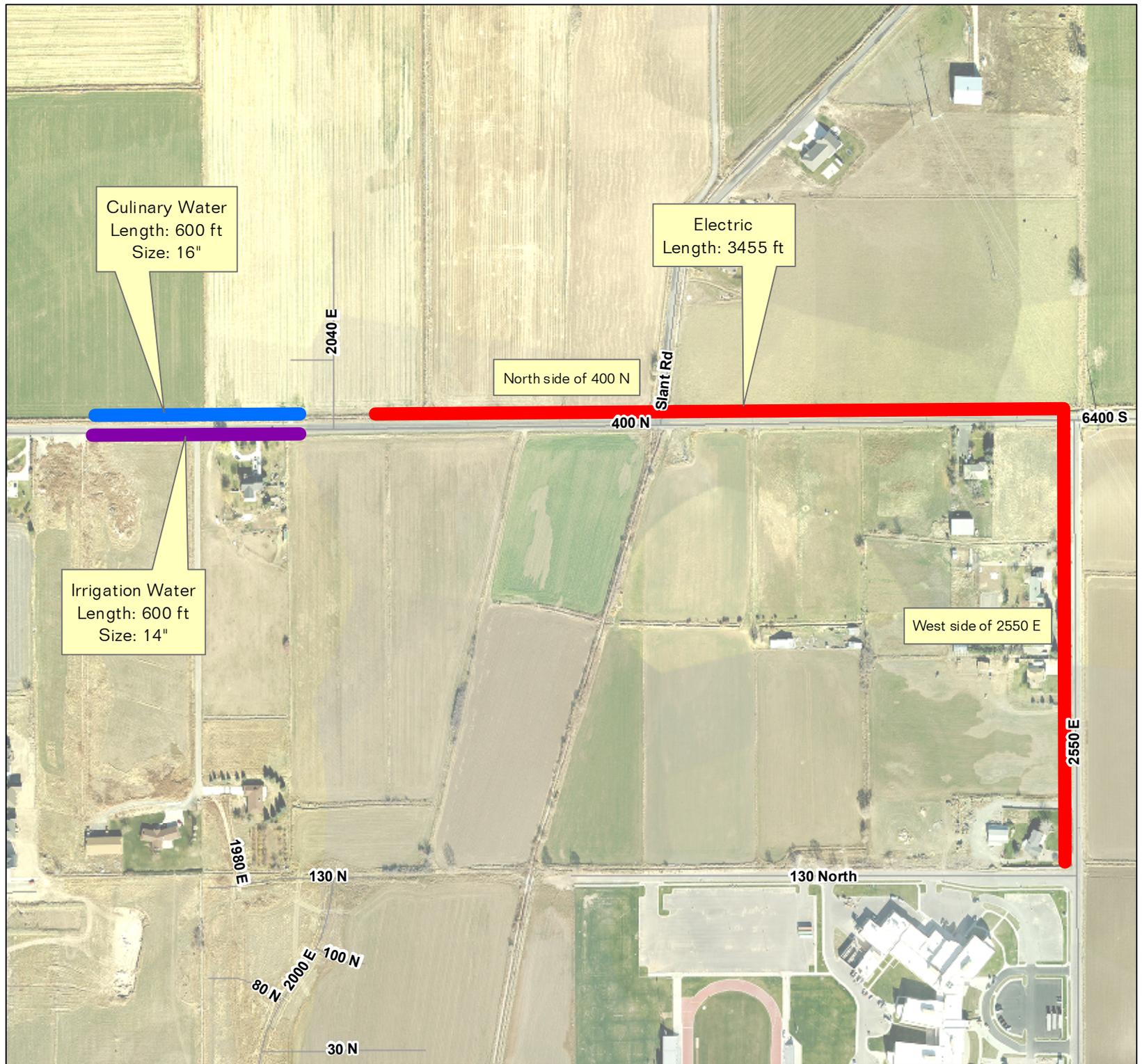
Print Date: 8/7/2012



GEOGRAPHIC INFORMATION SYSTEMS

Spanish Fork City GIS  
40 South Main St  
Spanish Fork, UT 84660  
GIS Phone Numbers;  
(801) 804-4571 (Administrator)  
(801) 804-4570 (Interns)

Disclaimer: Spanish Fork City makes no warranty with respect to the accuracy, completeness, or usefulness of these maps. Spanish Fork City assumes no liability for direct, indirect, special, or consequential damages resulting from the use or misuse of these maps or any of the information contained herein. Portions may be copied for incidental uses, but may not be resold.





## MEMO

**To:** Mayor and Council  
**From:** S. Junior Baker  
**Date:** 7 Aug 2012  
**Re:** R&C Supply Connector's Agreement

On the Council agenda for August 21, is a connector's agreement for the R&C Supply building on 1000 North. They ran a culinary water line in 1000 North from approximately 300 West to their property at 908 West, a distance of 1,680 feet. They are seeking pro-rata reimbursement from those other properties who connect to it. This is a standard connector's agreement and thus, appears on the consent agenda.

## CONNECTOR'S AGREEMENT

This Connector's Agreement made this 21<sup>st</sup> day of August, 2012, by and Between Spanish Fork City, hereinafter called City, and R & C Supply, LC, hereinafter called Developer.

### RECITALS

WHEREAS, Developer is the owner of real property in Spanish Fork City; and,

WHEREAS, in order to develop that property, Developer has installed an offsite culinary waterline in 1000 North, from its property located at 908 West 1000 North, a distance of 1680 feet, which waterline will also service those properties on the north and south side of 1000 North which the line fronts; and

WHEREAS, Exhibit A, attached hereto and incorporated herein by this reference, identifies the culinary waterline installed by Developer; and

WHEREAS, Developer has incurred expenses of \$61,464.03 in installing the offsite culinary waterline; and

WHEREAS, the cost per foot for the installation of the culinary waterline is \$36.59; and

WHEREAS, it is anticipated that other owners of adjacent property will, at some time in the future, desire to develop their property; and

WHEREAS, those other property owners would have to install equivalent culinary waterline facilities to develop their property, if not already installed by Developer; and

WHEREAS, City has determined that it is just and proper that owners of property who develop and attach to the culinary waterline should reimburse Developer at the rate of \$18.29 per foot for the length of the property developed, provided a land owner who attaches merely for the purpose of extending the waterline shall not be responsible for the cost thereof;

NOW, THEREFORE, in consideration of ten dollars and other good and valuable consideration paid by Developer to City, the parties agree as follows:

1. City will require the payment of \$18.29 per frontage foot of property developed and connecting to the culinary waterline shown on Exhibit A as a condition of permitting any owner of property connecting to the culinary waterline to develop their property.
2. That payment of the sum mentioned in the proceeding paragraphs shall

bear no interest from the date hereto to date of payment.

3. That if a development application is made after thirty years from the date hereof, there shall be no payment required as a pre-condition of development approval.
4. That upon receipt of such sums, City agrees to remit said sums to Developer or its assignees.
5. That it shall be the responsibility of Developer or its assigns to advise City, in writing, of any impending development which likely would trigger the connector's fee. In no event shall City be liable for failure to make collection, it being understood and agreed that City will use it's best efforts to make such collection.

SPANISH FORK CITY by:

\_\_\_\_\_  
G. WAYNE ANDERSEN, Mayor

Attest:

\_\_\_\_\_  
KENT R. CLARK, Recorder

R & C SUPPLY LC, by:

\_\_\_\_\_  
CHET V. OLSEN, Manager

# R&C Supply Connectors Agreements

Exhibit A



1" = 300 Ft

## Connectors Agreements

 Water

Print Date: 7/30/2012



GEOGRAPHIC INFORMATION SYSTEMS

Spanish Fork City GIS

40 South Main St

Spanish Fork, UT 84660

GIS Phone Numbers;

(801) 804-4571 (Administrator)

(801) 804-4570 (Interns)

Disclaimer: Spanish Fork City makes no warranty with respect to the accuracy, completeness, or usefulness of these maps. Spanish Fork City assumes no liability for direct, indirect, special, or consequential damages resulting from the use or misuse of these maps or any of the information contained herein. Portions may be copied for incidental uses, but may not be resold.





# Memo

To: Mayor and City Council  
From: Chris Thompson, Public Works Director/City Engineer  
Date: August 15, 2012  
Re: UDOT Cooperative Agreement, Main Street Arrowhead Trail Pedestrian Crossing

---

## Staff Report

The city has worked with UDOT to approve a set of plans for a pedestrian crossing at Main Street and Arrowhead Trail. UDOT has also agreed to participate in the costs of the crossing up to \$4,000. It is anticipated that the city's cost of the project would be about \$35,000. It will include an extension of the trail down Main Street to the south, pedestrian ramps and signals.

This agreement had been previously approved by the city council but UDOT has requested a few additional terms to the agreement. First, they want to clarify that the city intends to construct an under the bridge trail way which will be the preferred route for pedestrians. This has always been our intention and we have in fact been awarded a grant to do so. Then second, they would like us to seek grant funding for the work. This of course has already been done and awarded so we are fine with that as well.

The agreement also obligates the city to post no parking signs along Main St which is needed for safety issues. We recommend that the city council approve this cooperative agreement with UDOT for the Main Street Arrowhead Trail Pedestrian Crossing.

Attached: agreement



**COOPERATIVE AGREEMENT**

This **COOPERATIVE AGREEMENT**, made and entered into this \_\_\_\_\_ day of \_\_\_\_\_, 2011, by and between the **UTAH DEPARTMENT OF TRANSPORTATION**, hereinafter referred to as "**UDOT**", and **SPANISH FORK CITY**, a Municipal Corporation of the State of Utah, hereinafter referred to as the "**CITY**",

**RECITALS:**

**WHEREAS**, the **CITY** agrees that the majority of Spanish Fork River trail traffic crosses under the SR-198 roadway structure; and

**WHEREAS**, the **CITY** plans to create an at-grade 10' wide trail to bypass the SR-198 undercrossing in times of 'high water'; and

**WHEREAS**, the **CITY** desires to allow trail users to travel between the east side of SR-198 and the west side of SR-198 at-grade during times of 'high water' as part of the trail system connectivity; and

This **AGREEMENT** is made to set out the terms and conditions where under said work shall be performed.

**NOW THEREFORE**, it is agreed by and between the parties hereto as follows:

1. The **CITY** will pay for all costs associated with the following: a) design and construction of a 6' wide sidewalk along the east side of SR-198 from the northeast "corner" to the southeast "corner" of the intersection, and b) pedestrian signal items for trail users to cross SR-198 across the south leg of the intersection.

2. The **UDOT** will reimburse the **CITY** for the **CITY's** actual costs incurred for the pedestrian signal items associated with crossing the south leg of the intersection, as listed in the attached Bid Schedule – Utah Department of Transportation, dated January 25, 2012. These costs are estimated to be \$3,879.12 and not to exceed \$4,000.00. The final amount of **UDOT's** reimbursement shall be determined upon completion of construction.

3. The **CITY** shall submit itemized bills covering the **CITY's** actual costs incurred for the traffic signal modifications to:

UDOT CID No. 90442  
Cooperative Agreement for Pedestrian Signal Modifications  
SR-198 at SR-164

**SPANISH FORK CITY**

Federal ID No. 846000284

Utah Department of Transportation  
Attention: Larry Montoya  
Division of Traffic and Safety  
4501 South 2700 West  
Box 143200  
Salt Lake City, Utah 84119

4. In the event there are changes in the scope of the work, extra work, or changes in the planned work covered by this agreement, a modification to this agreement in the form of a supplemental agreement, signed by representatives of the parties hereto, is required prior to the start of work on said changes.

5. Should the **CITY's** contractor or subcontractor(s) remove or damage any of **UDOT's** survey control stakes or bench markers during their construction activities, those stakes or markers shall be reestablished by **UDOT** at the contractor's or subcontractor's expense. Likewise, should the contractor or subcontractor(s) remove or damage any of **UDOT's** property not related to construction activities, the contractor or subcontractor shall reestablish or replace those items in kind at no cost to the **CITY** or **UDOT**, and to **UDOT's** satisfaction.

6. **CITY** further agrees to seek enhancement funding to be used to construct a pedestrian bridge that will convey pedestrian traffic to the north side of the Spanish Fork river, allowing the pedestrian traffic to cross under SR-198 at the location indicated **UDOT** agreement No. 118097

7. **CITY** further agrees to post and enforce 'NO PARKING' along SR-198 to prevent the establishment of a trail head parking area.

---

UDOT CID No. 90442  
Cooperative Agreement for Pedestrian Signal Modifications  
SR-198 at SR-164  
**SPANISH FORK CITY**  
Federal ID No. 846000284

**IN WITNESS WHEREOF**, the parties hereto have caused these presents to be executed by their duly authorized officers as of the day and year first above written.

**ATTEST:**

**SPANISH FORK CITY**, a municipal corporation in the State of Utah

By: \_\_\_\_\_  
Title: \_\_\_\_\_  
Date: \_\_\_\_\_

By: \_\_\_\_\_  
Title: \_\_\_\_\_  
Date: \_\_\_\_\_

(IMPRESS SEAL)

\*\*\*\*\*  
**RECOMMENDED FOR APPROVAL: UTAH DEPARTMENT OF TRANSPORTATION**

By: \_\_\_\_\_  
Region Three Utility Coordinator  
Date: \_\_\_\_\_

By: \_\_\_\_\_  
Region Three Director  
Date: \_\_\_\_\_

**APPROVED AS TO FORM:**  
This Form Agreement has been previously Approved as to form by the office of Legal Counsel for the Utah Department of Transportation.

By: \_\_\_\_\_  
Contract Administrator  
Date: \_\_\_\_\_



## Staff Report to City Council

<b>Agenda Date:</b>	August 21, 2012
<b>Staff Contacts:</b>	Dale Robinson
<b>Subject:</b>	Fairgrounds Arena Ornamental Fence Agreement Ratification

### **Background Discussion:**

We originally entered into an agreement with Cedar Fence Company to install the ornamental fencing and gates outside the new arena. They had another contract that suddenly pulled them away from our job. Standard Fence stepped in and came immediately to get the job done just prior to our opening night of the rodeo. In the transition we failed to get an agreement approved and signed with Standard Fence to perform this work. The amount of the agreement is \$55,400.00.

### **Recommendation:**

I recommend that the council ratify the approval of this agreement with Standard Fence for \$55,400.00 to install the ornamental fencing.

### **Attachments:**

Agreement with Standard Fence, Inc.

## AGREEMENT

This Agreement, made this 12th day of June, 2012, by and between Spanish Fork City hereinafter called "OWNER" and Standard Fence, Inc. doing business as (a partnership, corporation or individual) hereinafter called "CONTRACTOR". Witnesseth: That for and in consideration of the payments and agreements hereinafter mentioned:

1. The CONTRACTOR will commence and complete the **SPANISH FORK FAIRGROUNDS COLISEUM ORNAMENTAL FENCING PROJECT 2012.**
2. The CONTRACTOR will furnish all of the material, supplies, tools, equipment, labor and other services necessary for the construction and completion of the project described herein.
3. The CONTRACTOR will commence the work required by the Contract Documents within **15 (FIFTEEN)** calendar days after the date of the Notice To Proceed.
4. The CONTRACTOR agrees to perform all of the work described in the Contract Documents and comply with the terms therein for the sum of **\$55,400.00; Fifty-Five Thousand Four Hundred Dollars and Zero Cents**, or as shown in the Bid Schedule.
5. The term "Contract Documents" means and includes the following:
  - (A) Notice of Invitation to Bid
  - (B) Information For Bidders
  - (C) Bid
  - (D) Bid Bond
  - (E) Agreement
  - (F) General Conditions
  - (G) Supplemental General Conditions
  - (H) Payment Bond
  - (I) Performance Bond
  - (J) Notice of Award
  - (K) Notice to Proceed
  - (L) Change Order
  - (M) Drawings prepared by Spanish Fork City
  - (N) Addenda: No. \_\_\_\_\_ Dated \_\_\_\_\_, 2012.

6. The OWNER will pay to the CONTRACTOR in the manner and at such times as set forth in the General Conditions such amounts as required by the Contract Documents.

7. This Agreement shall be binding upon all parties hereto and their respective heirs, executors, administrators, successors, and assigns.

In witness whereof, the parties hereto have executed, or caused to be executed by their duly authorized officials, this Agreement in ( duplicate ) each of which shall be deemed an original on the date first above written.

OWNER:

Spanish Fork City Corporation

BY: \_\_\_\_\_  
G. Wayne Andersen / Mayor

BY: \_\_\_\_\_  
Bill Bushman / Parks & Recreation Department

BY: \_\_\_\_\_  
Lua Saluone / Design Engineer

BY: \_\_\_\_\_  
Kent R. Clark / Finance Director

CONTRACTOR:

\_\_\_\_\_  
By: \_\_\_\_\_  
Address: \_\_\_\_\_  
\_\_\_\_\_

Subscribed and sworn to me this \_\_\_\_\_ day of \_\_\_\_\_, 2012.

Attest:

\_\_\_\_\_ Notary Public



# Memo

To: Spanish Fork City Council and Mayor Anderson  
From: Chris Thompson, Public Works Director/ City Engineer  
Date: August 17, 2012  
Re: Musco Lighting Change Order

---

## **STAFF REPORT**

This change order is to adjust fees related to the additional electrical equipment required provide proper electrical feeds to the newly installed Musco lighting system at the rodeo arena.

During the installation of the electrical system at the new rodeo arena it was discovered that the electrical panel for the arena lighting was not drawn into the plans and therefore not installed. Rydalch Electrical, who is the contractor installing the lighting system, and On Electric were both asked to provide bids for installing the required electrical equipment. Rydalch provided the lowest bid price. We therefore recommend that the city council ratify the approval of this change order for Rydalch Electric to install the required electrical panel for the arena lighting in the amount of \$5,041.00.



# Spanish Fork City

## Contract Change Order

Change Order Number: 1

Contract for	Spanish Fork Fairgrounds Arena Lighting	Date	7/30/2012
Owner	Spanish Fork City		
To	Rydalch Electric, Inc.		

You are hereby requested to comply with the following changes from the contract plans and specifications:

Description of Changes (Supplemental Plans and Specifications Attached)	Decrease in Contract Price	Increase in Contract Price
Electrical Distribution Panel for Lighting		\$5,041.00
TOTALS :	\$0.00	\$5,041.00
NET CHANGE IN CONTRACT PRICE :	\$0.00	\$5,041.00

JUSTIFICATION:

The amount of the contract will be increased by the sum of : Five Thousand Forty-One Dollars and 00/100  
\$5,041.00

The contract total including this and previous change orders will be : Two Hundred Forty-Four Thousand Eight Hundred Six Dollars  
and 00/100 \$244,806.00

This document will become a supplement to the contract and all provisions will apply herein.

Approved:	G. Wayne Andersen / Mayor	Date:	
Approved:	Lua Saluone / Design Engineer	Date:	
Approved:	Bill Bushman / Parks & Recreation Dept.	Date:	
Approved:	Kent R. Clark / Finance Director	Date:	

# ORDINANCE No. 10-12

## ROLL CALL

VOTING	YES	NO
<b>G. WAYNE ANDERSEN</b> <i>Mayor (votes only in case of tie)</i>		
<b>ROD DART</b> <i>Council member</i>		
<b>RICHARD M. DAVIS</b> <i>Council member</i>		
<b>STEVE LEIFSON</b> <i>Council member</i>		
<b>JENS P. NIELSON</b> <i>Council member</i>		
<b>KEIR A. SCUBES</b> <i>Council member</i>		

I MOVE this ordinance be adopted: Council member

I SECOND the foregoing motion: Council member

## ORDINANCE No. 10-12

### AN ORDINANCE MAKING MISCELLANEOUS CHANGES TO TITLE 15

WHEREAS, Spanish Fork City has adopted a comprehensive zoning ordinance which includes several residential zones; and

WHEREAS, the comprehensive zoning ordinance also provides for master planned developments, which allows multi-family housing in single family zones, but which isn't clearly spelled out in the current zoning ordinance; and

WHEREAS, the City has recently amended its ordinances to allow chickens in certain residential zones; and

WHEREAS, the chicken ordinance spells out the requirements and is found in Title 6, which deals with animals; and

WHEREAS, Title 15 has kept a reference to chickens in residential zones, which reference has led to some confusion; and

WHEREAS, a recent reorganization of the engineering department has caused persons with different titles to attend DRC; and

WHEREAS, the City needs a method to remove planning commission members who do not attend the Planning Commission meetings to fulfill their assignments; and

WHEREAS, a conflict exists between Title 5 and Title 15 concerning billboards along Highway 6, which conflict needs to be corrected; and

WHEREAS, making changes in Title 15, the comprehensive zoning ordinance, to clarify the issues identified in the preceding paragraphs is in the best interest of the City; and

WHEREAS, a public hearing was held before the Spanish Fork Planning Commission on Wednesday, the 15<sup>th</sup> day of August, 2012 where public comment was received; and

WHEREAS, following the public hearing, the Planning Commission recommended adoption of the changes as reflected in this ordinance; and

WHEREAS, a public hearing was held before the Spanish Fork City Council on Tuesday, the 21<sup>st</sup> day of August, 2012, where additional public comment was received; and

WHEREAS, it is in the best interests of the City and of its residents to make the miscellaneous changes identified in this preamble;

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

I.

Spanish Fork Municipal Code §15.3.08.010(B) and (C) is hereby amended as follows:

**15.3.08.010 Administrative Bodies and Officers**

**B. Development Review Committee:**

Purpose: [no change]

Organization:

The DRC shall consist of the city public works director, engineering division manager, electric superintendent, city manager, city community development director, city attorney, public safety director, and building official. An alternate member may be designated by each member, who has the authority to attend and vote in the absence of the member. Other entities may be invited to participate as non-voting members, such as utility companies, irrigation companies, the US Postal Service, or others.

The city public works director shall be the chair of the DRC and shall retain the right to cast a vote while acting as chair.

A quorum of the Committee necessary before any business can be transacted shall consist of five (5) voting members. A majority vote of a quorum shall be necessary to approve any item or recommend approval of any item to the Commission or Council.

Policies and Procedures: [no change]

Powers and Duties: [no change]

**C. Planning Commission:**

Purpose: [no change]

Organization:

The Commission shall consist of six (6) members, to be appointed by the Mayor with the consent of the City Council from among qualified residents of Spanish Fork. Members shall be selected without respect to political affiliations, and shall serve without compensation except for reasonable expenses. Each member shall be appointed for a term of three years or until his/her successor is appointed, and may serve only two full successive terms. A commission member may be removed by the Mayor if the member fails to attend at least fifty percent (50%) of the Planning Commission meetings.

Policies and Procedures: [no change]

Powers and Duties: [no change]

II.

Spanish Fork Municipal Code §15.3.16.020, Residential Districts, is hereby amended as follows:

**15.3.216.020 Residential Districts**

**R-1-80, R-1-60, R-1-30:** [no change]

**R-1-20, R-1-15, R-1-12:** These districts provide low density single family lots within Spanish Fork City. In the event a master planned development is constructed within any of these zones, townhomes, condominiums, and twin homes are allowed, consistent with the requirements of the master planned development section of Title 15, found in §15.3.24.030.

**R-1-9, R-1-8:** These districts are to provide moderate density that is characterized by a variety of single family housing types and lot sizes. In the event a master planned development is constructed within any of these zones, townhomes, condominiums, and twin homes are allowed, consistent with the requirements of the master planned development section of Title 15, found in §15.3.24.030.

**R-1-6:** This district provides a residential environment that is medium high density. In the event a master planned development is constructed within any of these zones, townhomes, condominiums, duplexes, and twin homes are allowed, consistent with the requirements of the master planned development section of Title 15, found in §15.3.24.030.

A. ~ I. [no change]

III.

SpanishFork Municipal Code §15.3.24.020(1)(b) is hereby amended as follows:

**15.3.24.020 Billboards**

1. Billboards are permitted:

b. Along Highway 6 from the junction with Highway 89 southeasterly for 0.84 miles. These billboards must be at least 750 feet from any other billboard on the same side of the highway and must be located in an industrial zone.

IV.

Spanish Fork Municipal Code §15.3.24.090(G) is hereby amended as follows:

15.3.24.090 Supplementary Regulations

G. Animals

Animals are allowed in the A-E, R-R, I-1, and I-2 zoning districts with no restrictions on the maximum number. Animals are allowed in all other zoning districts subject to the following regulations:

1. The portion of the property on which the animals, except for household pets, are kept must be at least one-half (1/2) acre in size. The chart following this section sets forth the maximum number of animals which may be kept per each half acre of property. The numbers are not cumulative. A maximum of one species precludes any other species. For example, on a half acre parcel, two horses may be kept, or four sheep, or one horse and two sheep, but two horses and four sheep are not allowed.

2. All requirements set forth in Title 6, Animals, must be met. The keeping of chickens and potbellied pigs in any zone other than the A-E, R-R, I-1, or I-2 is governed by Title 6.

3. No animal shall be kept in a residential zone for purpose of commercial production.

<i>Animal</i>	Maximum# Per 1/2 Acre
Cattle	2
Horses	2
Sheep, Goats, Llamas, Ostriches	4
Rabbits	10
Pigeons	12
Ducks, Geese	8
Game Birds*	8
*with appropriate permits	

V.

This ordinance shall be effective 20 days after passage and publication.

DATED this 21<sup>st</sup> day of August, 2012

\_\_\_\_\_  
G. WAYNE ANDERSEN, Mayor

Attest:

\_\_\_\_\_  
Kent R. Clark, City Recorder



# PRELIMINARY PLAT

## REPORT TO THE CITY COUNCIL OLD MILL ESTATES PRELIMINARY PLAT

**Agenda Date:** August 21, 2012.

**Staff Contacts:** Dave Anderson, Community Development Director.

**Reviewed By:** Development Review Committee, Planning Commission.

**Request:** Wayne Niederhauser is requesting reapproval of a Preliminary Plat for the Old Mill Estates subdivision.

**Zoning:** R-1-15.

**General Plan:** Low Density Residential.

**Project Size:** 29.51 acres.

**Number of lots:** 57.

**Location:** 775 West Mill Road.

### Background Discussion

A Preliminary Plat for this development was approved in June of 2011. One year has passed since the last plat was recorded. As such the Preliminary Plat for Old Mill Estates lost its approval and needs to be reapproved before development in the project can commence.

The proposal does not vary from the Preliminary Plat that the City approved in 2011.

### Development Review Committee

The Development Review Committee reviewed this plat on July, 25 and recommended that it be approved. Minutes from that meeting read as follows:

#### Old Mill Estates

Applicant: CW Management  
General Plan: Low Density Residential  
Zoning: R-1-15  
Location: approximately 1500 South Mill Road

Mr. Anderson **moved to re-approve** the Old Mill Estates Preliminary Plat subject to the following conditions:

#### Condition

1. That the applicant meets all of the conditions of the original approval which include the following:
  1. That the retention basin land is dedicated to the City and the developer will construct the storm water retention.
  2. That the applicant bring three phase power to the project.
2. That the applicant submit a phasing plan that details what improvements will be included with each phase for the Engineering Department's review and approval.



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

Mr. Johnson **amended** the **motion** to include that the applicant will need to submit a phasing plan that details what improvements will be included with each phase. The pressurized irrigation will need to connect to the north with the next phase and the electrical and streets looped with the third phase.

Discussion was held regarding the phasing and pressurized irrigation and power.

### **Planning Commission**

The Planning Commission reviewed this plat on August 15, 2012 and recommended that it be approved. Minutes from that meeting read as follows:

#### **Old Mill Estates**

Applicant: CW Management

General Plan: Low Density Residential

Zoning: R-1-15

Location: approximately 1500 South Mill Road

Mr. Anderson explained the City's subdivision approval process. He further explained the history of the proposal and that the Preliminary Plat had expired. The improvements have been constructed for the first phase of the plat. The applicant is not making any changes.

Commissioner Heap asked if the City's standards had changed since the original approval. Mr. Anderson said that the standards had been updated and that the applicant had met the new standards.

Commissioner Swenson asked if there was a concern with only one ingress and egress into the subdivision. Mr. Anderson explained that it was and that the Commission could recommend how many lots could be constructed before a second ingress and egress is constructed.

Mr. Johnson said that the applicant had submitted a phasing plan and was planning on hooking the pressurized irrigation to the north.

Commissioner Gonzales said that he felt, prior to the City Council approving this proposal, that

they need to see a phase that includes another ingress and egress.

Mr. Anderson said that it was his understanding that the applicant would have to put in the other access well before they construct 50 lots.

Commissioner Swenson **moved** to recommend that the City Council **approve** the Old Mill Estates Preliminary Plat. Discussion was held regarding the motion. Commissioner Swenson **amended** his **motion** to **include** that the City Council will look at the phasing process as it relates to the streets and utilities.

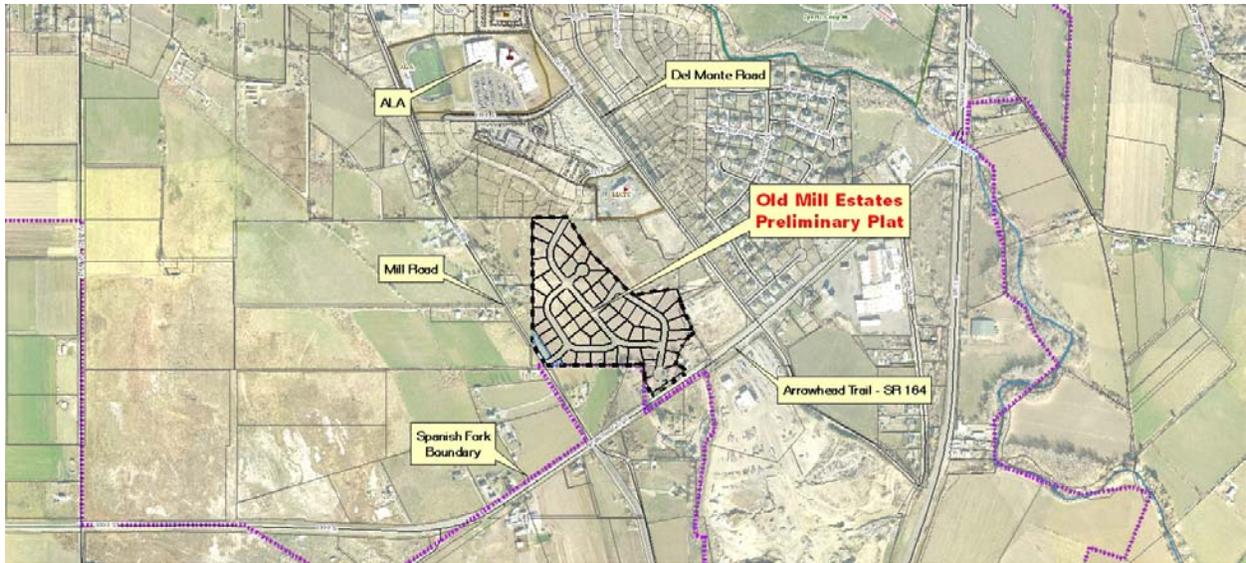
Commissioner Heap **seconded** and the motion **passed** all in favor by a roll call vote.

### **Budgetary Impact**

There is no anticipated budget impact with this proposed subdivision.

### **Recommendation**

Staff recommends that the proposed Preliminary Plat be approved.



**OLD MILL ESTATES**  
 A RESIDENTIAL SUBDIVISION  
 SPANISH FORK, UTAH  
 PRELIMINARY PLAN SET

**-SHEET INDEX-**

SHEET	SHEET NAME
1	COVER
2	BOUNDARY
3	OVERALL SITE PLAN
4	EXISTING TOPOGRAPHY
5	DETAILS
SS-01	OFFSITE SEWER



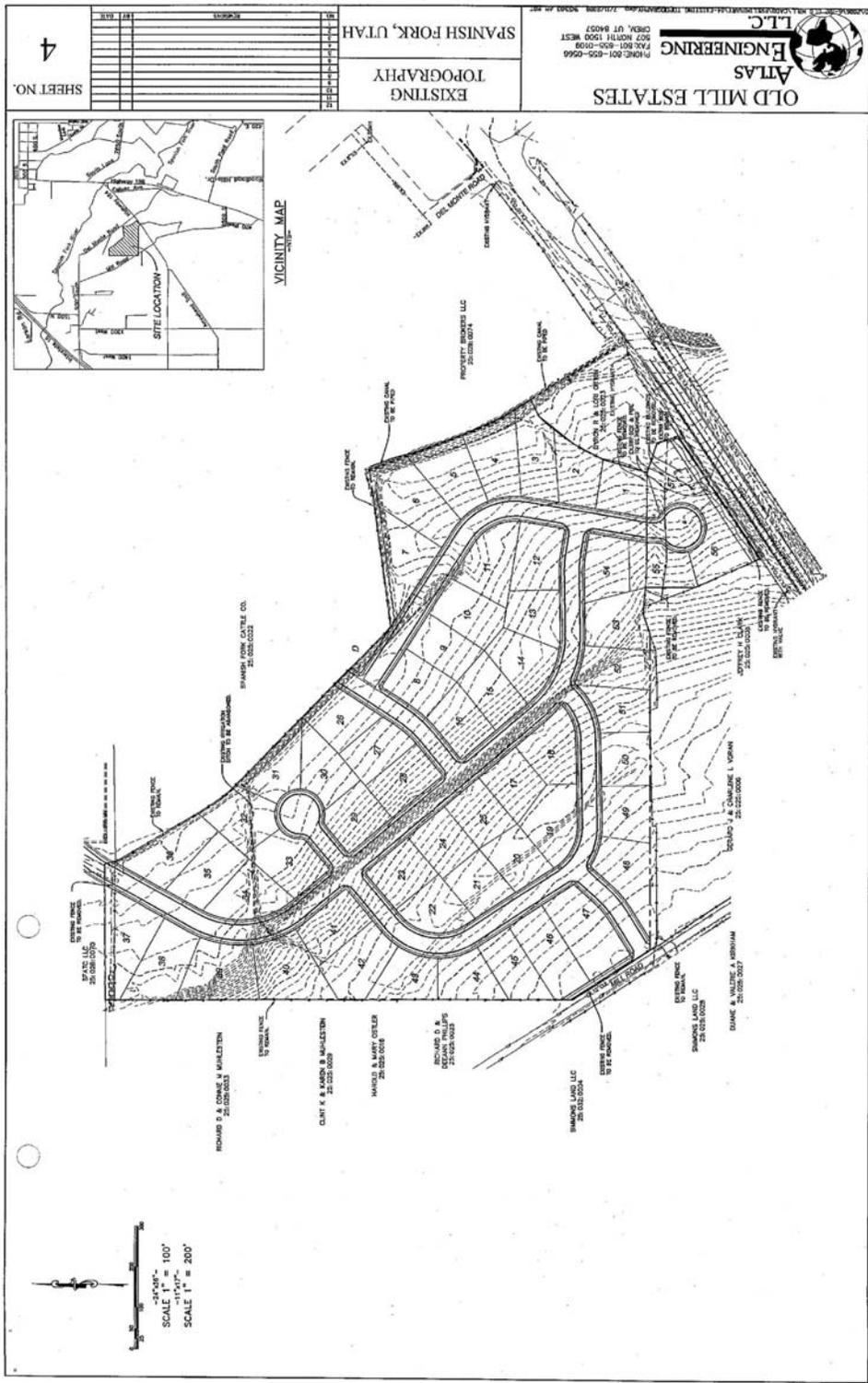
VICINITY MAP

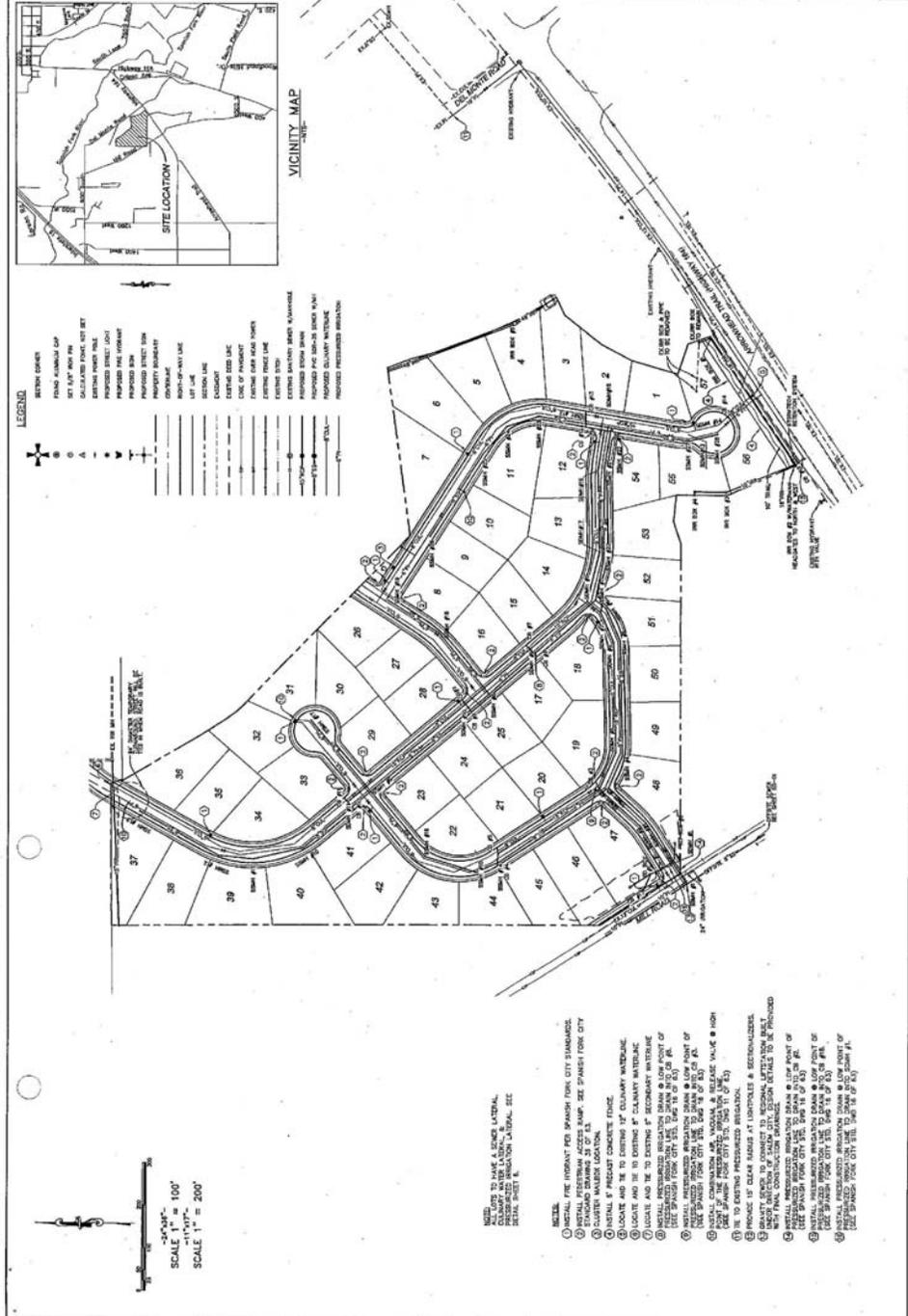
RECEIVED  
 MAR 18 2011

OLD MILL ESTATES

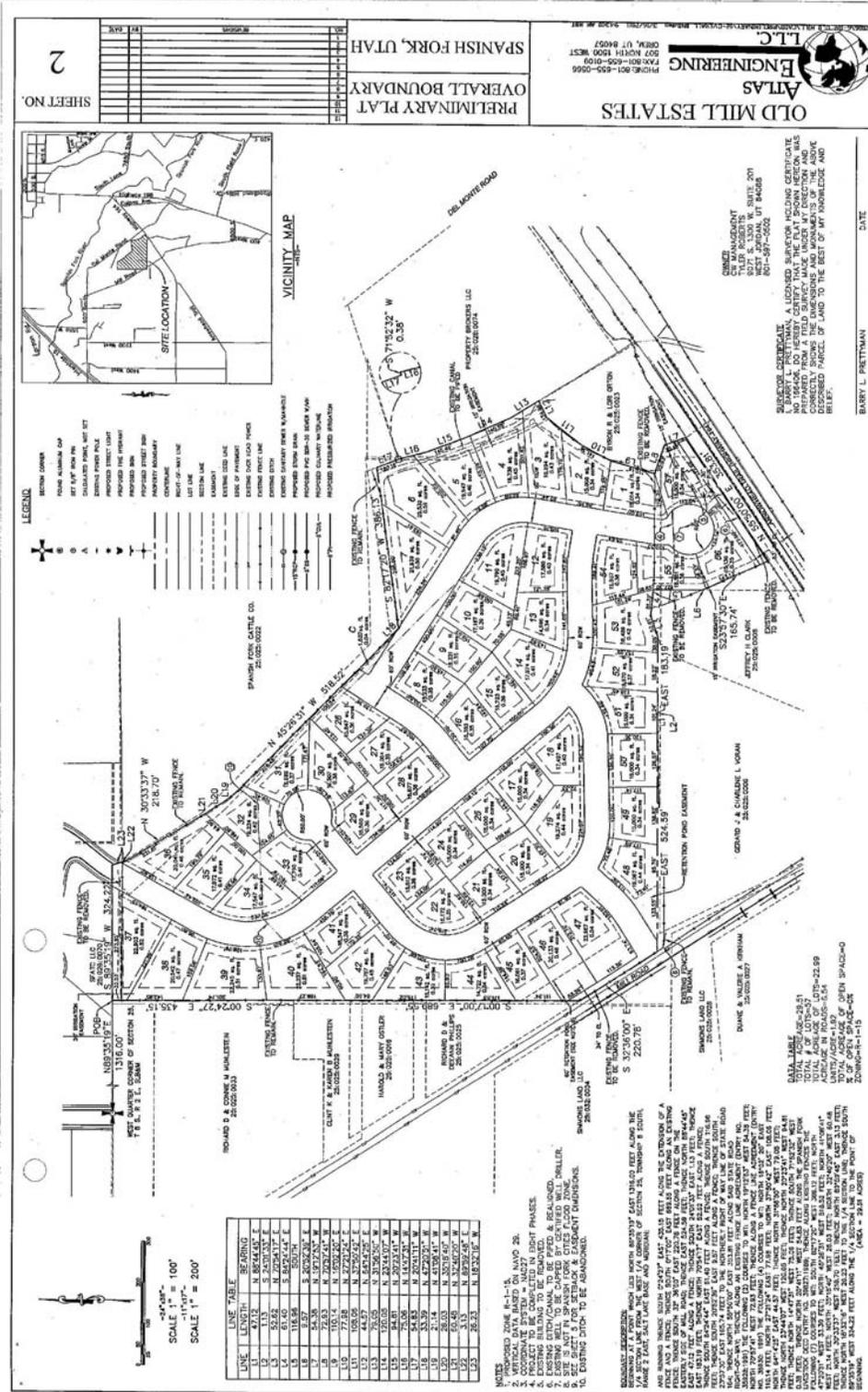


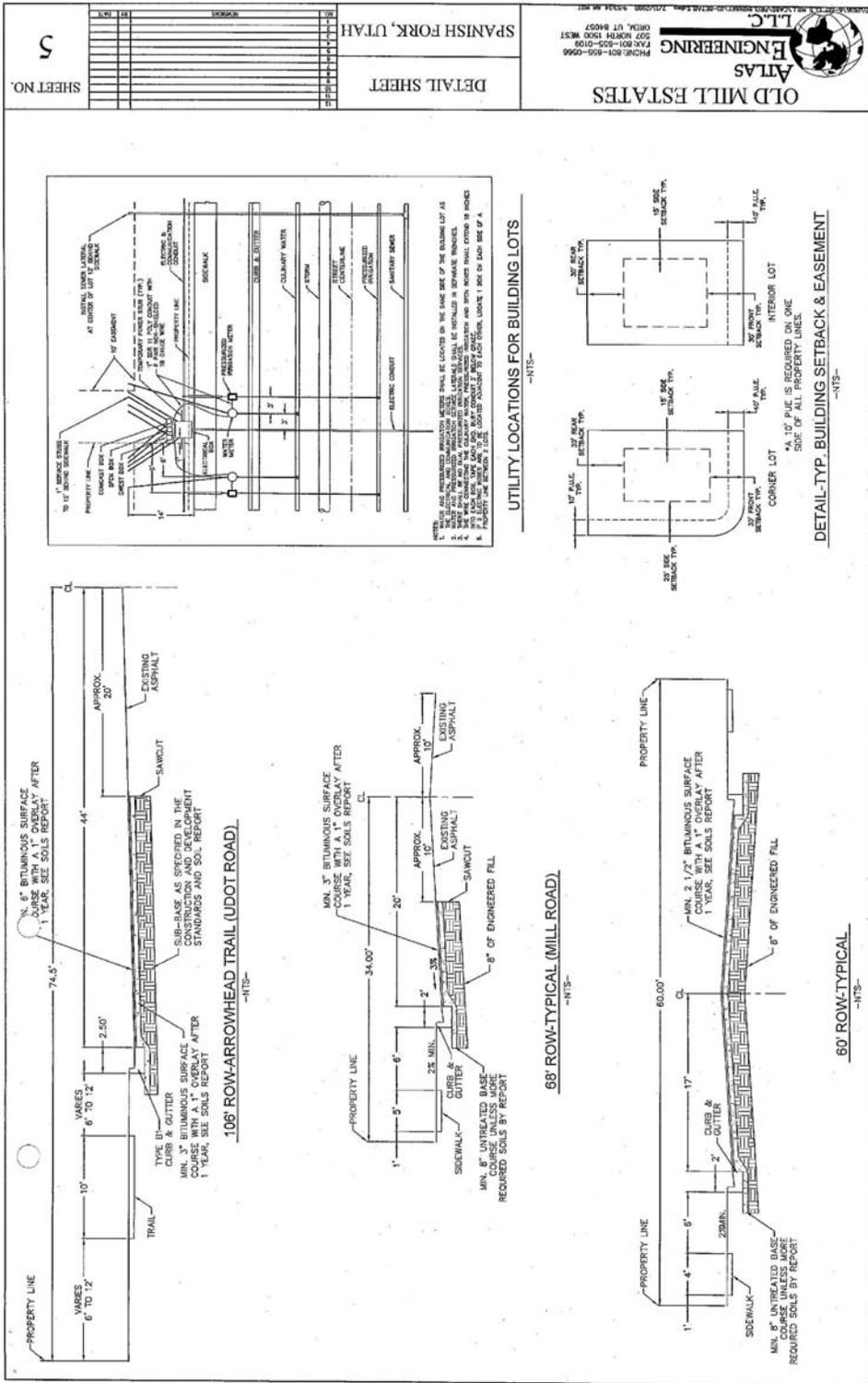
PHONE 801-455-6666  
 FAX 801-455-0709  
 259 N. 1100 WEST  
 SPANISH FORK, UT 84301

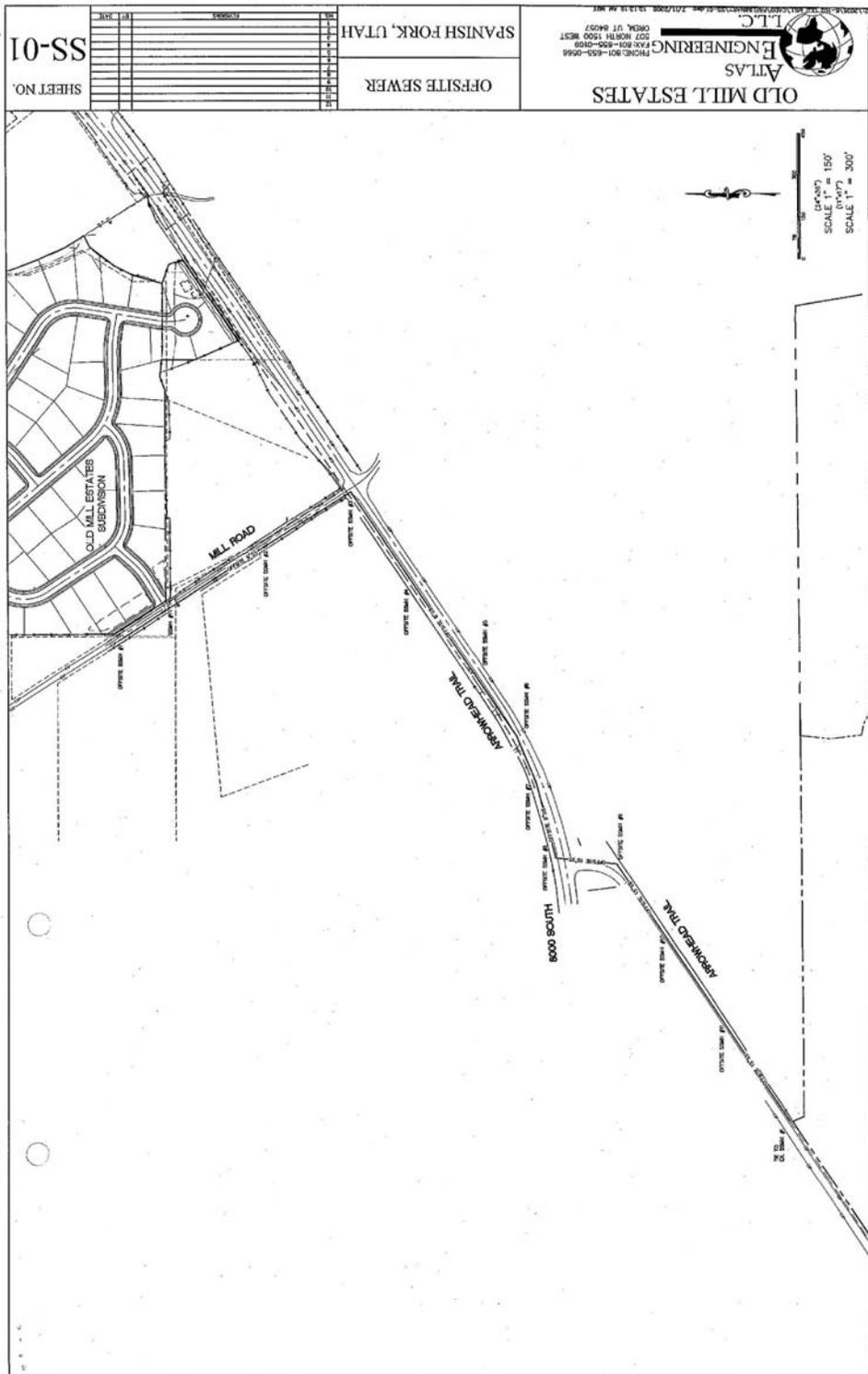




- NOTES:**  
 ALL LOTS TO HAVE A SENCE LATERAL.  
 PROPOSED RESERVATION LATERAL SEE  
 DRAWING SHEET # 4.
- SCALE:**  
 1" = 100'  
 1" = 200'
- 1) INSTALL THE EXISTENT PER SPANISH FORK CITY STAMPADE.
  - 2) EXISTENT DRIVEWAY 20' OF 8".
  - 3) EXISTENT WALKER LOCATION.
  - 4) EXISTENT DRIVEWAY 20' OF 8".
  - 5) LOCATE AND BE TO EXISTING 4" CALANARY WATERLINE.
  - 6) LOCATE AND BE TO EXISTING 4" CALANARY WATERLINE.
  - 7) INSTALL PROPOSED RESERVATION DRAIN & LOW POINT OF DRAIN TO SPANISH FORK CITY ST. 20' TO 25' OF 8".
  - 8) INSTALL PROPOSED RESERVATION DRAIN & LOW POINT OF DRAIN TO SPANISH FORK CITY ST. 20' TO 25' OF 8".
  - 9) INSTALL PROPOSED RESERVATION DRAIN & LOW POINT OF DRAIN TO SPANISH FORK CITY ST. 20' TO 25' OF 8".
  - 10) INSTALL PROPOSED RESERVATION DRAIN & LOW POINT OF DRAIN TO SPANISH FORK CITY ST. 20' TO 25' OF 8".
  - 11) BE TO EXISTING PROPOSED RESERVATION.
  - 12) PROVIDE 10' CLEAR WALKS AT INTERSECTIONS & SIDEWALKS.
  - 13) INSTALL PROPOSED RESERVATION DRAIN & LOW POINT OF DRAIN TO SPANISH FORK CITY ST. 20' TO 25' OF 8".
  - 14) INSTALL PROPOSED RESERVATION DRAIN & LOW POINT OF DRAIN TO SPANISH FORK CITY ST. 20' TO 25' OF 8".
  - 15) INSTALL PROPOSED RESERVATION DRAIN & LOW POINT OF DRAIN TO SPANISH FORK CITY ST. 20' TO 25' OF 8".
  - 16) INSTALL PROPOSED RESERVATION DRAIN & LOW POINT OF DRAIN TO SPANISH FORK CITY ST. 20' TO 25' OF 8".
  - 17) INSTALL PROPOSED RESERVATION DRAIN & LOW POINT OF DRAIN TO SPANISH FORK CITY ST. 20' TO 25' OF 8".
  - 18) INSTALL PROPOSED RESERVATION DRAIN & LOW POINT OF DRAIN TO SPANISH FORK CITY ST. 20' TO 25' OF 8".
  - 19) INSTALL PROPOSED RESERVATION DRAIN & LOW POINT OF DRAIN TO SPANISH FORK CITY ST. 20' TO 25' OF 8".
  - 20) INSTALL PROPOSED RESERVATION DRAIN & LOW POINT OF DRAIN TO SPANISH FORK CITY ST. 20' TO 25' OF 8".
  - 21) INSTALL PROPOSED RESERVATION DRAIN & LOW POINT OF DRAIN TO SPANISH FORK CITY ST. 20' TO 25' OF 8".
  - 22) INSTALL PROPOSED RESERVATION DRAIN & LOW POINT OF DRAIN TO SPANISH FORK CITY ST. 20' TO 25' OF 8".
  - 23) INSTALL PROPOSED RESERVATION DRAIN & LOW POINT OF DRAIN TO SPANISH FORK CITY ST. 20' TO 25' OF 8".
  - 24) INSTALL PROPOSED RESERVATION DRAIN & LOW POINT OF DRAIN TO SPANISH FORK CITY ST. 20' TO 25' OF 8".
  - 25) INSTALL PROPOSED RESERVATION DRAIN & LOW POINT OF DRAIN TO SPANISH FORK CITY ST. 20' TO 25' OF 8".
  - 26) INSTALL PROPOSED RESERVATION DRAIN & LOW POINT OF DRAIN TO SPANISH FORK CITY ST. 20' TO 25' OF 8".
  - 27) INSTALL PROPOSED RESERVATION DRAIN & LOW POINT OF DRAIN TO SPANISH FORK CITY ST. 20' TO 25' OF 8".
  - 28) INSTALL PROPOSED RESERVATION DRAIN & LOW POINT OF DRAIN TO SPANISH FORK CITY ST. 20' TO 25' OF 8".
  - 29) INSTALL PROPOSED RESERVATION DRAIN & LOW POINT OF DRAIN TO SPANISH FORK CITY ST. 20' TO 25' OF 8".
  - 30) INSTALL PROPOSED RESERVATION DRAIN & LOW POINT OF DRAIN TO SPANISH FORK CITY ST. 20' TO 25' OF 8".
  - 31) INSTALL PROPOSED RESERVATION DRAIN & LOW POINT OF DRAIN TO SPANISH FORK CITY ST. 20' TO 25' OF 8".
  - 32) INSTALL PROPOSED RESERVATION DRAIN & LOW POINT OF DRAIN TO SPANISH FORK CITY ST. 20' TO 25' OF 8".
  - 33) INSTALL PROPOSED RESERVATION DRAIN & LOW POINT OF DRAIN TO SPANISH FORK CITY ST. 20' TO 25' OF 8".
  - 34) INSTALL PROPOSED RESERVATION DRAIN & LOW POINT OF DRAIN TO SPANISH FORK CITY ST. 20' TO 25' OF 8".
  - 35) INSTALL PROPOSED RESERVATION DRAIN & LOW POINT OF DRAIN TO SPANISH FORK CITY ST. 20' TO 25' OF 8".
  - 36) INSTALL PROPOSED RESERVATION DRAIN & LOW POINT OF DRAIN TO SPANISH FORK CITY ST. 20' TO 25' OF 8".
  - 37) INSTALL PROPOSED RESERVATION DRAIN & LOW POINT OF DRAIN TO SPANISH FORK CITY ST. 20' TO 25' OF 8".
  - 38) INSTALL PROPOSED RESERVATION DRAIN & LOW POINT OF DRAIN TO SPANISH FORK CITY ST. 20' TO 25' OF 8".
  - 39) INSTALL PROPOSED RESERVATION DRAIN & LOW POINT OF DRAIN TO SPANISH FORK CITY ST. 20' TO 25' OF 8".
  - 40) INSTALL PROPOSED RESERVATION DRAIN & LOW POINT OF DRAIN TO SPANISH FORK CITY ST. 20' TO 25' OF 8".
  - 41) INSTALL PROPOSED RESERVATION DRAIN & LOW POINT OF DRAIN TO SPANISH FORK CITY ST. 20' TO 25' OF 8".
  - 42) INSTALL PROPOSED RESERVATION DRAIN & LOW POINT OF DRAIN TO SPANISH FORK CITY ST. 20' TO 25' OF 8".
  - 43) INSTALL PROPOSED RESERVATION DRAIN & LOW POINT OF DRAIN TO SPANISH FORK CITY ST. 20' TO 25' OF 8".
  - 44) INSTALL PROPOSED RESERVATION DRAIN & LOW POINT OF DRAIN TO SPANISH FORK CITY ST. 20' TO 25' OF 8".
  - 45) INSTALL PROPOSED RESERVATION DRAIN & LOW POINT OF DRAIN TO SPANISH FORK CITY ST. 20' TO 25' OF 8".
  - 46) INSTALL PROPOSED RESERVATION DRAIN & LOW POINT OF DRAIN TO SPANISH FORK CITY ST. 20' TO 25' OF 8".
  - 47) INSTALL PROPOSED RESERVATION DRAIN & LOW POINT OF DRAIN TO SPANISH FORK CITY ST. 20' TO 25' OF 8".
  - 48) INSTALL PROPOSED RESERVATION DRAIN & LOW POINT OF DRAIN TO SPANISH FORK CITY ST. 20' TO 25' OF 8".
  - 49) INSTALL PROPOSED RESERVATION DRAIN & LOW POINT OF DRAIN TO SPANISH FORK CITY ST. 20' TO 25' OF 8".
  - 50) INSTALL PROPOSED RESERVATION DRAIN & LOW POINT OF DRAIN TO SPANISH FORK CITY ST. 20' TO 25' OF 8".
  - 51) INSTALL PROPOSED RESERVATION DRAIN & LOW POINT OF DRAIN TO SPANISH FORK CITY ST. 20' TO 25' OF 8".
  - 52) INSTALL PROPOSED RESERVATION DRAIN & LOW POINT OF DRAIN TO SPANISH FORK CITY ST. 20' TO 25' OF 8".
  - 53) INSTALL PROPOSED RESERVATION DRAIN & LOW POINT OF DRAIN TO SPANISH FORK CITY ST. 20' TO 25' OF 8".
  - 54) INSTALL PROPOSED RESERVATION DRAIN & LOW POINT OF DRAIN TO SPANISH FORK CITY ST. 20' TO 25' OF 8".









# PRELIMINARY PLAT

## REPORT TO THE CITY COUNCIL SOMERSET PHASE 4 PRELIMINARY PLAT

**Agenda Date:** August 21, 2012.

**Staff Contacts:** Dave Anderson, Community Development Director.

**Reviewed By:** Development Review Committee, Planning Commission.

**Request:** Jesse Brimhall has proposed that the Preliminary Plat for Somerset Village Phase 4 be modified so as to change its boundary and add two lots.

**Zoning:** R-1-6.

**General Plan:** Low Density Residential.

**Project Size:** 11.5 acres.

**Number of lots:** 94 units.

**Location:** Approximately 3000 East Canyon Road.

### Background Discussion

The first plats for Somerset Village were approved over 10 years ago and identifying exactly what has been approved over the years for Somerset Village is somewhat difficult to do. The City's files include many iterations of plans, so many that it is difficult to identify what versions were approved and when.

So, for purposes of evaluating this proposal, staff has utilized the most recently recorded Plat for Somerset. This plat contains 88 units and 11.15 acres. As proposed, some .33 acres would be added to that last recorded plat, 2 units that were to be included in the development to the west would be added and 2 new units would be added. The project would then contain 94 units on 11.5 acres for a density of 8 units per acre.

Staff understands the applicant's motivation to have this new Preliminary Plat approved involves the abandonment of plans to incorporate additional land into the Somerset development. Discussions about expanding Somerset involved a street connection to a new phase that would have run through the area impacted with the current proposal. The approval of this plat and the development of the included units would close the door on any practical opportunity to further expand Somerset.

Staff has recommended that this redefined phase, Somerset Phase 4, be approved as proposed.

### Development Review Committee

The Development Review Committee reviewed this plat on July 25, 2012 and recommended that it be approved. Minutes from that meeting read as follows:

### Somerset Village



Applicant: Los Dos Amigos  
General Plan: Low Density Residential  
Zoning: R-1-6  
Location: approximately 2900 East 950 South

Discussion was held regarding the history of what had been approved in the past relative to Somerset Village and The Ridge.

Mr. Anderson explained that there was enough acreage to add two units to this phase. He said that it was legal; but the density was at the max. He then asked the applicant how the neighborhood meeting went. Mr. Brimhall stated that it went great. Mr. Allen stated that most people that attended were in favor of the proposal.

Mr. Pierce explained to the applicant that the City's Engineering Department would need a revised Preliminary Plat submitted.

Mr. Peterson explained that the Power Department's concern is whether the transformer would be big enough for the additional units. Additional discussion was held with the applicant regarding where the power would need to be stubbed to and that an easement would need to be obtained from SUVPS.

Mr. Anderson **moved** to recommend that the **amended** Preliminary Plat for Somerset Village be **approved** subject to the following findings and conditions:

#### Findings:

1. That the project does not exceed the maximum allowable density.
2. The change would allow for development that is consistent with what's been previously built within Somerset Village.

#### Condition:

1. That the applicant address all of the City's Engineering Department redlines; prior to the City's Planning Commission meeting.

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

#### Planning Commission

The Planning Commission reviewed this plat on August 15, 2012 and recommended that it be approved. Minutes from that meeting read as follows:

#### Somerset Village

Applicant: Los Dos Amigos  
General Plan: Low Density Residential  
Zoning: R-1-6  
Location: approximately 2900 East 950 South

Mr. Anderson gave background on the proposal and explained that with the most recent proposal that the applicant determined (in the absence of a private street) to build a townhome structure. It adds two additional units to the project but does not exceed the density sealing allowed by our ordinance. The DRC recommended that the proposal be approved.

Commissioner Fallon asked Mr. Anderson to explain why the street connection has been eliminated. Mr. Anderson explained that the City ordinance had changed and that the City no longer permits private streets and that plans for the development to the west had changed.

Commissioner Heap **moved** to recommend that the City Council **approve** the Somerset Village Preliminary Plat subject to the applicant meeting the City's Engineer Department redlines. Commissioner Sorensen **seconded** and the motion **passed** all in favor by a roll call vote.

#### Budgetary Impact

There is no anticipated budget impact with this proposed subdivision.

#### Recommendation

Staff recommends that the proposed Preliminary Plat be approved.



