

**Adopted Minutes  
Spanish Fork City Development Review Committee  
January 16, 2008**

The meeting was called to order at 10:00 a.m. by Richard Heap.

**Staff Members Present:** Richard Heap, Public Works Director; Richard Nielson, Assistant Public Works Director; David Oyler, City Manager; Junior Baker, City Attorney; Kelly Peterson, Electric Superintendent; Shelley Hendrickson, Planning Secretary; Shawn Beecher, GIS Administrator; Marvin Banks, Public Utilities Director; Joe Jarvis, Fire Marshall; Dee Rosenbaum; Public Safety Director.

**Citizens Present:** Calvin Bird, Three Orchards; Alan Bird, Birdnest/Spring Haven; J. Lynn Partridge, self; Richard Huish, Northern Engineering; Glenn Cook, self.

**Annexations**

**River Bottoms Annexation**

Applicant: Glen Cook

General Plan: Residential 1 Unit Per 5 Acres

Location: River Bottoms Area South of Spanish Fork

Mr. Baker explained the purpose of the annexation proposal on this meetings agenda was for the Development Review Committee to discuss and make a recommendation to the City Council to either accept the petition for further study or to deny the petition. He further explained the proposed annexation boundary and that it was for approximately 1,600 acres; which, is the majority of the River Bottoms area. He explained three concerns he has with this area with the first being the River Bottoms Road and relocating it a little more to the south in order to create some more buildable area along the north side of the road that does not exist because of the hill. He said the City is under the process of conducting a traffic study for the entire City and this is one of the areas that will be included in the study. He feels this may be premature until the traffic study is complete. The second concern he felt was regarding the Spanish Fork River. He explained the City was halfway through the process to get a flood plain study and work with FEMA on floodplain areas' which would be a benefit to the City as well as the property owners. He felt it would be probably between 4 and 8 months until the study was completed and then FEMA would need to approve it. He felt this request for annexation is a little premature due to the flood plain study as well. The third issue he explained was a legal technicality due to a pending annexation of about 5 or 6 acres and that pending annexation is included in the proposed River Bottoms annexation petition and that by law it could not be included because it is already pending. The dilemma being that they could not leave this portion of property out of the River Bottoms Annexation petition because it would create an island. He explained he felt the most practical solution would be to get the City Council to deny the pending petition so it could then be included with this request.

Mr. Heap felt that another thing that needed to be thought about during the process was the land owned by the Department of Interior. They are on SESD power and will need to be moved to Spanish Fork Power.

Mr. Baker explained the petitioners would be responsible to purchase all of the SESD facilities in the area will need to be bought and paid for at time of annexation; which is a standard annexation requirement.

Mr. Peterson explained what he was going through with the Bureau and federal land. He said that right now under their policies anything within their 200-foot right-of-way is owned by the bureau.

Discussion was held regarding power, addressing the annexation policy declaration with regard to a few properties that were not included in the petition; whether or not, to keep them in Spanish Fork City or give them to Salem City, and zoning for the petitioned area.

Glenn Cook

Mr. Cook explained he was the voice for a group of about 15 landowners. The landowners are anticipating some estate lots and some cluster areas they are most concerned with land value and do not want a loss value and that some of the owners want to develop right away and some in the future but are wanting to be included in the petition to have some say in the future of the River Bottoms. He furthered explained that where they have such a good working relationship amongst a majority of the landowners (13-15 of them) in the area they do not want to wait for the City's traffic and flood plain studies to be finished but would like the annexation to be accepted and move along with the City's studies. He feels that the landowners are aware that this process will not be done within 60 days and know it could take well up to a year or longer. He said the landowners would be willing to pay for the traffic study portion of the River Bottoms area.

Discussion was held regarding the timeframe on the Northeast Bench Annexation and the fact that it has gone much slower than anticipated. It has been in the review process for one year.

Mr. Heap feels it would be very difficult to do a lot of planning in this area until the flood plain study is finished.

Mr. Baker explained that looking back at the history with the Northeast Bench Annexation petition he feels it would have been better to have them wait until some of the City's studies were done before accepting the petition and that it might be better to deny this petition and have them come back in six months.

Discussion was held regarding the annexation petition process, the sewer line in the area being able to maintain 1 unit per 5 acres, density, zoning, infrastructure, and land use.

Mr. Baker felt that the committee really ought to turn down the petition and then in six to nine months to a year encourage the petitioners to reapply knowing that the City would still be moving forward.

Mr. Oyler explained the various processes that have to take place before any decisions can be made in this specific petitioned area and feels that the time frame is within six months.

Mr. Heap feels that we need to get the study back in so we know the flood plain better and can then sit down and talk about it in house; then with the petitioners and encourage the petitioners to re-apply.

Discussion was held regarding density and the City's master plan being one unit per five acres for the River Bottoms area.

Mr. Oyler feels another aspect the petitioners need to consider is that they are going to have to go to the Planning Commission and City Council to change their philosophy of no longer having the River Bottoms area be a rural, agricultural atmosphere with one unit to five acres but explain why they feel it should be 2.5 units per acre.

Discussion was held regarding land use, and the process of public hearings.

Mr. Oyler agreed with Junior that it was premature in accepting the annexation today but did not see accepting the annexation being held up once the studies are complete.

Mr. Heap feels that a lot of discussion and planning can take place prior to accepting the annexation petition if the choice is made to deny the petition.

Discussion was held regarding the North East Bench annexation and easements.

Alan Bird

Mr. Bird feels that they would like the annexation to be accepted and work together. He feels that there are not any landowners that think this process is going to be finished in 180 days or two months, but feels Glenn has put together a consensus that will incorporate trails and parks. He feels if the City denies the petition it is telling the property owners to go ahead and do your own thing and the alliances could pull apart and it would be harder to pull back together in six months. He feels it would be better to have the City work on solving their problems in tandem with the petitioners.

Discussion was held regarding the petition review process taking a minimum of six months to a year.

Mr. Oyler explained that there is a lot of work that has to happen that the City does not have the resources to conduct and the City will be relying on the petitioner's to pay for certain aspect of the studies needed.

Mr. Cook agreed and feels that money is key. He then explained that financially it would be better for the petitioner's to keep their alliance going with the property owner's by having the petition accepted and not denied.

Mr. Baker **moved** to **table** the River Bottoms Annexation Petition for two weeks; thus, giving the applicants time to talk to Lynn Leifson about his pending annexation petition. Mr. Banks **seconded** and the motion **passed** all in favor.

### **DRC Business**

None.

### **Adjourn**

Mr. Baker **moved** to **adjourn**. Mr. Banks **seconded** and the motion **passed** all in favor at 11:10 a.m.

**Adopted: March 19, 2008**

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Shelley Hendrickson, Planning Secretary