

**Adopted Minutes**  
**Spanish Fork Planning Commission Meeting**  
**June 6, 2001**

The meeting was called to order at 6:30 pm by Chair Kevin Baadsgaard for a preliminary review of the agenda. At 7:00 pm the pledge of allegiance was led by Roy L. Johns.

Commission members present: Chair Kevin Baadsgaard, and Commissioners Paul Healey, Roy L. Johns, and David E. Lewis. Commissioners Thad S. Jensen, and Thora L. Shaw were excused.

Staff Members Present: Emil Pierson, City Planner; Richard J. Nielson, Assistant Public Works Director; Nate Crow, GIS Specialist; and Gina Peterson, Deputy Recorder.

Citizens Present: Ernie Thornton, Greg Magleby, Mike Dalley, Lance Smith, Janet Reese, Frank Haymore, and Craig Carlisle.

**Agenda Review**

The Planning Commission reviewed the staff reports for each item on the agenda.

**Public Hearing - Gail Halvorsen Annexation**

Commissioner Johns made a **motion** to open the public hearings at 7:05 pm. Commissioner Healey **seconded**, and the motion **passed** with a unanimous vote.

Mr. Halvorsen was out of town and could not be present for the meeting.

Mr. Gail Halvorsen has requested to annex approximately 75 acres at 19 East South Field Road. The property is currently being used for agricultural use and has two homes. One of the homes was recently constructed by Mr. Halvorsen. Utah County requested that the older adobe home, which Mr. Halvorsen considers historic, be demolished. Because Mr. Halvorsen is in a 40 acre zone, Utah County would like each home to be on a 40 acre lot. Mr. Halvorsen would be allowed to keep the older home if he annexed into Spanish Fork.

Mr. Pierson noted the property is not within the City's growth boundaries yet it may be beneficial to have the property as part of the Spanish Fork City.

The Development Review Committee reviewed the request and recommended approval subject to conditions.

Chair Baadsgaard opened the meeting for public input. No public comment was received.

The Planning Commission clarified conditions of annexation proposed by the Development Review Committee.

Commissioner Johns made a **motion** to recommend the City Council's approval of the Gail Halvorsen annexation subject to the following conditions:

1. Parcels will be divided into two parcels; one parcel will be in the five acre zoning designation (R-R) and the other parcel will be in the 40 acre zoning designation (A-E).
2. The lots will be limited to the two existing dwelling units, extension of the utilities will be waived until additional lots are proposed for development.
3. Gail Halvorsen will deed the City a trails easement along the Spanish Fork River and the entire parcel in the 40 acre zone (A-E) will be placed in a conservation easement.

Commissioner Healey **seconded**, and the motion **passed** with a unanimous vote.

### **Public Hearing - Highland Estates (Janet Reese) Zone Change**

Janet Reese is requesting a zone change from R-2, Medium High Residential to R-1-8, Medium Residential on 5.61 acres known as the Highland Estates Subdivision at 1007 East 200 North. Ms. Reese feels the zone change will help preserve the single family neighborhood character, and eliminate the ability to allow accessory apartments. The CC&R's recorded with the subdivision in 1992 do not allow accessory apartments, yet the R-2 zone allows accessory apartments as a permitted use.

Ms. Reese addressed the Commission indicating her support for the zone change.

Commissioner Healey made a **motion** to recommend the City Council's approval of the Highland Estates zone change from R-2, Medium High Residential to R-1-8, Medium Residential, as presented. Commissioner Johns **seconded**, and the motion **passed** with a unanimous vote.

### **Public Hearing - Magleby Zone Change Greg Magleby Subdivision Waiver**

Commissioner Lewis noted a conflict of interest in that Greg Magleby is a friend and business associate. He indicated he would continue to participate in the discussion and voting.

Mr. Greg Magleby is requesting a zone change from R-R, Rural Residential to R-1-9, Standard Residential on property located at 1100 South 1100 East. The zone change will include property owned by Mr. Magleby, the Turner's, Jensen's, and the Frandsen's. Mr. Magleby requests a subdivision waiver to create two residential lots along 1100 East. He will construct a single family home on the vacant lot.

Chair Baadsgaard opened the meeting for public comment. None was received.

Commissioner Lewis made a **motion** to recommend the City Council's approval of the Magleby zone change with the following findings:

1. The zone change is consistent with the policies of the General Plan;
2. No conditions are necessary as the residential zone will not impact other properties in the area due to their similar residential nature.

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

Mr. Healey made a **motion** to approve the Magleby subdivision waiver subject to the developer working with the electric department on power issues. Mr. Johns **seconded**, and the motion **passed** with a unanimous vote.

### **Public Hearing - Jack B. Parson Companies - Conditional Use Permit**

Jack B. Parson (JBP) Companies are requesting a conditional use permit to operate a concrete batch plant in the I-2 zone at 1172 South Del Monte Road. JBP is purchasing the concrete batch plant from Valley Asphalt.

Mr. Pierson reviewed the following aspects of the operation:

#### Electrical Power

The plant would use Strawberry or City Power.

#### Air Quality

A permit from the Division of Air Quality has been issued and the batch plant will need to meet all city and state air quality regulations.

#### Water

The project will be using City water and must meet the Utah Division of Water Quality requirements. The site will use all of the existing facilities and will install a new 12-inch water line from 900 South to Arrowhead Trail on Del Monte. This will assist in providing water to the site and better water circulation in the Leland area.

#### Sound Levels

The batch plant is at about 1000 feet from the Hughes home and more than 1300 feet to the closest homes to the north or south.

The applicant has also stated to reduce any noise during early morning and evening hours, all backup alarms on loaders and other plant equipment will be switched over to the OSHA approved visual alarms (strobe lights).

#### Lighting

There are no plans for additional lighting at the site.

#### Traffic and Access

The applicant is planning on approximately 20 ready mix concrete trucks hauling about 6 loads each per day or 120 total. This is based on current and expected demand.

The entrance into the site is from Del Monte and the applicant has stated that they are willing to limit the access points onto Del Monte Road. The current roadway is approximately 26 feet of asphalt. The applicant has stated all trucks will go from the site onto Del Monte Road, then east or west on Arrowhead. Trucks will not go south across Arrowhead Trail to get to S.R. 198 (Main Street) via Del Monte to Cal Pac.

#### Hours of Operation

The applicant has stated hours of operation will be 6:00 a.m. to 6:00 p.m. Monday through Friday and Saturday from 6:00 a.m. to 4:00 p.m. Conditions will be placed on the need for extended and night time hours.

#### Landscaping

The applicant is proposing a 6-foot block wall to act as a retaining wall and creating a landscaped berm along Del Monte. They would have native vegetation along with 2 ½ inch caliper trees planted every 30-feet apart.

Chair Baadsgaard opened the meeting for public input.

Mike Dalley, representing JBP discussed operations at their batch plant in Ogden. He reviewed the proposed plan for the new site. JBP will cover the plant to help control fugitive emissions and keep heating in the building during the winter months. The building over the plant will also enhance aesthetics of the property. A batch office, restrooms and truck bay will also be constructed as part of the building.

Chair Baadsgaard asked if a time limit was in place in which conditions had to be met, including site improvements. Mr. Pierson indicated JBP will be required to bond for the improvements to ensure completion. Mr. Dalley stated JBP is sensitive to the City's concerns and are serious about meeting the conditions.

Mr. Frank Haymore who lives on Mill Road clarified conditions regarding traffic issues. He requested backing beepers be eliminated from trucks to help with noise. Mr. Dalley noted the backing beepers are required by OSHA. Strobe lights can only be used during nighttime operation. Mr. Haymore stated dust is one of the biggest problems with a batch plant and he commended Valley Asphalt for keeping the dust in control.

No further comments were received from the public.

Commissioner Johns made a **motion** to approve the Conditional Use Permit for the Jack B. Parson Companies to operate a concrete batch plant at 1172 South Del Monte Road, subject to the following conditions:

1. Hours of operation for the concrete batch plant will be 6:00 a.m. to 6:00 p.m. Monday through Friday; and 6:00 a.m. to 4:00 p.m. on Saturdays. No operation will take place on Sundays. Extended and night time hours will be allowed as demanded by circumstance and approved by the City Planner. Night hours to exceed four consecutive nights require approval of the Planning Commission.
2. Roads into and out of the concrete plant operation will be sprinkled by water trucks to control dust. No dirt or mud shall be tracked onto public streets.
3. To ensure that the Spanish Fork Fugitive Dust and Emissions Ordinance (Chapter 9.36) is met for the site, the site owner shall be in compliance with this section. This includes, though is not limited to the following portions of this Chapter highlighted below:
  - a) As per 9.36.010(2), The site owner shall control the site in order to keep dust and other types of particulates to a minimum by such measures as wetting down, covering, landscaping, paving, treating, or by other reasonable terms.
  - b) As per 9.36.010(4), The applicant shall maintain control of the establishment premises or plant premises and establishment or plant owner, lease, or controlled access roads by paving, oil treatment, or other suitable measure.
  - c) As per 9.36.010(5), The applicant shall not cause, suffer, allow or permit operations likely to give rise to airborne dust without taking the following precautions to prevent particulate matter from becoming airborne:
    - i. All unpaved roads and other unpaved operational areas, which are used by mobile equipment, shall be water sprayed as needed because of the weather and/or chemically treated to substantially reduce fugitive dust. Records of treatment shall be made available upon request and shall include a period of two years ending with the date of the request.
    - ii. The truck haul road shall be paved or treated to prevent dust and shall be periodically swept or water sprayed clean as dry conditions warrant. Records of cleaning of paved roads shall be made available upon request and shall include a period of two (2) years prior to the date of request.
    - iii. Water sprays or chemical dust suppression spray shall be installed at the following points to control fugitive emissions (if necessary): all conveyor transfer points. The spray shall operate whenever dry conditions warrant.
    - iv. Storage piles shall be watered or chemically treated to minimize generation of fugitive dust as dry conditions warrant.
4. To ensure that the Spanish Fork Fugitive Dust and Emissions Ordinance (Chapter 9.36) is met by the proposed concrete plant operations, the site owner and operator shall be in compliance with the fugitive emissions and fugitive dust standards as set by the Utah Air Quality Board. To ensure this, the following is required:
  - a) A current Division of Air Quality (DAQ) Approval Order shall be maintained by the operations at all times. A copy shall be at the site during operations.
  - b) The operator must maintain compliance with the conditions of the Approval Order. A violation of the Division of Air Quality regulations will result in the Conditional Use Permit being reviewed and possibly revoked.
5. An initial visible emission observation (VEO) compliance inspection shall be performed on the

concrete plant within 60 calendar days of approval by the Planning Commission of the plant equipment at the project site. The testing for VEO's will follow EPA 40 CFR Part 60, Appendix A, Method 9. A copy of the testing shall be submitted to the City for review.

6. As per the operator's Division of Air Quality Approval Order, visible fugitive dust emission from haul-road traffic and mobile equipment in operational areas shall not exceed 20% opacity. Visible emissions observations for traffic sources shall use procedures similar to Method 9. The normal requirement for observations to be made at 15-second intervals over a six-minute period, however, shall not apply. Six points, distributed along the length of the haul road or in the operational areas, shall be used. An opacity reading shall be made at each point when a vehicle passes the selected points. Opacity readings shall be made ½ vehicle length or greater behind the vehicle and at approximately ½ the height of the vehicle or greater. The accumulated six readings shall be averaged for the compliance value. These six readings shall make up single report.
7. JBP must meet the City's noise ordinance. A violation of the City Noise Ordinance will result in the Conditional Use Permit being reviewed and possibly revoked.
8. The concrete operation's landscaping and signs be approved by the City Planner with a sign permit obtained from the City.
9. The conditional use permit will be reviewed annually by the City Planner to ensure all conditions are being met.
10. The office located at the site will meet all requirements of the Uniform Building Code
11. Plans for installation of a septic system must be approved by the city within 60 days of Planning Commission approval. Construction of the system must be completed within 6 months.
12. A new entrance road shall be installed and asphalted with the old one being abandoned by JBP. Trucks entering or exiting from the site will be required to go either west or east on Arrowhead Trail and not use Del Monte or Cal Pac on the south side of Arrowhead.

Approval is granted with the findings that:

1. The proposed use is consistent with the General Plan and zoning district (I-2) which allows for a concrete batch plant through the conditional use process;
2. The use is not materially detrimental to the health, safety or welfare of the residents because of conditions to be placed upon the use;
3. The site is adequate in size and shape to accommodate the batch plant and the setbacks and landscaping will provide buffering to nearby residents;
4. With the reconfiguration of the driveway onto Del Monte, and with the condition that the trucks must go east or west on Arrowhead, the Planning Commission feels the site will be adequate for the concrete batch plant; and
5. The above conditions are placed upon Jack B. Parsons Companies to help resolve any anticipated detrimental effects pertaining to air quality, noise, water, and traffic which are associated with the concrete batch plant.

Commissioner Healey **seconded**, and the motion **passed** with a unanimous vote.

Commissioner Healey made a **motion** to close public hearings at 7:45 pm. Commissioner Lewis **seconded**, and the motion **passed** with a unanimous vote.

**Jack B. Parson Companies - Subdivision Waiver**

Valley Asphalt and Jack B. Parson (JBP) Companies have requested a subdivision waiver in order to split off one lot which contains a concrete batch plant. JBP is in the process of purchasing the batch plant from Valley Asphalt.

Commissioner Healey made a **motion** to approve the Jack B. Parson (JBP) Companies subdivision waiver subject to the following conditions:

1. City staff will analyze the costs of connecting the operation to City power, including running the line and the SESD buyout. JBP will determine which option to use.
2. The site will connect to the City water system at the applicant's expense by installing a water line along Del Monte Road with a new water meter.
3. A new entrance road shall be installed and asphalted with the old one being abandoned by JBP. Trucks entering or exiting from the site will be required to go either west or east on Arrowhead Trail and not use Del Monte or Cal Pac on the south side of Arrowhead.

Commissioner Lewis **seconded**, and the motion passed with a unanimous vote.

### **Adjournment**

Commissioner Lewis made a **motion** to adjourn the meeting of the Spanish Fork Planning Commission at 7:50 pm. Commissioner Healey **seconded**, and the motion **passed** with a unanimous vote.