

**Adopted Minutes  
Spanish Fork City Planning Commission  
August 3, 2005**

Agenda review at 6:30 p.m. by Mr. Pierson.

The meeting was called to order at 7:10 p.m. by Commissioner Bradford.

Commission Members Present: Chairman Paul Bradford, Ted Scott, Sherman Huff, Dave Lewis, Sharon Miya. Assistant Chairman Del Robbins was excused.

Staff Members Present: Emil Pierson, City Planner; Richard Nielsen, Assistant Public Works Director; Christine Johnson, Assistant City Attorney; Tricia Breinholt, Secretary.

Citizens Present: Clint Muhlestein, Karen Muhlestein, Chad Muhlestein, Connie Muhlestein, Richard Muhlestein, Frank Haymore, Allan Davis, Glen Way, Mary Isaac, Harold C. Ostler, Patricia L. Davis, Ron Haymore, Bryan Redd, Rex Larsen, Sherrie Larsen, Lisa Olsen.

The pledge of allegiance was led by Boy Scout, Christopher Breinholt

**Minutes**

**Planning Review & Update Projects**

Mr. Pierson reported on the updates of projects. New developments are moving along well, and trails have now been asphalted and completed. River Cove and Quail Hollow subdivisions are being developed and getting closer to completion. East Meadows Elementary School is also moving along quickly. D.R. Horton has picked up the town homes portion of the Spanish Vista Subdivision. Rick Salisbury has picked up the other homes in that subdivision. Pine Meadows Subdivision has also moved very quickly. East Meadows Subdivision is currently putting the improvements in the ground. Somerset will be adding on to plat C. Sunny Ridge Subdivision is also putting in the improvements, and the builders are Envision Homes and Murdock Homes. Black Horse Run has recently been completed, as well as Davencourt. The first phase of Whispering Willows has begun. They have decided to build town homes instead of twelve plexes.

**Staff Reports**

**Charter School Rezone Amendment**

The applicant(s), Charter One Development L.C. (Glen Way), is asking for an Amendment to a condition of the Rezone that went before the Planning Commission and City Council back in February.

Condition #1 stated: "Access onto Mill Road from the proposed development would be for emergency access only."

The applicant is requesting to:

- (1) Remove condition #1 "Access onto Mill Road from the proposed development would be for emergency access only."
- (2) With **ONE** of the following recommendations:
  - a. That no road or fire access be constructed or required to Mill Road.
  - b. If a 66-foot road way is constructed then the development be allowed to have full access onto Mill Road with no conditions.
  - c. Only a fire access is required to be constructed onto Mill Road.

Mr. Bradford asked if the road will be up to code, for safety reasons. Mr. Pierson stated that the Reese School, as well as Spanish Oaks Elementary each have just one access.

Glen Way, Charter One Development, stated that after this was approved in February, and the traffic study performed showed that Del Monte would be able to handle the traffic, they decided that they would like to be good neighbors to the people on Mill Road, as well as save money by not building a road that will not have access. He stated that they would like to hold back as much expense as possible so that they can use their money to educate.

Mrs. Miya stated that this was not a new idea, it was a condition that Charter One knew about from the beginning, and that should have been budgeted from then.

Mr. Way stated that while he appreciates her candor, he disagrees with her point of view. They have listened to the concerns of the neighbors, as well as have conducted a traffic study. This is the way that any developer would work.

Mrs. Miya asked him if he knew the conditions before they started construction. Mr. Way stated he is not arguing that fact. He stated that they have been mandated not to use Mill Road, and so they would like to not build the road that goes to Mill Road.

Mrs. Miya asked what has changed since then for them to come back to Planning Commission. Mr. Huff stated that what has changed is that it is not worth the cost to build the access to a road that they cannot use. Mrs. Miya stated that it was something that was agreed upon back when it came before the Planning Commission the first time. Mr. Way stated that they would not like to spend the money for something that will not be used.

Mr. Bradford asked if there will be a fence between Mill Road and the school. Mr. Way stated that that question had been asked, but they had honestly not thought that far down the road. Some fencing will more than likely be put up on that side of the school. He stated that H.E. Davis's suggestion was to bring a fire lane up and around that would be able to handle the weight of a fire truck. This would be instead of bringing it out to Mill Road. Mr. Way stated that the residential area will more than likely be getting developed as soon as the city lifts its utility restrictions.

Mr. Bradford asked if the school will be ready for fall. Mr. Way stated that they will be ready for school to start in the fall.

Mr. Huff asked if H.E. Davis suggested for a fire lane to come up on the northwest side of the football fields. Mr. Way concurred that this would be their recommendation. They would like for no traffic to go out onto Mill Road. He stated that there is adequate area to make a turn around cul-de-sac on the property.

Mr. Huff asked if they then would have the road to the south and west of the football field come up as an emergency access road. Mr. Way concurred. Mr. Huff stated that he does not think that this solution would make things better or worse for the neighbors on Mill Road.

Mr. Lewis asked if they would have a gate about half way up the football field. Mr. Way stated that they would. Mr. Way stated that the fire department stressed that they would like a fire lane, and the school is trying to meet that request.

Mr. Bradford thanked Mr. Way for his time and information.

Mr. Huff asked Mr. Bradford to open the floor for public discussion. Mr. Bradford opened the floor for public discussion.

Brian Redd lives on Mill Road and stated that this would be an improvement on the condition previously approved and believes that the cul-de-sac, as long as it meets code, would be an improvement with everything going out onto Del Monte and protecting Mill Road.

Pat Davis stated that it is pretty obvious that the school will have their own way. She stated that she believes that eventually they will come out onto Mill Road. She stated that the road by the canal turns into a one vehicle width and would be a safety issue.

Mary Isaac asked Mr. Way about coming down Mill Road where it connects into the one vehicle area of the road. She believes that it is a safety issue because it is a one way road by the canal. She recommends to either keep it where it's at or do away with it all together. She believes that drivers will take a straight shot rather than going around everything. She stated that she thinks they should put a fire hydrant in where the present emergency exit is and let them drag their hoses if they need to.

Mrs. Miya asked that if they wanted to build a road there in the future, if it would come before this group. Mr. Pierson stated that he does not see them wanting to do that in the future. It would not work with the way the football field is laid out.

Mr. Way stated that he believes that it is human nature not to trust others. He stated that it is not their desire to have a road come up and around that area. Mr. Way stated that it is their desire, as H.E. Davis is trying to build a road, and that it came up in Development Review Committee that they might require a fire hydrant. He stated that this access would be significantly better than the

access at Spanish Oaks Elementary. He stated that they are trying to utilize the property the best that they can. He also stated that the Mountain Land Applied Technology Center will be built on this site, and that their bids have come back. He stated that people have already stated they would like one of the lots in the subdivision. He stated that they have no ulterior motives.

Mr. Bradford asked Mr. Way if he thinks they need the access onto Mill Road or the access by the football field. Mr. Way stated that the fire chief wanted that access onto Mill Road. The state fire marshal has not put that on his plans. From the perspective of the Development Review Committee and the fire chief, he has brought the alternative of the asphalt road.

Mr. Bradford asked Mr. Nielson if the fire access is required there. Mr. Nielson stated that the fire chief stated that they wanted that access.

Richard Muhlestein lives on Mill Road and believes that these boys are nice people, but he does not believe that they have been all that truthful. He stated that when he sold property to them, he was promised that there would not be homes. He stated that the subdivision goes against what he was told at the time he sold the property to them. He stated that just with the construction lately, he can hear the traffic going up and down in the area. He says that the citizens on Mill Road have a problem with all of it.

Mr. Bradford thanked Mr. Muhlestein and advised him that the issue of the subdivision has not even come up yet.

Lisa Olsen stated that she is very happy with them not coming off of Mill Road at all. She believes that there is plenty of access for Del Monte.

Mr. Bradford closed public discussion.

Mr. Huff stated that his recommendation would be that they make the cul-de-sac and that there be no exit or entrance to mill road. Mr. Nielsen stated that from a public works perspective, the water line, and other utilities would still need to go through there, even if the road does not. Mr. Pierson asked if the utilities could be taken further to the north. Mr. Nielsen stated that they could.

Mr. Lewis stated that he would like to support either a cul-de-sac or all the way through.

Mrs. Miya asked Mr. Way if this was a done deal for the access currently. Mr. Way and Mr. Heaps agreed that the access there is bonded for. Mrs. Miya clarified that there will be only one fully improved road and the parsons thing will determine which road it is. Mr. Way stated that it would be a driveway, not a dedicated road for the city. She reiterated that they are only proposing one. Mr. Way stated that at this time they are. He stated that once the city lifts their utility restriction, they will be asking for two.

Mr. Bradford asked if the canal would interfere with the roadway. Mr. Way stated that it would if

it stayed there, but they are spending about \$500,000 to move it. They are working with the irrigation company to put in a pipe and drop the canal several feet. Mrs. Miya asked if they can build a road from the third week of August to be ready for school on September 6<sup>th</sup>. Mr. Way stated that they could.

Mrs. Miya stated that she has a concern about emergency access. She believes the best way would probably be making it a cul-de-sac.

Commissioner Huff made a **motion to approve** the Charter Rezone Amendment and give a positive recommendation to the City Council for the property located at 1173 Del Monte Road by requiring that no road access be constructed or required to Mill Road, but that a cul-de-sac will be constructed for fire access. Commissioner Scott **seconded** and the motion **passed** with all voting in favor.

Mr. Bradford made a motion to move into work session with all in favor.

### **Work Session**

#### **General Plan**

Mr. Pierson presented the new draft of the General Plan. He stated that they have included a map of the flood plain, population, etc. He stated that this draft will be posted on the website probably next week. He stated that there many changes.

Mr. Bradford asked if the price of the pressurized irrigation will change. Mr. Nielsen stated that the price will continue to drop over the years. Mr. Pierson stated that one thing to be noticed is that there are more pictures and graphics. He stated that he will have opportunities when people come to the planning commission with ideas, that he can show them what Spanish Fork City is looking for in building, architecture, fixtures, colors, artwork, etc. He asked the commissioners to look really close at section 8, Design Review. There are still a few things he will be adding to this draft, it is not the completed product.

**Motion to adjourn** made by Commissioner Huff and seconded by Commissioner Scott. The meeting adjourned at 8:55 p.m.