

**Adopted Minutes  
Spanish Fork City Planning Commission Meeting  
April 4, 2007**

Agenda review 6:30 p.m.

**Commission Members Present:** Chairman Paul Bradford, Michael Christianson, Del Robins, Sharon Miya, Michael Christianson, Dave Lewis.

**Staff Present:** Dave Anderson, Planning Director; Richard Nielson, Public Works Assistant Director; Shelley Hendrickson, Planning Secretary.

**Citizens Present:** Steve Day, Dak Maxfield, Bob Rowberry, Terry Hallett, Wayne Niederhauser, Duane Kirkham, Allen Davis, Lisa Warren, Joe Warren, Jerry Voran, Charlene Voran, Kathleen Snyder, Bryan Redd, Annette Redd, Jerry Baadsgaard, Kerri Baadsgaard, Jim Taylor, Lee McNeil, Justin Meredith, Karen Muhlestein, illegible name, David Isaac.

**CALL TO ORDER**

Commissioner Bradford called the meeting to order at 7:03 p.m.

**PRELIMINARY ACTIVITIES**

- Pledge

Commissioner Robins led the pledge of allegiance.

Commissioner Bradford excused Commissioner Huff from the meeting.

- **Adoption of Minutes: March 7, 2007**

Commissioner Robins made a **motion** to **approve** the minutes of March 7, 2007. Commissioner Miya **seconded** and the motion **passed** all in favor.

**PUBLIC HEARINGS:**

Commissioner Robins **moved** to open into Public Hearings. Commissioner Christianson **seconded** and the motion **passed** all in favor.

**Amendment to the General Plan and Zoning Maps**

Applicant: Clark Mitchell

General Plan: General Commercial existing, requesting Residential 9-12 Units Per Acre

Zoning: Commercial 1 existing, R-3 requested  
Location: 1700 East Canyon Road

The applicant requested that this agenda item be continued.

### **Old Mill Estates General Plan Amendment and Zone Change**

Applicant: CW Management Group

General Plan: 1 unit per 5 acres/.5-1.5 units per acre residential existing, 1.5-2.5 units per acre residential requested

Zoning: Rural Residential existing, R-1-15 requested

Location: 1503 South Mill Road

Mr. Anderson gave background and explained the proposal.

Commissioner Christianson asked Mr. Anderson if the Commission were to approve the Zone Change, would there be any guarantee that what the developer was proposing would be concrete or could it change.

Mr. Anderson said the best way to bind the applicant would be with a development agreement that they would voluntarily enter into.

Commissioner Robins asked for the amount of acreage.

Mr. Anderson said it was approximately 30 acres.

Discussion was held regarding the current General Plan designation.

Commissioner Lewis asked where the lift station would be located.

Mr. Anderson said that the developer would address that.

Commissioner Bradford thanked the citizens of Leland for their attendance and comments from the Leland meeting that was held in March. He then asked the developer to address the Commission.

Wayne Niederhauser

Mr. Niederhauser addressed the Commission. He addressed past projects, restrictive covenants, HOA, site information, subdivision plan, meetings, Mill Road access, sewer pump station, three phase power, storm water retention, entry features, and a connector's agreement.

Commissioner Christianson asked whether or not UDOT had been contacted regarding the proposed egress and ingress to Arrowhead Trail.

Mr. Niederhauser said that they had met with UDOT but had not secured the access.

Commissioner Bradford opened for public comment.

Pat Parkinson

Ms. Parkinson addressed the Commission. She feels that this is a nice development. She is in support of the development.

Duane Kirkham

Mr. Kirkham asked why this development even needed to be approved. He feels that the wishes of the people who currently live there should take precedence. He also asked why the people who live there do not have a say. He feels that if the development is approved that the people who move there will not like the animal smells.

Commissioner Bradford asked for clarification on animal rights.

Mr. Anderson said that the animal rights of the residents in Leland will be protected.

Jeff Clark

Mr. Clark addressed the Commission. He expressed how he feels that the people who live adjacent to the proposal are feeling. He feels that the rights of the residents will diminish in the future because of growth.

Lisa Olsen

Ms. Olsen addressed the Commission with a letter from Richard and Lana Harris; which she read.

Ms. Olsen then gave her comments. She is fearful of having an emergency access onto Mill Road turned into a full access.

Commissioner Bradford explained that Mill Road is a public road and that the developer has just as much right to the road as the Leland residents.

Dan Davis

Mr. Davis addressed the developer. He feels that a turn lane on Arrowhead Trail into the development would be wise. He feels limited access onto Mill Road is a good thing.

Allan Davis

Mr. Davis addressed the Commission. He likes the emergency access onto Mill Road.

Discussion was held regarding Utah County's plans on the roads in the area, and how to get Mill Road taken care of.

Kevin Baadsgaard

Mr. Baadsgaard addressed the Commission. He feels that the lots will have to be sold when the cattle are not in the feed lot. He likes the idea of access onto Arrowhead.

Bryan Redd

Mr. Redd addressed the Commission. He said that he has a petition to submit to the Commission. He is for the emergency egress to Mill Road. He feels that Mill Road from in front of the proposed development to the canal is a serious issue.

Mr. Niederhauser addressed the Commission. He explained where he lives and that it is a rural feel in the middle of urban Sandy.

Commissioner Bradford feels that the developer has met the needs of the citizens of Leland and that they have addressed the issues of Mill Road.

Commissioner Miya feels that the developer has done a good job and that this is a beautiful development.

Commissioner Robins asked Mr. Nielson how an emergency access into a development would work, and who would decide when it could be open for full access.

Mr. Nielson said the City would be in charge of the access and that the road would be open for full access when the City deemed it necessary.

Pat Parkinson asked for the traffic study to be addressed.

Mr. Nielson said that the Charter School did a traffic study and that he did not remember the amount of cars that the study said Mill Road could handle.

Discussion was held regarding the traffic study.

Commissioner Bradford feels that this is a good development and has not seen a more beautiful development come into the City.

Commissioner Lewis asked Mr. Anderson if he needed to reclude himself from voting tonight due to a potential conflict of interest.

Mr. Anderson stated that he did not feel that Mr. Lewis needed to reclude himself.

Commissioner Lewis supports this development and he is opposed to an emergency access onto Mill Road.

Commissioner Christianson agrees with Mr. Lewis. He does not think there should be a gate. He does not feel there is anything to gain from not allowing access to Mill Road. He feels that if the sewer line will go in Mill Road in the future then why put in a new road only to tear it up. He feels that a development agreement is warranted.

Commissioner Robins does not support anything more than an emergency access onto Mill Road. He feels that the Leland residents have been very involved and their points of view should be evaluated.

Discussion was held regarding access onto Mill Road, traffic lights on Arrowhead trail, and Mill Road.

Clint Muhlstein

Mr. Muhlstein addressed the Commission. He feels that Mill Road needs to be addressed and that the City needs to help get Mill Road fixed.

Annette Redd

Ms. Redd addressed the Commission. She said that when the new Riverview Elementary School opens the children in Leland will be attending it. The kids live too close to be bused to the school and that they will have to walk down Mill Road. There are not any sidewalks and that the road is not safe.

Discussion was held regarding a development agreement, Mill Road improvements, and access onto Mill Road.

Commissioner Lewis made a **motion** recommending to the City Council **approval** of the proposed General Plan and Zoning Map Amendments for property located at approximately 1503 South Mill Road changing the General Plan Map from 1 unit per 5 acres/.5-1.5 units per acre Residential to Residential 1.5-2.5 units per acre residential and changing the Zoning Map from Rural Residential to R-1-15 based on the following finding and subject to the following conditions:

**Finding:**

1. That the applicant's entrance features and open space amenities are consistent with the concept of the General Plan and the quality of developments that the City ought to encourage and seek after.

**Conditions:**

1. Cap the units at 55 units.
2. The lift station is installed to the City's standards for approximately 600 connections.
3. Mill Road is improved from entry to Arrowhead Trail.
4. Full access onto Mill Road.
5. Developer can receive reimbursement by a connector's agreement for the applicable public improvements.

Commissioner Christianson **seconded** and the motion **passed** by a roll call vote. Commissioner Robins voted nay because he feels access onto Mill Road should be studied further.

**Staker Parsons Conditional Use**

Applicant: Staker Parsons

Zone: Industrial 2

Location: 2100 North 200 East

Mr. Anderson gave background and explained the proposal.

Commissioner Bradford asked the developer to address the Commission.

Steve Day

Mr. Day addressed the Commission.

Discussion was held regarding delivery trucks, and the DRC's recommended conditions.

Commissioner Lewis made a **motion to approve** the proposed Conditional Use Permit at approximately 2100 North 200 East, based on the following finding and subject to the following conditions:

**Finding:**

1. That the proposed Conditional Use meets all of the findings in section 15.3.08.060, C, of the Spanish Fork City Municipal Code.

**Conditions:**

1. That all recommendations in the approved Dust Control Plan shall be adhered too.
2. Entire site be hard surfaced upon opening.
3. That the City may require a consultant qualified to evaluate fugitive dust be retained by the operator to provide periodic reports if it is determined to be necessary.

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

**Public Facilities Zone**

Applicant: Spanish Fork City

Location: Citywide

Mr. Anderson explained the proposal.

Commissioner Bradford opened for public comment. There was none.

Commissioner Robins made a **motion** recommending to the City Council **approval** of the proposed Public Facilities zone at approximately 2100 North 200 East, based on the following findings:

**Findings:**

1. That the proposed zone is consistent with the language and intent of the City's General Plan.
2. That the proposed language would allow public agencies to construct and operate facilities that promote the general welfare and common good of the community.

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

Commissioner Robins **moved** to close Public Hearing. Commissioner Lewis **seconded** and the motion **passed** by all in favor.

## **STAFF REPORTS**

a. **Proposed Vacation of 560 East Street**

Applicant: Spanish Fork City

Location: 560 East north of 1000 North

Commissioner Lewis made a **motion** recommending to the City Council **approval** of the **vacation** of 560 East Street subject to the following conditions:

### **Conditions:**

1. To closings on the property for the development of the North Park.
2. That the North Park development moves forward.
3. That the utility companies are notified.

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

b. **Proposed Abandonment of Hatfield Subdivision Plat A**

Applicant: Spanish Fork City

Location: 560 East 1000 North

Commissioner Lewis made a **motion** recommending to the City Council **approval** of **abandoning** the Hatfield Subdivision subject to the following conditions:

### **Conditions:**

1. To closing on the property for the development of the North Park.
2. That the North Park development moves forward.
3. That the utility companies are notified.

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

c. **Subdivision Waiver**

Applicant: Jerry Pidcock

Zoning: R-1-6

Location: 543 East 400 South

Mr. Anderson gave background and explained the proposal.

Commissioner Miya made a **motion** recommending **approval** of the proposed Subdivision Waiver for Jerry Pidcock located at 543 East 400 South based on the following finding and subject to the following conditions:

Finding:

1. That the proposed Subdivision Waiver is consistent with the requirements of the R-1-6 zone.

Conditions:

1. That the project meets the City's Construction and Development Standards.
2. That the applicant places the electric utilities underground.
3. That any necessary corrections are made to the plat and a clean copy be provided for the City's files.

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

## OTHER DISCUSSION

### a. Planning Update

Mr. Anderson explained the importance of the land use meeting set for April 10, 2007, 6-8 p.m.

Discussion was held regarding the meeting, Jim Taylor's proposal from March's agenda, county property owners adjacent to Jim Taylor's property, traffic on Mill Road, and traffic studies.

Commissioner Robins made a **motion** recommending to the City Council that they have staff look at traffic calming or traffic control issues on Mill Road. Commissioner Lewis **seconded** and the motion **passed** all in favor.

## ADJOURN

Commissioner Miya **moved** to adjourn. Commissioner Robins **seconded** and the motion **passed** all in favor.

Meeting **adjourned** at 9:30 p.m.

**Adopted: May 2, 2007**

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Shelley Hendrickson, Planning Secretary