

**Adopted Minutes  
Spanish Fork City Planning Commission Meeting  
December 5, 2007**

Agenda review 6:30 p.m.

**Commission Members Present:** Chairman Del Robins, Michael Christianson, Dave Lewis, Shane Marshall.

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

**Citizens Present:** Cody Roberts, Ryan Allred, M. Don Forbush, Carly Forbush, Sharon Forbush, Devin Hyde, Haruchiku (illegible), Lee R. Hill.

**CALL TO ORDER**

Chairman Robins called the meeting to order at 7:02 p.m.

**PRELIMINARY ACTIVITIES**

**Pledge**

Commissioner Lewis led the pledge of allegiance.

Chairman Robins excused Commissioner Huff and Commissioner Miya.

**Adoption of Minutes: November 7, 2007**

Commissioner Lewis **moved** to **approve** the minutes of November 7, 2007. Commissioner Christianson **seconded** and the motion **passed** all in favor.

**PUBLIC HEARINGS**

Commissioner Christianson **moved** to **open** into Public Hearing. Commissioner Marshall **seconded** and the motion **passed** all in favor at 7:04 p.m.

**Trailside Subdivision Zone Change and Preliminary Plat**

Applicant: Cody Roberts

General Plan: Residential 4.5 to 5.5 Units Per Acre  
Zoning: Rural Residential existing, R-1-8 requested  
Location: approximately 1300 North State Road 51

Mr. Anderson explained the location of the property, that it was zoned R-R as part of the Forbush Annexation. The project is over 90 acres in size with 400 proposed dwelling units. The proposal does hit the ceiling on the density with the General Plan with a combination of fairly traditional lots for single family dwellings and a courtyard home or quad lot unique housing project; which, does allow the developer to approach multi-family detached home densities if the City finds that the proposal involves a superior product. The applicant has proposed to deed to the City 10.6 acres of park space on the east end of the project and proffer funds of \$700,000 to \$800,000 dollars for park construction. There is concern with regard to the current condition of the Anderson Salvage Yard land. The property is currently prepared for the construction of a park. Discussion has taken place regarding the applicant being required to hire a professional landscape architect that would recommend the proper improvements that the developer would then assume in order to make the property appropriate to construct a park on.

Commissioner Christianson feels it is premature to set a cash amount for a park that has not been designed by a Landscape Architect.

Discussion was held regarding a Landscape Architect designing the park and negotiating the park costs.

Mr. Anderson explained the Anderson Salvage Yard is a small portion of the proposal and the applicant has begun cleanup. There are hazards on the site that need to be mitigated. The applicant has retained a professional with regard to the clean up. There is a large portion of the project that is not contaminated and the applicant would like to start construction while the clean up is transpiring. There has been discussion regarding proposing a development agreement to set rules the applicant would accept to set limits on the construction until the clean up of the Anderson Salvage Yard is complete. There is a 120 foot Rocky Mountain Power easement through the project. This corridor is the location of a proposed City Master Trail. The City has met with Rocky Mountain Power regarding this use.

Commissioner Christianson is concerned that the contaminated property will not be cleaned up; how will the City be ensured that it will be cleaned up.

Mr. Anderson explained there would be language in a development agreement that would ensure the site clean up will take place perhaps with the placement of a bond.

Discussion was held regarding phasing and the clean up of the salvage yard property with regard to bonus density.

Mr. Anderson explained what the applicant would need to do to get the bonus density he is requesting.

Commissioner Marshall asked for clarification on bonus density; whether it falls under the zone change or the Preliminary Plat approval.

Mr. Anderson explained bonus density would be discussed with the Preliminary Plat.

Chairman Robins asked for clarification on the property owners to the west of the proposal.

Commissioner Christianson asked if perimeter fencing would be required or needed next to a future park.

Mr. Anderson feels cash in lieu of a fence.

Discussion was held regarding density on the multi-family phase, the design and construction of the park, note on the plat regarding the land fill and potential hazards.

Cody Roberts

Mr. Roberts explained the proposal with an overhead presentation and discussion followed regarding: vicinity, photos of the current site, abandonment of a flowing artesian well, enhancement of the wetlands for mitigation purposes, clean up of the property, offsite utilities and phasing, clean up of the salvage yard and working with the Division of Environmental Quality timing of at least one year with a development agreement for phasing, project goals, amenities, subdivision summary, delineation complete, mitigation still work in progress, trailside density (base density 4.03 u/a, density requested is 4.5 u/a), environmental cleanup, landfill environmental cleanup, 10.7 acre City park, 2.33 miles in public trails, landscape open space, native open space, rebuild of highway 51 with decorative wall, environmental cleanup and removal of the wrecking yard, 10.7 acre park, City Parks Department not wanting someone else designing a City park that they would then receive, proffering money for a park, discussion was held regarding the grade of the salvage yard.

Commissioner Christianson asked if vinyl fence is allowed in the Master Planned Development. Mr. Anderson is not aware of a fencing requirement anywhere other than cross section of streets which requires a masonry wall.

Discussion was held regarding fencing, trails, courtyard product allowing detached multi-family density, status on the removal of the billboards, CC & R's for the courtyard, basements permitted on a lot by lot basis, CC & R's applying to the entire project and not just the courtyard, design of the courtyards, parking, and private trails.

Chairman Robins asked for the approximate location of where the crusher was on the Anderson salvage yard.

Mr. Nielson explained using an overhead picture projection.

Mr. Roberts explained that they would address the methane gas by requiring the builder to do a vapor barrier on the bottom of the home with a flue to the roof.

Chairman Robins asked the depth of material that will be removed from underneath the crusher area of the Anderson salvage yard.

Mr. Roberts said that a plan had not been implemented yet with the exact amount.

Discussion was held regarding the removal of the cars on site, location of the land fills, phasing, off-site utility locations, access from the east side of the development to the adjacent property, mitigation and enhancement of the wetlands, detention basin location and that due to the location of a major gas line in the vicinity the basin location may change.

Chairman Robins asked for public comment.

No public comment.

Commissioner Lewis explained he initially had some concern with the salvage yard being cleaned up with regard to phasing and improvements but due to the fact that the vehicles have already been removed if the applicant bonds he will recommend approval of the phasing.

Commissioner Christianson feels this is a project that will need some help financially; cleanup will not be cheap and to make the project happen there will need to be

phasing but still does not know how to ensure that the clean up will take place if allowed to construct without requiring the Anderson Salvage yard cleanup to be complete first.

Chairman Robins is concerned with establishing a minimum distance from where any possible landfill could be to a residential dwelling and feels strongly that there should be a minimum distance of 20 feet.

Discussion was held regarding the wash and a building envelope, clean up of a dumpsite and a geo tech study.

Mr. Anderson said that the City had hired a consultant and they have been present at some of the meetings; they will give a report if needed.

Discussion was held regarding the location of the trash, and a certificate of completion from the Division of Environmental Quality regarding the Anderson Salvage Yard property.

Chairman Robins feels very anxious about the project due to the landfill. Commissioner Lewis agreed.

Mr. Anderson feels that a reasonable buffer does need to be determined.

Mr. Roberts explained the process of the clean up of contaminated property through the Division of Environmental Quality.

Chairman Robins feels that a condition needs to be in place with the Final Plat approval regarding a buffer from the point of where any landfill was. He likes the courtyard, great parks, great layout, concerned about access between the developments, likes the wetlands, feels it will be a good addition to the City and feels there is enough amenities to justify the density.

Commissioner Lewis agreed. He likes the layout and likes the clean up. Has concerns with traffic. He loves parks and trails. Feels the cottages will do well. Disagrees with the narrow streets.

Commissioner Christianson is uncomfortable with the idea of the project moving forward without complete cleanup of the salvage yard.

Commissioner Marshall likes the project and supports the rezone. He feels that something needs to happen in this area of town but due to the amount of information received is not ready to make a decision on the Preliminary Plat.

Mr. Anderson explained the public hearing was required for the zone change but would not be necessary for the Preliminary Plat; if continued.

Mr. Roberts explained he has been working on this proposal for over two years and feels if there is any possibility to get Preliminary Plat approval by attaching conditions so he could move forward.

Discussion was held regarding December and January City Council meeting dates and times, professional results with regard to the location of the landfill, date and time of the next Planning Commission meeting, assurance that the project will be built if the property sells, billboards, CC & R's applying to the entire project and not just the courtyard, methane venting in writing on the plat, professional verification of the costs associated with the park, and an architecture committee signing off for the building permit.

Commissioner Lewis **moved** to **approve** the proposed Zoning Map Amendment for Trailside located at approximately 1300 North State Road 51 from R-R to R-1-8 based on the following finding:

1. The R-1-8 zone is consistent with the General Plan.

Commissioner Marshall **seconded** and the motion **passed** all in favor.

Commissioner Lewis **moved** to **continue** the Trailside Preliminary Plat to January 9, 2007. Commissioner Christianson **seconded** and the motion **passed** all in favor.

### **Spanish Fork Storage Conditional Use**

Applicant: Jed Morley

General Plan: General Commercial

Zoning: Industrial 2

Location: Arrowhead Trail and Del Monte Road

Commissioner Christianson **moved** to **continue** the Public Hearing on the Spanish Fork Storage Conditional Use for Jed Morley located at Arrowhead Trail and Del Monte Road; per the applicant's request. Commissioner Lewis **seconded** and the motion **passed** all in favor.

## **Growth Boundary Amendment**

Applicant: Spanish Fork City

Mr. Anderson explained there had been two joint meetings with the Planning Commission and City Council where they directed staff to encourage development.

Discussion was held regarding moving the growth boundary to the Union Pacific Rail line, capacity at the sewer plant, City's current sewer usage, inter-local agreement with Salem City for sewer capacity in the Leland area, the Ensign-Bickford property regarding the press release of the future construction of 1,500 residential dwelling units, transportation issues and commercial uses relating to amending the General Plan, City wide master traffic study, and impact fees.

Commissioner Marshall is very concerned with infrastructure and what the City can support relative to growth. He would like to see more information.

Chairman Robins **moved** to **continue** the Growth Boundary Amendment. Commissioner Marshall **seconded** and the motion **passed** all in favor.

Commissioner Christianson **moved** to **close** public hearing. Commissioner Marshall **seconded** and the motion **passed** all in favor at 9:28 p.m.

## **Other Discussion**

Mr. Anderson told the commission that Commissioner Sharon Miya had resigned and explained her term ends in July of 2008.

Discussion was held regarding the Commission's meeting schedule in 2008, and when to hold the commissions January 2008 meeting.

Commissioner Christianson does not like the idea of developers getting Master Plan Developments approved and then selling the project before construction.

Discussion was held regarding maintaining conformity between developers on Master Planned Developments, whether or not to reduce the minimum acre requirement in the Industrial and R-3 zones with regard to in-fill development.

Commissioner Robins **moved** to **examine** the General Plan in the area of where 2550 East and Expressway Lane meet. Commissioner Marshall **seconded** and the motion **passed** all in favor.

### **Adjournment**

Commissioner Lewis **moved** to **adjourn**. Chairman Robins **seconded** and the motion **passed** all in favor at 9:43 p.m.

**Adopted: January 9, 2008**

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Shelley Hendrickson, Planning Secretary