

**Adopted Minutes  
Spanish Fork City Planning Commission Meeting  
May 4, 2011**

**Commission Members Present:** Rick Evans, Tyler Cope, Seth Sorensen, Michael Christianson.

**Staff Present:** Dave Anderson, Community Development Director; Shelley Hendrickson, Planning Secretary; Trapper Burdick, Assistant City Engineer.

**Citizens Present:** Chet Olsen

Chairman Christianson welcomed everyone to the meeting at 6:03 p.m.

Chairman Christianson introduced Seth Sorensen as the new Commissioner. Seth Sorensen is taking the place of Shane Marshall.

## **MINUTES**

**March 16, 2011**

Commissioner Evans **moved** to **approve** the minutes of March 4, 2011. Commissioner Sorensen **seconded** and the motion **passed** all in favor.

## **PRELIMINARY ACTIVITIES**

### **Pledge**

Commissioner Sorensen led the pledge.

## **PRELIMINARY PLATS**

### **West Gate Manor**

Applicant: Jed Mitchell

General Plan: Low Density Residential

Zoning: R-1-8

Location: 310 North 450 West

Mr. Anderson explained the proposed plat had been approved several years ago. He further explained that once a Preliminary Plat is approved, a Final Plat must be recorded within the development, with in one year, or the Preliminary Plat approval

expires. That is what has happened with this proposal and the applicant is requesting to have the Preliminary Plat re-approved. He said that all of the lots did conform to the R-1-8 zoning provisions and that the City's Engineering Department requested a few modifications to the construction plans so as to meet the current City construction standards.

*\*\*Tyler cope arrived at 6:08 p.m.*

Discussion was held regarding the homes that had previously been constructed, location of the utilities, the phasing plan and performance bonds being updated.

Jed Mitchell

Mr. Mitchell asked what the process would be for a current lot owner to purchase an adjacent lot to make his back yard bigger. Discussion was held regarding the process.

Commissioner Sorensen **moved** to recommend that the City Council **approve** the Preliminary Plat for West Gate Manor located at 310 North 450 West. Commissioner Evans **seconded** and the motion **passed** all in favor by a roll call vote.

### **R & C Supply**

Applicant: Chet Olsen

General Plan: Industrial

Zoning: Industrial 1

Location: 700 West 1000 North

Mr. Anderson explained that the property included in this proposal was part of the Kelly Annexation that was approved three years ago. The property is vacant today and the proposal meets the City's zoning provisions for lots in the Industrial Zone. He further explained that when the property was annexed, a well defined development agreement was drafted that the petitioners entered into. The agreement involves bringing all the improvements to and through the property along either 1000 North or along the railroad tracks. When the petitioners agreed to the improvements they had anticipated that the property to the East would develop first. That development is now gone and the applicant has purchased the property from the petitioners who signed the agreement. City staff acknowledges the agreement that the City Council entered into and that it needs to be addressed. City staff does see some reason in not requiring that all of the customary improvements be brought to the property today. Staff recommended that the subdivision be approved with the applicant paying for the improvements along his frontage with the understanding that the City will hold those funds and be responsible to bring those utilities in at a later date.

Commissioner Christianson asked if 650 West would be improved. Mr. Anderson said that 650 West had been vacated.

Mr. Burdick explained that the only main utility that would be brought to the property was water for fire protection. The pressurized irrigation is not under I-15 so the report from Engineering explains that they would do payment in lieu of installation because they did not want dry utilities if it was going to be ten or more years before utilities are installed. They would also like to design the storm drain, curb, gutter and sidewalk as one big project. It would be in the best interest of the City to have the applicant pay in lieu instead of install the utilities.

Discussion was held regarding the sewer and a septic tank.

Chairman Christianson asked Mr. Anderson if the City would be setting precedent by allowing this applicant to pay in lieu instead of installing the utilities.

Mr. Anderson explained that he felt that a lot of the decisions that City staff made were precedent setting. He further explained that City staff tries to be as reasonable as they can to help facilitate development and that if another proposal were to come before the City, under similar circumstances, that City staff's recommendation would be the same.

Commissioner Evans expressed that he felt the reality of growth drags infrastructure into the game. That it is the way cities develop.

Discussion was held regarding the cost of utilities.

Commissioner Sorensen **moved** to recommend that the City Council **approve** the Preliminary Plat for R & C Supply located at 700 West 1000 North subject to the following conditions:

### **Conditions**

1. That Spanish Fork City's Engineering Department review the Construction and Development Standards to make sure that the proposal to operate with a septic tank meets the City standard for subdivisions.
2. That the applicant either pay the City for future improvements in the 1000 North right-of-way or install improvements in accordance with the City's master plans.
3. That the City Council amend the Kelly Annexation agreement to allow for the delay of infrastructure improvements.
4. That the applicant meet any other conditions provided by the Engineering Department.

Commissioner Cope **seconded** and the motion **passed** all in favor by a roll call vote.

## ANNEXATIONS

### **Lindbergh**

Applicant: Spanish Fork City  
General Plan: Public Facilities, Agricultural, Industrial  
Zoning: Agricultural, Industrial  
Location: 3300 North 800 West

Mr. Anderson said that the City was the sponsor of this annexation and explained the reasons for the annexation.

Discussion was held regarding the property owners included in the annexation and what their stand was on the annexation.

Commissioner Evans **moved** to recommend that the City Council **approve** the Lindbergh Annexation provided that all land owners are notified and aware of the City Council meeting. Commissioner Sorensen **seconded** and the motion **passed** all in favor.

## ORDINANCE AMENDMENTS (PUBLIC HEARING)

### **Public Safety Impact Fee Authorization**

Applicant: Spanish Fork City  
General Plan: City Wide  
Zoning: City Wide  
Location: City Wide

Mr. Anderson explained that we have a need for two fire stations: one on 2550 East and one in the Leland area on 900 South. He explained that Title 15 defines what the City can charge impact fees for. He said this was not State mandated but since we have the verbiage in our code that the language needs to be modified.

Commissioner Cope asked if anyone knew how much the new fee might be. Mr. Anderson said that he did not know for sure.

Discussion was held regarding impact fees.

Commissioner Evans **moved** to recommend that the City Council **approve** the Public Safety Impact Fee Authorization. Commissioner Cope **seconded** and the motion **passed** all in favor.

## DISCUSSION

General Plan Update review

No Discussion.

Mr. Burdick presented a presentation on the Spanish Fork River.

Commissioner Christianson asked for a nomination for Vice Chairperson.

Commissioner Cope nominated Dave Stroud. Commissioner Sorensen seconded.

### **ADJOURNMENT**

The meeting **adjourned** at 8:38 p.m.

**Adopted: June 8, 2011**

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Shelley Hendrickson, Planning Secretary