

**Adopted Minutes
Spanish Fork City Planning Commission
40 South Main Street
Spanish Fork, Utah
August 3, 2022**

Commission Members Present: Chairman Jesse Cardon, Commissioners John Mendenhall, Shauna Warnick, Joseph Earnest, Todd Mitchell, Michelle Carroll.

Staff Members Present: Dave Anderson, Community Development Director; Brandon Snyder, City Planner; Michael Clark, Staff Engineering; Jackson Dille, Planning Intern.

Citizens Present: Julie Smith, Jon Jensen, David Simpson, Dan Birchette.

WORK SESSION

Chairman Cardon called the meeting to order at 6:04 P.M.

PRELIMINARY ACTIVITIES

Pledge of Allegiance

Commissioner Carroll led the pledge.

MINUTES

July 6, 2022

Commissioner Earnest moved to approve the minutes from July 6, 2022.

Commissioner Warnick seconded and the motion passed all in favor.

ZONE CHANGE AND PRELIMINARY PLAT (Public Hearing)

Shelly Subdivision

Brandon Snyder explained the development proposal and its location. It has been requested that the property be rezoned to R-1-12 to match the lot sizes of the development to the north. The project will be done in two phases.

Discussion ensued regarding Legacy Farms' proximity to this site.

Commissioner Earnest asked if street trees would be required.

Brandon Snyder said they would.

The applicant, Julie Smith, rose to say that the City will be purchasing the corridor here. She has spoken with neighboring property owners and they all want to develop the area in a manner that will keep the agricultural feel.

Commissioner Warnick asked how quickly phase two will be done.

Julie Smith said phase two will be done in a different tax year.

Chairman Cardon laid out ground rules for public hearing.

Chairman Cardon opened the public hearing at 6:13 P.M.

There was no public comment.

Chairman Cardon closed the public hearing at 6:13 P.M.

Commissioner Mitchell **moved** to approve the Shelly Subdivision Zone Change and Preliminary Plat based on the following findings and conditions:

Findings:

1. That maintaining similar lot sizes to existing development is appropriate.

Conditions:

1. That the applicant meets the City's Zoning requirements and Construction Standards.
2. That the applicant addresses any red-lines.
3. That the proposed Lot 9 be included in Phase One.

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

ANNEXATION

Oberg Annexation

Dave Anderson gave a brief history of annexations in the area. The Utah West Annexation is right above this site and was annexed with I-1 zoning due to anticipated end use and a clear annexation agreement. A draft agreement has been made for this annexation as well. The improvements that would be required here are identical to the improvements that were required in the Utah West Annexation. This location has been expected to develop industrially for quite some time. This proposal would create an island.

Commissioner Carroll asked how the land inside the island is currently being used.

Dave Anderson said the area is currently residential with maybe some farm use.

Commissioner Warnick asked what the drawbacks of having a County island in the City would be.

Dave Anderson said he's not sure there is a drawback. In his mind there is a benefit to being in the City due to utility services.

Chairman Cardon asked if the County has criteria for approving an island.

Dave Anderson said he is not aware of any such criteria. Creation of islands was supposed to be an exception to the rule.

Discussion ensued regarding changes in the State Code and the practical effect those changes have had.

Chairman Cardon asked what the Abplanalps feel about the annexation.

Dave Anderson said he does not want to speak for them, but did recently have a meeting with them. He feels a good that consensus is being reached with them to be able to live with their situation.

Discussion ensued regarding road easements, rail spurs, and the General Plan for the area. The Abplanalps are pursuing an easement for a road to the north so access isn't cut off by the rail spur.

Jon Jensen rose to speak and thanked the Commission for their time.

Chairman Cardon asked if the rail spur will be put in.

Jon Jensen said the rail spur is planned. He said there will be formalization of an agreement to provide access to the north for the Abplanalps.

Chairman Cardon invited a resident of the annexation to speak.

Dan Birchette specified that his property is one acre. He has spent a lot of time in Spanish Fork. He was not aware of the annexation for some time. They initially protested the annexation, but withdrew the protest under the condition that they could be annexed into the City with Rural Residential zoning. He and his family are concerned about development. He wanted to formally say that he has withdrawn his protest.

Commissioner Mendenhall sought to clarify that he wishes to be annexed.

Dan Birchette said yes.

Commissioner Mendenhall told Dan Birchette he can keep doing what he wants on his property for as long as he wants.

Commissioner Warnick asked Jon Jensen if they have imminent plans for development.

Jon Jensen stated they intend for it to develop soon. It will probably be one to two years before buildings go in as much needs to be done on the site before it can be developed.

Commissioner Warnick asked how development will affect their neighbors.

Jon Jensen stated they have spoken to all of the neighbors. There was a misunderstanding about one-acre plots needing to be addressed.

Commissioner Mendenhall asked if a property just north of 1000 North was part of annexation.

Jon Jensen said yes.

Commissioner Warnick asked how many property owners are part of this annexation area.

Dave Simpson said four and all have signed.

Commissioner Earnest asked staff if additional language about access is needed in the conditions for approval.

Dave Anderson said no, an agreement is being written that will clarify everything that needs to be clarified.

Commissioner Mendenhall **moved** to approve the Oberg Annexation based on the following findings and conditions.

Findings:

1. That the subject property is within the City's Annexation Policy Boundary.
2. That the General Plan Land Use Designation is Industrial.

Conditions:

1. That the applicant enters into an Annexation Agreement.
2. That the properties be zoned I-1 light industrial at the time of annexation with the exception of the Birchett property, which will be zoned Rural Residential.

Commissioner Warnick seconded the motion and it passed all in favor.

OTHER BUSINESS

Commissioner Warnick moved to adjourn the meeting.

Commissioner Earnest seconded and the motion passed all in favor.

Adopted: September 7, 2022

Jackson Dille
Planning Intern