



NOTICE OF MEETING AND AGENDA  
PLANNING COMMISSION  
JANUARY 12, 2021 AT 7:00 P.M.  
ELECTRONIC MEETING

**In light of health concerns with the COVID-19 pandemic and the recent Executive Order by Governor Herbert, this meeting will be held electronically. To view the meeting go to <https://www.springville.org/agendas-minutes/> and select the Zoom Meeting link.**

The Commissioners will meet for a briefing of the regular session agenda items at **7:00 p.m.** This will be a public meeting; however, no testimony will be heard, and no action will be taken on the agenda items. The regular session will follow immediately after the briefing meeting.

The agenda will be as follows:

**Call to Order**

- Approval of the Agenda
- Approval of Minutes: December 22, 2020

**Consent Agenda**

*The Consent Agenda includes items that are administrative actions where no additional discussion is needed. When approved, the recommendations in the staff reports become the action of the Commission. A call for objection or comment will be made on the consent agenda items. If there is any opposition or comment, the item will be taken off the consent agenda and put on the regular administrative session meeting agenda for discussion. If there are no objections or comments, the item(s) will pass without further consideration.*

1. Chris Clyde seeking plat amendment approval for Hazel's Orchard, Plat B, combining two lots at 1994 E Canyon Road in the R1-10 Single-Family Residential Zone.
2. Trevor Sharp seeking plat amendment approval for Spring Pointe Retail Center, Plat J located at 2178 W 500 N in the HC-Highway Commercial Zone.
3. Steve Birt seeking subdivision and site plan approval for Better Body Foods located at 583 S 2600 W in the HC-Highway Commercial Zone.

**Legislative Session – Public Hearing - No Items**

**Administrative Session - No items**

**Adjournment**

THIS AGENDA SUBJECT TO CHANGE WITH A MINIMUM OF 24-HOURS NOTICE

This meeting was noticed in compliance with Utah Code 52-4-202 on January 7, 2021. Agendas and minutes are accessible through the Springville City website at [www.springville.org/agendas-minutes](http://www.springville.org/agendas-minutes). Planning Commission meeting agendas are available through the Utah Public Meeting Notice website at [www.utah.gov/pmn/index.html](http://www.utah.gov/pmn/index.html). Email subscriptions to Utah Public Meeting Notices are available through their website.

In compliance with the Americans with Disabilities Act, the City will make reasonable accommodations to ensure accessibility to this meeting. If you need special assistance to participate in this meeting, please contact the Community Development department at (801) 491-7861 at least three business days prior to the meeting.



# MINUTES

Planning Commission  
Work Session  
Tuesday, December 22, 2020

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## IN ATTENDANCE

**Commissioners:** Chair Brad Mertz, Genevieve Baker, Karen Ellingson, and Michael Farrer

**Commissioners Excused:** Frank Young, Kay Heaps, Rod Parker

**City Staff:** Josh Yost, Community Development Director  
John Penrod, City Attorney  
Laura Thompson, City Planner  
Heather Bakker, Executive Assistant

**City Council:** Matt Packard

## CALL TO ORDER

Chair Mertz called the meeting to order at 7:03 p.m.

## DISCUSSION OF AGENDA

Chair Mertz asked if there were any corrections to the agenda. Laura Thompson, City Planner said that the River's Plat E on the agenda has already been approved. It can be removed from this agenda. Chair Mertz said there needs to be a motion to amend the agenda to remove Item #2.

## DISCUSSION OF MINUTES

*December 8, 2020*

Chair Mertz asked if there were any corrections to the minutes. The corrections to the minutes were emailed in.

## CONSENT AGENDA

- 1. Scott and Suzette Anderson seeking plat amendment approval for the Anderson-Morse Subdivision located at 504 S 1650 E in the R1-10 Residential Single-Family Zone.***

50           **2. Paul Knight seeking plat amendment approval to amend Lot 10 of The Rivers**  
51           **Subdivision, Plat D located at 2541 E 100 S in the R1-15 Residential Single-**  
52           **Family Zone.**  
53

54  
55 **LEGISLATIVE SESSION**  
56

57           **1. Matt and Amy Bowman seeking amendments to Springville Code 11-6-130 (6)**  
58           **Protection of Creek Corridors, to add provisions permitting the construction of**  
59           **private bridges in such corridors.**  
60

61           **2. Steve Birt seeking amendments to Springville Code 11-4-301 Land Use Matrix, to**  
62           **clarify the effective date of street classifications as cited by this section.**  
63

64           **3. Springville Community Development seeking amendments to Springville Code**  
65           **Title 11 Chapter 5 Article 5 - Westfields Overlay - Village Center Zone..**  
66

67 **ADMINISTRATIVE SESSION**  
68 **No Items**  
69

70 With nothing further to discuss, Commissioner Farrer moved to adjourn the briefing  
71 session. Commissioner Baker seconded the motion. The vote to adjourn the meeting  
72 was unanimous.  
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74 Chair Mertz adjourned the meeting at 7:05 p.m.  
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**IN ATTENDANCE**

**Commissioners:** Chair Brad Mertz, Genevieve Baker, Karen Ellingson, and Michael Farrer

**Commissioners Excused:** Frank Young, Kay Heaps, Rod Parker

**City Staff:** Josh Yost, Community Development Director  
John Penrod, City Attorney  
Laura Thompson, City Planner  
Heather Bakker, Executive Assistant

**City Council:** Matt Packard

**CALL TO ORDER**

Chair Mertz called the meeting to order at 7:05 p.m.

**APPROVAL OF THE AGENDA**

Commissioner Ellingson moved to approve the agenda as amended. Commissioner Farrer seconded the motion. The vote to approve the agenda was unanimous.

**APPROVAL OF THE MINUTES**

*December 8, 2020*

Commissioner Farrer moved to approve December 8, 2020 meeting minutes. Commissioner Baker seconded the motion. The vote to approve the meeting minutes was unanimous.

**CONSENT AGENDA**

- 1. Scott and Suzette Anderson seeking plat amendment approval for the Anderson-Morse Subdivision located at 504 S 1650 E in the R1-10 Residential Single-Family Zone.*

Commissioner Baker moved to approve the Consent Agenda. Commissioner Farrer seconded the motion. The vote to approve the Consent Agenda was unanimous.

**LEGISLATIVE SESSION:**

- 1. Matt and Amy Bowman seeking amendments to Springville Code 11-6-130 (6) Protection of Creek Corridors, to add provisions permitting the construction of private bridges in such corridors.*

148 Josh Yost, Community Development Director, presented. This has been a long process as we  
149 have discussed this and related amendments. We looked at the trail plan and our further desires  
150 for trail easements. We have been involved in the trails process that has been a part of this  
151 amendment. And last year and into this year an amendment of our Creek Corridor ordinance  
152 was taken through Planning Commission and City Council and was ultimately approved. The  
153 City's position on the technical aspects of this amendment regarding private bridges in the creek  
154 corridors has evolved. Initially Staff didn't have a lot of concerns on the technical aspect, but as  
155 we moved through the process, we became aware of additional concerns from the Public Works  
156 Department and from a risk management standpoint. Also, we have been looking at the General  
157 Plan. Community Development's stance has been consistent through the process.

158  
159 Mr. Yost named key provisions of the current ordinance. All structures must be set back 50 feet  
160 from the nearest creek edge, this is not applicable to City, State or Federal projects that are for  
161 public use or public driveway bridges that are constructed off of a public right of way. In 11-1-  
162 102, the intent of the code is to promote the health, safety, morals convivence, prosperity,  
163 general welfare of the current and future inhabitants of Springville. There are additional  
164 measures that are listed in the staff report. In 11-7-101 states that 'all amendments in this title  
165 shall be in accordance with the General Plan of the City.'

166  
167 We start out by evaluating applicable General Plan provisions. Mr. Yost summarized the four  
168 that are related to connectivity open space and recreation: creek corridors are public trust,  
169 essential for recreation, for connectivity and providing open space that should be used for the  
170 public good. There are provisions that are related specifically to the Hobble Creek Trail system.  
171 These provisions state that the construction of the trail is important. It states that every effort  
172 should be made to get the trail directly adjacent to Hobble Creek.

173  
174 The proposed amendment increases the difficulty of developing the Hobble Creek Trail adjacent  
175 to the creek, has the potential to bring in other private development and other encumbrances  
176 into the City.

177  
178 In Chapter 10, the General Plan states that we need to pay particular attention to protecting  
179 environmentally sensitive areas. Our creek corridors are some of our most environmentally  
180 sensitive areas. The provision tells us specifically that we should prevent development that is  
181 inappropriate in these fragile areas. Limiting construction of bridges both public and private is of  
182 particular interest when we try to prevent development in the creek corridors. A code  
183 amendment that would open up creek corridors to the possibility of private bridge construction  
184 would not be in accordance with this objective.

185  
186 The proposed amendment doesn't further the General Plan or the intent of the development  
187 code of the City. It doesn't further the general welfare of the City. It primarily and only benefits  
188 private property owners and creates only risk for the public and the City. We are concerned that  
189 it will further privatize the creek corridors more so than they already have been. These concerns  
190 cannot be mitigated or fixed with any amount of code language, engineering or personal  
191 guarantees by those who wish to construct these private bridges. The proposed amendment is  
192 to subsection 6. The applicants are proposing to add an additional category of exemption from  
193 these requirements under subsection 5, listed under '3' here. The language proposed by the  
194 applicant says that private bridges would be allowed if they met the following criteria:

- 195 a) directly accessible for heavy equipment for the property owner, not city workers,  
196 to keep the creek clear of debris, and  
197 b) able to be temporarily removed if creek water level reaches the eighty (80) year  
198 base flood elevation, and  
199 c) completely self-contained within a privately-owned parcel with no less than .75-  
200 acre ownership on both sides of the creek, and  
201 d) limited to one (1) instance per privately-owned parcel, and

202 e) able to be permanently removed if property ownership changes and new owner is  
203 unable to adhere to these requirements;

204  
205 Mr. Yost covered each of these points. Under a), there is no standard in the ordinance to know  
206 what directly accessible means. Or no threshold to determine when debris must be cleared  
207 from the bridge. And no obligation established for when the property owner would clear that  
208 debris. Unclear what the recourse is for the city if the debris is not removed.

209  
210 Under b), although the bridge would be required to be temporarily removed at a certain base  
211 flood elevation, there is no obligation stated in the proposed amendment for the property owner  
212 to actually remove the bridge. It becomes an almost impossibility for the City to enforce it or  
213 have any recourse if it doesn't happen.

214  
215 Under c), we are particularly concerned that providing for private bridges across Hobble Creek  
216 that this may lead to the assemblage of parcels in the existing areas developed areas of the City  
217 so that people can gain the right to a private bridge and have the river in their yard with property  
218 on both sides. Second, it may incentivize developers to plat lots in our undeveloped areas of the  
219 City that span the river, giving people frontage on both sides and the right to a private bridge.  
220 This could be for both residential and commercial development. We have multiple opportunities  
221 for this in the Westfields.

222  
223 Under e), it is a similar concern that there is no criteria if a new owner is unable to adhere to  
224 these requirements. The responsibility if the owner is unable to remove the bridge to meet these  
225 requirements is not defined and could put the City at risk and become the City's responsibility.

226  
227 In general, there are no standards for maintenance of the bridge or standards for inspections or  
228 things such as if the bridge fails or the upkeep of the bridge.

229  
230 The applicants provided additional assurances that aren't codified in the ordinance and are not  
231 enforceable. The applicants can't make assurances for future owners. This leaves the City in a  
232 position of risk.

233  
234 Mr. Yost concluded by saying the staff recommendation is that the proposed amendment  
235 provides no real public benefit and creates the potential for significant public risk and  
236 recommend that you move to recommend denial of the proposed amendments.

237  
238 Chair Mertz had questions. In the staff report #4, Chapter 6 objective 2 strategy D, it provides  
239 links between neighborhood parks and the city-wide trail system. He quoted where Mr. Yost  
240 said 'The proposed amendment can only diminish the enjoyment of the listed recreational  
241 activities. The particular site of the Bowman's proposed bridge impacts the integrity of a specific  
242 important link between neighborhood parks and the larger trail system.' Chair Mertz asked what  
243 trail is being referred to. He is not aware of one. Years ago, he looked at purchasing a lot there  
244 and didn't because the City was going to put a trail there. So he concluded it looks like Mr. Yost  
245 is saying there is a problem but there isn't a trail there. Mr. Yost said that is a very good point.  
246 There is not a trail currently constructed. There is along that stretch of the river, a dedicated  
247 public access and trail easement. The specific location of the Bowman's proposed bridge  
248 provides difficulty to implement that trail when the City is able to do that. More generally across  
249 the City it makes it more difficult less welcoming for the members of the public to use a corridor  
250 that is crisscrossed by private accesses where trails have to divert around bridge landings that  
251 connect private property. We want to do a good job of communicating that the trail is for the  
252 public. Allowing bridges increases the difficulty of doing that.

253  
254 The section we are talking about is to connect Hobble Creek Park from Deer Creek to 1700  
255 East where there is a bike lane and active transportation facilities there. In this case, we want to

256 make it as easy on the City as possible to make this linkage here and don't want to increase  
257 obstacles and for the City to construct and maintain that trail. The bigger issue is the impacts on  
258 the City's ability to obtain and develop the rest of that trail corridor.  
259

260 Chair Mertz said the question is will a trail behind that property ever be accessible. He  
261 understands that there is a homeowner there that will not grant an easement to the City, and  
262 therefore the trail would not be able to be built. Mr. Yost said there are several ways the City  
263 could obtain the land: the city could pursue real estate purchase options like a first right of  
264 refusal or an option on that property, and get in the chain of title and get the easement. As we  
265 get through the active transportation plan, additional strategies will be planned for and there will  
266 be more areas that have accesses or easements where we don't currently have them. In the  
267 long term view of 50-100 years, Mr. Yost feels there will be a trail there. He doesn't want anyone  
268 to look back at these decisions and say that it would have been easier if the City wouldn't have  
269 taken certain steps. He feels that this is one of those wouldn't have steps. Chair Mertz said that  
270 a bridge doesn't prevent a trail. Mr. Yost said it doesn't, but it increases the area needed for an  
271 easement. It could further diminish the public's enjoyment of the trail. Chair Mertz reiterated that  
272 a bridge doesn't prevent a trail.  
273

274 Chair Mertz pointed out 8 Chapter 10 objective 1D. He asked Mr. Yost if he is saying that the  
275 bridges over Hobble Creek have had a significant impact on the environment. Mr. Yost said he  
276 hasn't attributed that to existing bridges but would defer the question to another member of  
277 administration or Public Works staff. He is aware of older bridges and some type of construction  
278 on those bridges have caused damage to the creek. One example is the railroad bridge at  
279 Hobble Creek across 400 West has created a lot of ecological and other type of harm,  
280 exacerbating flooding potential and diminishing the ecological quality of the creek upstream.  
281 This is common in this type of construction.  
282

283 Commissioner Baker pointed out that on 400 East by the pump station where it goes under the  
284 road. It has had environmental impacts to the surrounding creek and the edges there by the  
285 property. It can have quite an impact.  
286

287 Chair Mertz asked how many bridges are currently across Hobble Creek. Mr. Yost said that any  
288 place a roadway crosses a railroad or utility crosses, there is a bridge. He doesn't have an exact  
289 number but it is a lot. Chair Mertz asked how many private bridges there are. Mr. Yost said that  
290 there are two. One was constructed by a private entity and one by the Federal Government.  
291 Chair Mertz asked how the private bridges are maintained. Mr. Yost said that he is not privy to  
292 that information.  
293

294 Chair Mertz pointed out that this is the second time this has come to the Planning Commission  
295 and it was heard in February. Mr. Yost said yes and the Planning Commission gave a favorable  
296 recommendation to the City Council on a staff sponsored Creek Corridor Protection Ordinance.  
297 Chair Mertz asked if it was a result of this petition. Mr. Yost said not specifically, this request  
298 was part of the impetus for reevaluating this section but it was only a piece of that motivation.  
299 Chair Mertz said he went back and looked at the minutes because he wasn't at that meeting  
300 and the Planning Commission did recommend the amendment to the code. At time did the City  
301 recommended approval of the change and now we are not recommending the change. Mr. Yost  
302 said that is correct. Chair Mertz asked why the shift. Mr. Yost said we have learned things along  
303 the way but John Penrod was the presenter on the first one. Chair Mertz is trying to understand  
304 the reasoning between then and now. Mr. Yost said it may be best for John Penrod to answer  
305 that question. John Penrod, City Attorney, said that at the time of the first staff report, the  
306 ordinance was at the City's request. From the time it went to Planning Commission to when it  
307 went to City Council we had more of the Public Works and Engineering staff weigh in on the  
308 ordinance. There were some concerns that they raised that were significant with respect to  
309 flooding and different hazards that come with having bridges in high water. That was one of the

310 big reasons the position changed. Chair Mertz reiterated that it was because of flooding  
311 concerns. Mr. Penrod said yes.

312  
313 Commissioner Baker asked what the implications are since it is crossing over into another City's  
314 jurisdiction. Mr. Penrod said that with respect to a permit, any owner wanting to get a bridge  
315 would have to get a permit from both jurisdictions. Mapleton is fine with the bridge being built.  
316 The flooding concerns are different in Mapleton in this area.

317  
318 Chair Mertz invited Matt and Amy Bowman to speak. Ms. Bowman thanked the Commissioners  
319 and staff for their work to make Springville a great place to live and work. They have owned  
320 their property in Springville since 2007. In May 2019, they purchased an additional 1.3 acres  
321 across the creek in Mapleton. They purchased the property after a member of Springville City  
322 staff showed them a copy of the vacated easement plan and confirmed that private bridges are  
323 permitted by the City code. Over the past 13 of owning the Springville land, they have put in a  
324 lot of time and effort to making this a great place to live. They are very mindful of the blessing to  
325 live on Hobble Creek. They respect the responsibility of protecting the creek.

326  
327 The Bowman's have worked with the US Army Corp of Engineers, FEMA Engineers,  
328 Endangered Species Protection Department, Utah State Department of Rivers and Streams,  
329 Mapleton City and Springville City Engineers and Staff. They are very mindful of the importance  
330 of and the sacredness of the Hobble Creek corridor.

331  
332 In October 2019 after working with Springville City Engineers and Staff, during the bridge  
333 collaboration process, they submitted a bridge permit application. In the ensuing 14 months  
334 since the application was submitted, they have worked with Staff to get it approved. During that  
335 time, there has been frustration. The City sought to change and ordinance upon which our  
336 bridge permit was filed, and upon which it was based. The City disregarded the Planning  
337 Commission's recommendation to enact an ordinance that pertain to private bridges. They are  
338 surprised that their proposed amendment didn't have staff support as they have worked with  
339 them. Mr. Bowman stated that they didn't get the information until Friday afternoon that staff  
340 was not in support of their proposal. They have said that they would love to meet with Josh or  
341 John to work it out.

342  
343 Mr. Bowman asked if it is appropriate and/or legal for the city to change the rules after someone  
344 submits for a permit. To them, it isn't. Mr. Bowman pointed out where Mr. Yost said it was  
345 changed after the permit was submitted. February's meeting was a public hearing and no City  
346 staff showed up for that public hearing. When the meeting was over, staff went to City Council  
347 and said that it was coming to them and for them to reject it. He showed a slide that showed six  
348 concerns that staff brought to City Council: safety of staff, flooding risk, access for the  
349 equipment, precedent, owners installing multiple bridges and transfer of property ownership.  
350 They addressed these items for staff concerns. They collaborated with Staff, engineers, heavy  
351 equipment operators, etc. Ms. Bowman said that they met onsite with John Penrod, Brad  
352 Stapley, Jeff Anderson, a certified arborist and heavy machinery operator they brought so  
353 everyone could collaborate and address the concerns. They had an open dialogue asking how  
354 they could meet those concerns and they were addressed. Ms. Bowman said that Mr. Yost says  
355 in his presentation tonight that their amendment doesn't include criteria and ways to enforce  
356 that. They are happy to collaborate and work with the wording on that so it is something that the  
357 City feels comfortable with and can enforce.

358  
359 Mr. Bowman listed four new concerns that they learned on Friday. The easement issue  
360 surprised them because it has already been addressed. In October 2017, in City Council, John  
361 Penrod instructed staff to vacate the easement in that specific section. City Council said that is  
362 not something we are going to ever do, and to go ahead and vacate that easement. In April  
363 2019, they were showed a plan of the vacated easement and then they purchased the property



364 in Mapleton. The easement issue was not a new issue. In February 2020 Planning Commission,  
365 Mr. Penrod presented and recommended to move forward with the bridge at this time. Knowing  
366 that the easement had not yet been officially vacated, Mr. Penrod worked with them and asked  
367 if they were comfortable granting additional easement space that goes around the bridge end.  
368 They said they would do that, knowing that by the end 2021 or more the City would vacate that  
369 easement. Ms. Bowman said maybe things will change and the easement isn't vacated, but  
370 there will continue to be an easement around the bridge. Mr. Bowman said the owner to the  
371 East will never give easement rights and to the West is also private property that has no access  
372 to the trail. Those owners have not granted easement and said they will not. The Bowman's are  
373 happy to sign something that says if the City builds the trail, they will remove the bridge. If that  
374 needs to be part of the ordinance, then make it so. Ms. Bowman said they will put it in as part of  
375 the sale of their home that they would pull the bridge out. They feel that the easement is a non-  
376 issue.

377  
378 Mr. Bowman said that the damage to the creek environment and citizen enjoyment of the creek  
379 are two issues that have not been brought up in 14 months. These are new issues. He feels that  
380 installing a bridge doesn't cause damage to the creek. They feel it will not harm the creek but  
381 enhance it. The way they have designed the bridge, will not prohibit public access to the creek.  
382 They have invested in a high bridge that won't be close to the river. Their bridge design provides  
383 two times the surface area compared to the water tunnel a few blocks down the road. It is 2 feet  
384 above the 100 year flood elevation requirement.

385  
386 Mr. Bowman continued saying Mr. Yost pointed out that the ordinance is not written well. They  
387 are not perfect code writers. He asked for the City to collaborate with them to write language to  
388 the City's standard. For weeks they have been asking if we need to change any language. They  
389 received no answer.

390  
391 Ms. Bowman said that they recognize that the City doesn't want private bridges all over the City.  
392 There are ways to put that into the code to minimize that. She mentioned that Mapleton City and  
393 others have approved this. Springville City is the only one not giving approval. They feel that we  
394 have bent over backwards to do what Springville City wants.

395  
396 Mr. Bowman pointed out that if they are worried about this happening in the Westfields, add to  
397 the requirement that owners must own property in two cities. Ms. Bowman added that it could  
398 say they must own it prior to 2020.

399  
400 Mr. Bowman pointed out that the ordinance was changed after the permit was submitted. There  
401 is some risk to the City for having done that. Ms. Bowman said that in good faith they worked  
402 with the city and applied for permits and they feel that the rules are being changed.

403  
404 Chair Mertz asked the Bowman's if they had signed an easement agreement with the City to  
405 expand the easement if you do the bridge or if they are just open to it. Mr. Bowman said he  
406 asked on February 26 after the last Planning Commission unanimously approved it and Mr.  
407 Penrod said they had to wait until City Council. The Council flip flopped the approval and Mr.  
408 Bowman said he is unable to do the plat amendment because of that. Mr. Penrod said the  
409 Bowman's have been great to work with on the easement revision. Ms. Bowman thanked Mr.  
410 Penrod for his collaboration.

411  
412 Commissioner Baker pointed out that this is very different from the February version. She asked  
413 if there were things taken out for specific reasons or the other one didn't pass so you were trying  
414 a different tactic. She asked what the motivations were behind the two different versions. Mr.  
415 Bowman said that the February version was broader in scope. He could have built 10 bridges  
416 on his property, only needed to have .2 on both sides of the river to build, and it didn't have to  
417 be removable, and didn't have to have the ordinance language to clear the debris. It had City

418 support and now it is surprising as the language is narrowed and then the City doesn't support  
419 that.

420  
421 Chair Mertz clarified the answer saying that it had City support and now it doesn't. And the  
422 ordinance language now is what the Bowman's got after consulting with the City. Mr. Bowman  
423 said that is correct and it was at their request. Ms. Bowman said that the land that they own they  
424 cannot access. She said they wouldn't have purchased the land if they had known they wouldn't  
425 be able to have a bridge.

426  
427 Commissioner Farrer said to Mr. Yost that we are talking about that the City and staff are  
428 opposed to this, but that isn't the entire City. It seems Attorney Penrod isn't opposed to it. He  
429 asked if this is coming from the members of the Public Works Department and Engineers. Mr.  
430 Yost responded that there are definitely concerns from the Public Works Department, but his  
431 staff report doesn't focus on those, but focuses on elements related to Community Development  
432 department such as the General Plan and general health, safety and welfare of the community  
433 and the philosophical elements of bridges across the creek. Staff was of the position we couldn't  
434 support this amendment. We have support of the City Administrator and City Attorney in the  
435 recommendation that staff has made in this staff report. But if there is a desire to hear anything  
436 more particularly from the Public Works staff, the Planning Commission could continue the  
437 meeting or facilitate additional discussion.

438  
439 Commissioner Farrer asked Mr. Yost if he is concerned that Attorney Penrod could not draft  
440 language that would actually give the protection that the City desires. Mr. Yost reiterated that in  
441 the staff report he said that there are concerns that no degree of code language or engineering  
442 or other types of assurances could ameliorate. He is open to discussion. He doesn't want to  
443 cast a potential for a shift in those concerns in an extremely positive light, but the major  
444 concerns are beyond the technical changes of the ordinance to address.

445  
446 Mr. Bowman asked Chair Mertz to speak. Mr. Bowman said that he loved what Commissioner  
447 Farrer said about who is 'the public'. Mr. Bowman said the public is invited to a public hearing.  
448 What he finds interesting is that 100% of the public comments in February were in support. City  
449 staff are members of the public and he finds it interesting that they don't come to the public  
450 hearing to voice their opposition. They do it behind closed doors instead of the public hearing.  
451 Also, he doesn't oppose Mr. Yost's philosophical position. But said you can't dislike something  
452 after a permit has been submitted. At a minimum, he would have to grandfather them in, and  
453 then moving forward, let it be philosophical that no bridges are happening. At the time we  
454 submitted for the permit, private bridges were permitted. And it can't be philosophically opposed  
455 because some citizen submitted something that you don't like.

456  
457 Commissioner Ellingson said it seems like we could write an ordinance and grandfather in any  
458 active permit. That said, she doesn't feel that this can be resolved tonight and supports  
459 continuing this.

460  
461 Chair Mertz said the public hearing needs to be held first.

462  
463 Commissioner Baker asked if private bridges were allowed before or not, because the City  
464 Council didn't approve the February ordinance change. Mr. Bowman said that prior to February  
465 25, 2020, private bridges were allowed. Chair Mertz asked for Mr. Penrod's comment. He said  
466 that he and the Bowman's do not agree on this point. The ordinance, he would argue, did not  
467 allow a private bridge. No structure was allowed within 50 feet. Mr. Penrod suggested having  
468 the public hearing, continuing the item and he would be happy to meet with the Bowman's.

469  
470 Chair Mertz opened the public hearing at 8:15 p.m.

471

472 Logan Millsap  
473 531 S 300 E

474 Mr. Millsap said the Bowman's have put in a lot of effort to make this as cooperative as possible  
475 for the City and the neighbors. He is not opposed to the bridge for the Bowman's. His main  
476 concern is that there is an easement there so that someday there can be a trail there. He feels  
477 that Hobble Creek is a birthright that should be preserved. He doesn't want to look back and say  
478 that we didn't preserve an easement along the creek. We may not see the easement turned into  
479 a trail, in the short term. In long term, we want to reserve access along the creek for the citizens  
480 of Springville for as long as there is a Hobble Creek. As the Bowman's have stated, they are in  
481 favor of granting the easement around their bridge, so as long as the easement is preserved  
482 then he feels most of the citizens of Springville will be OK with them having the bridge, as long  
483 as dangers and flooding can be reduced to a minimum.

484  
485 Commissioner Baker moved to close the Public Hearing. Commissioner Farrer seconded. The  
486 vote to close the public hearing was unanimous. The public hearing was closed at 8:19 p.m.

487  
488 Chair Mertz said that he feels the consensus is to proceed with a continuance. Commissioner  
489 Baker feels it needs more discussion and possible revision. She has three concerns. There are  
490 three sections of previous versions that allowed it to be wider than 10 feet. One of her concerns  
491 in February was if someone wanted to drive a car over it. It makes sense to restrict width. There  
492 is no provision in here to restrict width. The previous version had in there that they would give  
493 the 20-foot wide easement, which we've been discussing, but isn't in this current version. And  
494 the owner being responsible for flood damage caused by or related to the bridge. It is addressed  
495 but doesn't state specifically who is responsible. Staff concerns are that they have to have  
496 access it, but they are not responsible for it. There was a lot of discussion in February about  
497 trees, flooding, backlog and damage. She would like to see more of that specified if we were to  
498 see another version of this. Commissioner Baker has concerns about the Planning Commission  
499 looking at a specific case, as it is an ordinance that will affect the entire city. She wants to  
500 ensure that it will work for the entire City. Those who are wanting to build a bridge - those willing  
501 to work with the City and those who aren't - that the ordinance is written to make sure those  
502 things are protected.

503  
504 Commissioner Ellingson said that she doesn't have much to add to what Commissioner Baker  
505 said. Anytime we are adjusting an ordinance that has a city wide impact, a significant part of the  
506 conversation is what the language should be of that ordinance. We know that something that  
507 works in one area may not work in another one and there are different concerns that need to be  
508 addressed. In this particular ordinance, it does seem like that a narrow approach is what we are  
509 looking for. We don't want bridges all along Hobble Creek. We are looking for access. She  
510 agrees with Commissioner Baker and thinks that a continuance is the right approach.

511  
512 Commissioner Farrer said we ought to have a continuance. Building bridges all up and down the  
513 creek, if you are making a requirement to purchase property on both sides, he doesn't see a lot  
514 of people willing to do that. He wants the easement maintained and he feels the Bowman's are  
515 willing to do that. He prefers to walk every morning on the Spanish Fork River Trail because it is  
516 right on the river. The thing disappointing to him on the trail in Springville, is that it only crosses  
517 twice and that is about the only time you ever see the river. He would eventually like to see one  
518 that goes right along the river. He understands privacy concerns of property too. He feels a  
519 continuance is needed on this. Even if we did not propose an additional opportunity for people  
520 to build bridges in Springville, he feels Bowman's deserve a grandfather clause to allow them to  
521 do this.

522  
523 Chair Mertz said this ordinance will impact the entire City. He agrees with other Commissioners  
524 comments. He asked if they remember the wind turbines approval in the City and he had the  
525 feeling that there would not be wind turbines all over the City of Springville. And the same in this

526 case. It won't happen. He feels we are not going to see a bridge in every yard that borders  
527 Hobble Creek. The Bowman's purchased property being led to believe that they could access it  
528 from the Springville City side. He brought up the question of who is 'we' at the City. It sounds  
529 like Community Development is approaching it from a General Plan/philosophical point of view.  
530 He mentioned that he went through each point and could counter each one on behalf of the  
531 Bowman's. He thinks it is a difference of opinion on the General Plan applies. He asked Mr.  
532 Penrod what the difference was between February and today and he said flooding was the main  
533 concern. He then asked what is it: the General Plan, a philosophical difference or flooding. He  
534 then asked where we sit with Community Development, Engineering and Public Works.

535  
536 Commissioner Baker said that not everyone that borders Hobble Creek will start building  
537 bridges but she does have concerns that some people will a bridge poorly. She feels they need  
538 to be engineered and maintained for safety. Someone can easily build a poorly made bridge  
539 and there should be protections in place for that. Chair Mertz said that there should be  
540 engineering standards in place. Commissioner Baker doesn't understand with the privatization  
541 concerns in the Westfields and what can be done to mitigate that.

542  
543 Chair Mertz said that if people are putting a bridge over Hobble Creek, they are enhancing it.  
544 He suggested looking at the San Antonio river walk and how it is constructed. Hobble Creek is  
545 a benefit to our community.

546  
547 Chair Mertz invited the Bowman's to speak. Mr. Bowman agrees with the discussion and  
548 addressed Baker's comments on poorly designed bridges. He complimented Jeff Anderson's  
549 work as an Engineer and look to Mr. Anderson to prescreen any bridge permits.

550  
551 Commissioner Baker pointed out that a building permit was part of the February version, but not  
552 in this one. Mr. Bowman said OK.

553  
554 Ms. Bowman said that this was a great discussion and they appreciate your consideration. They  
555 are as committed to having it done safely and well, and maintained. They want to do it right.

556  
557 Commissioner Baker moved to continue this item to enable further discussion and review of the  
558 proposed ordinance. Commissioner Farrer seconded. The vote to continue the item was  
559 unanimous.

560  
561 Mr. Penrod clarified that they have continued item, but asked if they want to move it to a date  
562 certain. Chair Mertz said that his suggestion is to amend the motion and suggested that it be  
563 continued to after the petitioners and the City have had time to meet and resolve each other's  
564 concerns. Commissioner Baker asked if there was a specific date that should be put on it or  
565 continue it with a time limit before it comes back. Chair Mertz asked staff if this could be  
566 revisited at the second meeting in January. Mr. Penrod said yes.

567  
568 Commissioner Baker moved to continue this item to enable the petitioners and City staff to  
569 further discuss this until the second meeting in January of 2021. Commissioner Farrer  
570 seconded. The vote to continue the item was unanimous.

571  
572 ***2) Steve Birt seeking amendments to Springville Code 11-4-301 Land Use Matrix, to***  
573 ***clarify the effective date of street classifications as cited by this section.***  
574

575 Director Yost presented. On May 19, the City adopted an ordinance that amended the Land Use  
576 Matrix to prohibit the uses listed on the slide within 500 feet of an arterial street. Subsequently  
577 the Transportation Master Plan was updated. This made 2600 West an arterial. It increased the  
578 area to where the Land Use Matrix arterial area applies. The applicant purchased property on

579 2600 West prior to the adoption on the Transportation Master Plan. With the adoption, it  
580 rendered the proposed use no longer permitted on the property. They made application for site  
581 plan approval on November 17, 2020. As a result, the applicant has asked for a text amendment  
582 that amends the May 19 amendment so it will apply to streets designated as arterials in the  
583 Transportation Master Plan as adopted on May 19. It created non-conforming properties from  
584 the additional commercial light industrial properties that were shown on the map. The update  
585 had unintended effects on the permitted land use and constitutes a changed condition that  
586 justified the proposed amendment. Staff recommendation is that the proposed amendment  
587 meets the criteria and recommend these proposed amendments to City Council.  
588

589 Chair Mertz invited Steve Birt to speak. Mr. Birt said Mr. Yost put it in perspective of what they  
590 are trying to do. They are bringing 100 plus jobs to Springville. They purchased this property,  
591 had discussions with the City and proceeded with the plan, worked on in September and made  
592 changes, but had discussions before the changes were made. He asked the Commission to  
593 please approve their petition.  
594

595 Chair Mertz thanked the applicants for choosing Springville and bringing jobs for economic  
596 growth.  
597

598 Chair Mertz opened the public hearing at 8:40 p.m. Hearing none, Chair Mertz asked for a  
599 motion to close the public hearing. Commissioner Farrer moved to close the public hearing.  
600 Commissioner Baker seconded. The vote to close the public hearing was unanimous. The  
601 public hearing was closed at 8:41 pm.  
602

603 Commissioner Baker asked Director Yost with this saying it will only apply to that setting in May  
604 of 2019, is that going to be problematic for anything in the future as the city grows and other  
605 arterial streets are designated. Mr. Yost said first, we don't anticipate a Transportation Master  
606 Plan update that would involve changing functional classifications to come along in the next few  
607 years. Second, with our effort this coming year to look at the General Plan we anticipate that we  
608 will have a pretty clear understanding of these areas in the city and what we feel the future land  
609 use will be in these areas. It helps to preclude surprises. After we get through the General Plan  
610 and code amendments that come along after, I would not be surprised if the land use matrix  
611 changes and this provision is struck from the code.  
612

613 Chair Mertz asked if there was any more discussion. Hearing none, he asked for a motion.  
614 Commissioner Farrer moved to recommend approval of the amendment to Springville Code 11-  
615 4-301 Land Use Matrix to clarify the effective date of street classifications as cited by this  
616 section. Commissioner Ellingson seconded. The vote to approve the legislative item was  
617 unanimous.  
618

619 ***3) Springville Community Development seeking amendments to Springville Code Title***  
620 ***11 Chapter 5 Article 5 - Westfields Overlay - Village Center Zone***  
621

622 Director Yost presented. The Community Development department has received numerous  
623 inquiries and many of them for the VC zone. We wanted to address the height requirements in  
624 the VC and RMF-2 zones. It states that the RMF-2 zone applies. To clarify, the height is 45 feet  
625 in VC and 35 feet in RMF-2. The purpose of the zone is to provide a setting for a mix of  
626 commercial, office, public/quasi-public and residential uses. There are 3 sections of the VC  
627 zone of the development area: mixed use, civic and multi-family residential. It should be  
628 designed primarily with pedestrians in mind. It should be characteristic of an urban village.  
629

630 On line 34, the setback has changed from 30 feet to 20 feet to better meet the intent of urban  
631 village. On Line 100 the minimum sidewalk width increased in the Mixed-Use section from five  
632 feet to eight feet. On lines 122 - 123 the language is clarified to describe the maximum density

633 bonus for the Multi-Family section. This came up a lot as people called in to inquire, so it is here  
634 to clarify. Line 131 the maximum height changed from forty-five feet to thirty-five feet. This was  
635 changed to align the RMF-2 and VC zone height requirements.  
636

637 Staff finds that these amendments are in accordance with the General Plan are justified by the  
638 continued refinement of planning techniques and the increasing development pressure being  
639 experienced in Springville City. Staff recommends approval to City Council.  
640

641 Chair Mertz asked if there were questions. He asked how long have we had the Westfields  
642 overlay in place. Mr. Yost said that he feels it was 2003 but deferred to Mr. Penrod. Mr. Penrod  
643 said that is correct and it has been in place for quite some time. Commissioner Mertz asked if is  
644 working to bring in the desired type of development. Mr. Penrod said that in talking to Troy  
645 Fitzgerald and Laura Thompson, the vision they had is not happening as they would like it to. In  
646 the Westfields overlay, 90% of it is already constructed or in construction. Ms. Thompson added  
647 that we have not seen anything developed in the VC zone. Chair Mertz asked what that is due  
648 to. Ms. Thompson said there is plenty of interest.  
649

650 Chair Mertz opened the public hearing at 8:52 p.m. Hearing no one, Chair Mertz asked for a  
651 motion to close the public hearing. Commissioner Baker moved to close the public hearing.  
652 Commissioner Ellingson seconded. The public hearing was closed at 8:53 p.m.  
653

654 Commissioner Farrer moved to recommend adoption of amendments to Springville Code Title  
655 11 Chapter 5 Article 5 – Westfields Overlay – Village Center Zone. Commissioner Baker  
656 seconded. The vote to approve the legislative item was unanimous.  
657

## 658 **ADMINISTRATIVE SESSION**

### 659 *No items*

660

661 Chair Mertz said there are no administrative items. He said that in January and February he has  
662 a conflict every Tuesday night. He will do his best to be here.  
663

664

664 Planner Thompson wished everyone a Merry Christmas and told the Commissioners that they  
665 do a great job.  
666

667

667 Councilman Packard said that, in regards to the bridge issue, the City Council was worried  
668 about the flooding problem and cluttering the creek with bridges. Give as part of point of view of  
669 that came to the City Council. He encouraged the Commissioners to reread the minutes of the  
670 discussion. He appreciates the patience of Bowman's to work through this.  
671

672

672 Chair Mertz asked to have the previous minutes for these items included in the packet or a link  
673 to be able to access them easily. Commissioner Ellingson agreed. Commissioner Baker said  
674 part is knowing what meeting it was part of. Mr. Penrod agreed and said it was an excellent  
675 comment and, in the future, we will give dates and supply a link. Mr. Yost added that he will do a  
676 better job of summarizing and reviewing past actions and discussions.  
677

678

678 With nothing further to discuss, Commissioner Farrer moved to adjourn the meeting.

679 Commissioner Baker seconded the motion. Chair Mertz adjourned the meeting at 9:02 p.m.

December 29, 2020

TO: Planning Commission Members

FROM: Laura Thompson, City Planner II

RE: **Plat amendment approval for Hazel's Orchard, Plat B, combining two lots at 1994 E Canyon Road in the R1-10 Single-Family Residential Zone.**

---

**Petitioner:** Chris Clyde  
830 N 400 E  
Mapleton, UT 84664

---

### Summary of Issues

---

Does the proposed plat amendment meet the requirements of Springville City Code?

### Background

---

The proposed plat amendment is to combine two-lots. With the combination the public utility easements between the two existing lots will be vacated.



### Analysis

---

#### DEVELOPMENT REVIEW COMMITTEE (DRC)

The Development Review Committee reviewed the preliminary plan on December 21, 2020 and provided the applicant with a copy of redlined comments on the submitted plans and checklist. Any items not addressed or any additional revisions needed are listed below in the "POST DRC COMMENTS" section.

#### POST DRC COMMENTS

All items have been addressed.

**Staff Recommendation**

---

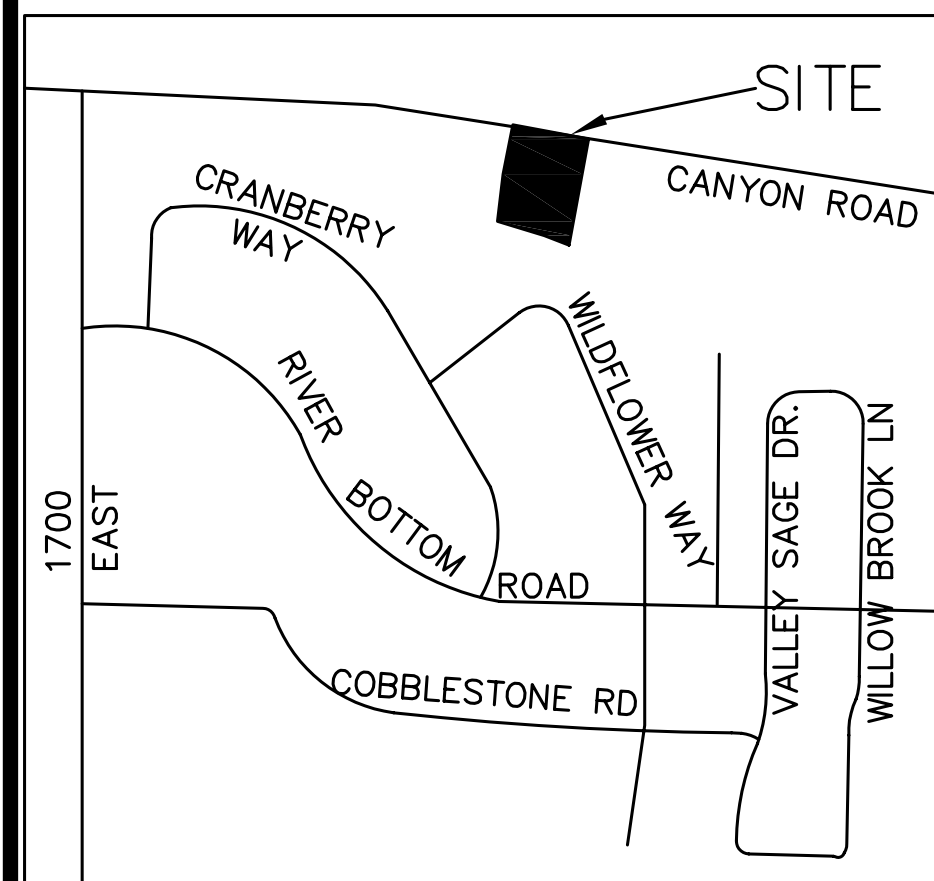
Staff finds the plat amendment meets the requirements of Springville City Code and recommends approval.

**Recommended Motion**

---

Move to grant plat amendment approval for Hazel's Orchard, Plat B, combining two lots at 1994 E Canyon Road in the R1-10 Single-Family Residential Zone.



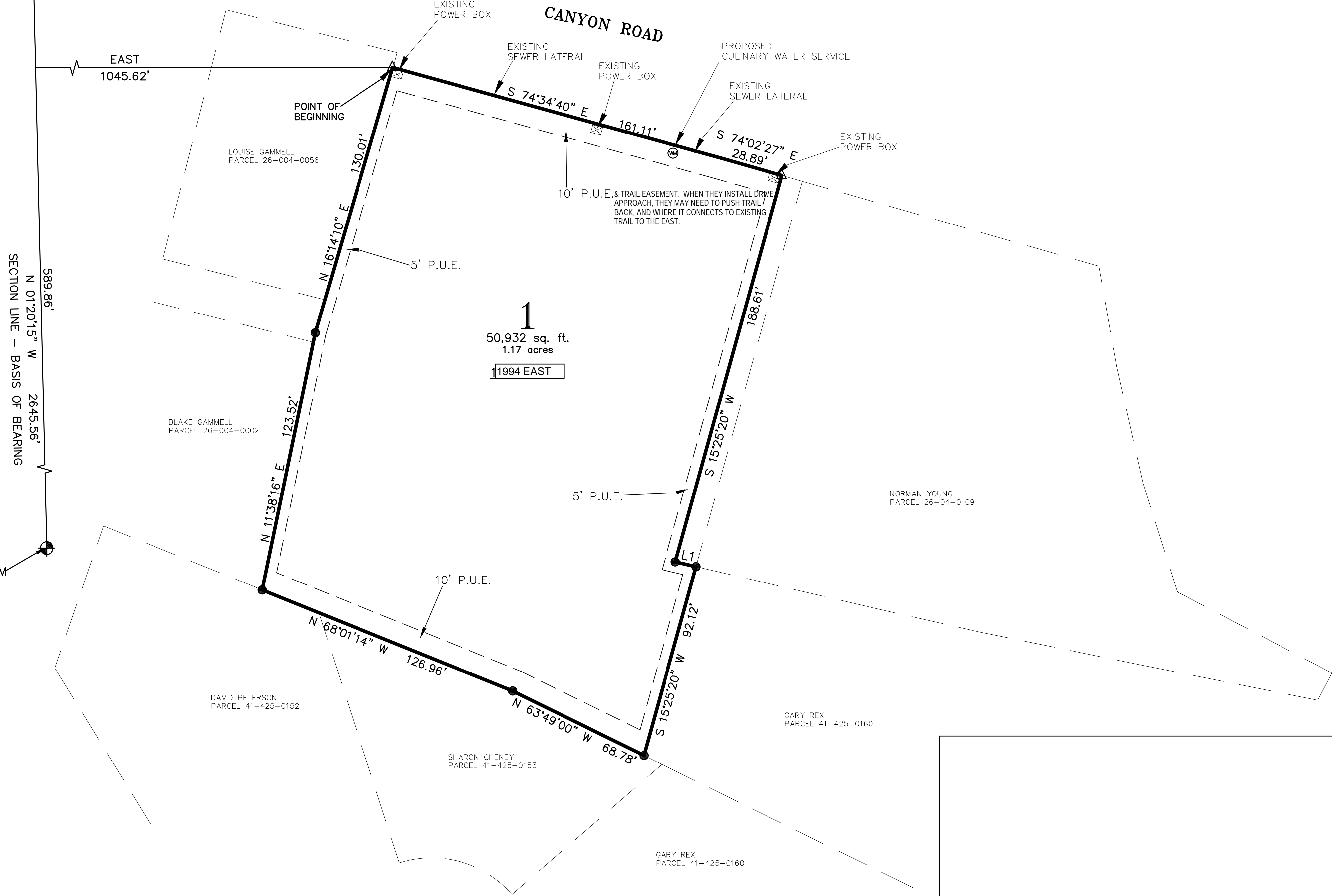
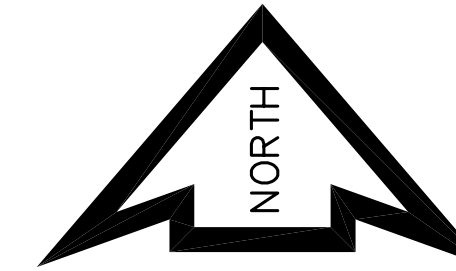
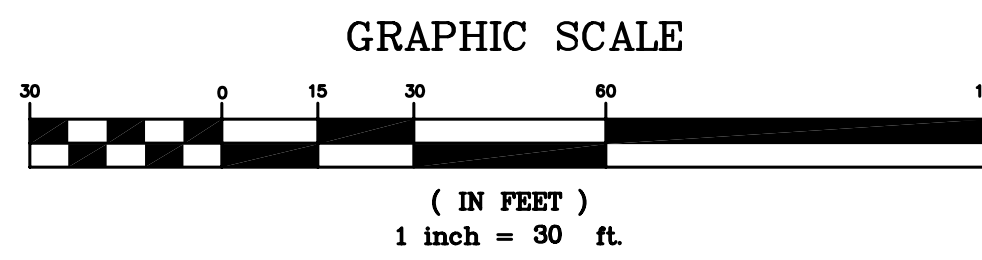


VICINITY MAP  
NOT TO SCALE

# HAZEL'S ORCHARD PLAT B

NORTHWEST CORNER  
SECTION 2, T8S, R3E, SLB&M

LOCATED IN THE NORTHWEST QUARTER  
OF SECTION 2, T8S, R3E, SLB&M



1  
50,932 sq. ft.  
1.17 acres  
1994 EAST

**SYMBOL LEGEND**

- ⊕ UTAH COUNTY MONUMENT
- SET NEW REBAR & CAP (OR FOUND EXISTING REBAR & CAP)
- △ FOUND PLUG IN CURB ON LOT LINE EXTENSION

LINE TABLE		
LINE	LENGTH	BEARING
L1	10.01'	S76°55'37"E

**SITE TABULATIONS**

TOTAL AREA = 1.169 ACRES  
LOT AREA = 1.169 ACRES  
# OF LOTS = 1  
TOTAL OPEN SPACE AREA = 0  
ROAD AREA = NA  
LANE MILES = NA

**NOTES**

1. THE EXISTING ZONE IS R1-10.
2. ALL CONSTRUCTION TO BE TO CURRENT SPRINGVILLE CITY STANDARDS.
3. THIS SUBDIVISION IS BASED ON THE ORIGINAL HAZEL'S ORCHARD SUBDIVISION.
4. ANY PROPOSED POWER WILL BE PER SPRINGVILLE CITY POWER DESIGN.

**SURVEYOR'S CERTIFICATE**

I, DAVID F. HUNT, DO HEREBY CERTIFY THAT I AM A PROFESSIONAL LAND SURVEYOR, AND THAT I HOLD CERTIFICATE NO. 9243543-2201 AS PRESCRIBED UNDER THE LAWS OF THE STATE OF UTAH. I FURTHER CERTIFY BY AUTHORITY OF THE OWNERS, I HAVE MADE A SURVEY OF THE TRACT OF LAND SHOWN ON THIS PLAT AND DESCRIBED BELOW, AND HAVE SUBDIVIDED SAID TRACT OF LAND INTO LOTS, BLOCKS, STREETS, AND EASEMENTS AND THE SAME HAS BEEN CORRECTLY SURVEYED AND STAKED ON THE GROUND AS SHOWN ON THIS PLAT AND THAT THIS PLAT IS TRUE AND CORRECT.

**BOUNDARY DESCRIPTION**

A PARCEL OF LAND FORMERLY KNOWN AS ALL OF LOT 1 & A PORTION OF LOT 2, HAZEL'S ORCHARD SUBDIVISION ACCORDING TO THE OFFICIAL PLAT OF RECORD ON FILE AS MAP 10313 IN THE OFFICE OF THE UTAH COUNTY RECORDER, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT NORTHWEST CORNER OF SAID LOT 1, HAZEL'S ORCHARD SUBDIVISION, SAID POINT BEING LOCATED NORTH 01°20'15" WEST ALONG THE SECTION LINE 589.96 FEET AND EAST 1045.62 FEET FROM THE WEST QUARTER CORNER OF SECTION 2, TOWNSHIP 8 SOUTH, RANGE 3 EAST, SALT LAKE BASE & MERIDIAN; THENCE SOUTH 74°34'40" EAST 161.11 FEET; THENCE SOUTH 74°02'27" EAST 28.89 FEET; THENCE SOUTH 15°25'20" WEST 188.61 FEET; THENCE SOUTH 76°55'37" EAST 10.01 FEET; THENCE SOUTH 15°25'20" WEST 92.12 FEET; THENCE NORTH 63°49'00" WEST 68.78 FEET; THENCE NORTH 68°01'14" WEST 126.96 FEET; THENCE NORTH 11°38'16" EAST 123.52 FEET; THENCE NORTH 16°14'10" EAST 130.01 FEET TO THE POINT OF BEGINNING.

AREA = 50,932 SQ. FT. OR 1.1692 ACRES, MORE OR LESS

BASIS OF BEARING = UTAH STATE PLANE COORDINATE SYSTEM (CENTRAL ZONE)

DATE 09-12-20 SURVEYOR David F. Hunt (See Seal Below)

**OWNER'S DEDICATION**

KNOW ALL MEN BY THESE PRESENT THAT WE, ALL OF THE UNDERSIGNED OWNERS OF ALL OF THE PROPERTY DESCRIBED IN THE SURVEYOR'S CERTIFICATE HERON AND SHOWN ON THIS MAP, HAVE CAUSED THE SAME TO BE SUBDIVIDED INTO LOTS, BLOCKS, STREETS AND EASEMENTS AND DO HEREBY DEDICATE THE STREETS AND OTHER PUBLIC AREAS AS INDICATED HEREON FOR PERPETUAL USE OF THE PUBLIC. IN WITNESS WHEREOF WE HAVE HEREUNTO SET OUR HANDS THIS \_\_\_ DAY OF \_\_\_\_\_, A.D. 20\_\_.

LARRY S. ARNETT, TRUSTEE HELENE C. ARNETT, TRUSTEE  
ARNETT FAMILY LIVING TRUST DATED 04-2-2016

**ACKNOWLEDGEMENT**

STATE OF UTAH S.S.  
COUNTY OF UTAH S.S.  
ON THE \_\_\_ DAY OF \_\_\_\_\_, A.D. 20\_\_, PERSONALLY APPEARED BEFORE ME THE SIGNERS OF THE FOREGOING DEDICATION WHO DULY ACKNOWLEDGE TO ME THAT THEY DID EXECUTE THE SAME.

NOTARY'S COMMISSION EXPIRATION DATE NOTARY PUBLIC FULL NAME & COMMISSION NUMBER  
"A NOTARY PUBLIC COMMISSIONED IN UTAH" PRINT NAME

**ACCEPTANCE BY THE CITY OF SPRINGVILLE**

THE CITY OF SPRINGVILLE, COUNTY OF UTAH, APPROVES THIS SUBDIVISION AND HEREBY ACCEPTS THE DEDICATION OF ALL STREETS, EASEMENTS, AND OTHER PARCELS OF LAND INTENDED FOR PUBLIC PURPOSES FOR THE PERPETUAL USE OF THE PUBLIC THIS \_\_\_ DAY OF \_\_\_\_\_, A.D. 20\_\_.

APPROVED \_\_\_\_\_ MAYOR CITY ATTORNEY  
APPROVED \_\_\_\_\_ CITY ENGINEER ATTEST \_\_\_\_\_ CITY RECORDER (See Seal Below)

**PLANNING COMMISSION APPROVAL**

APPROVED THIS \_\_\_ DAY OF \_\_\_\_\_, A.D. 20\_\_, BY THE SPRINGVILLE CITY PLANNING COMMISSION.

DIRECTOR-SECRETARY CHAIRMAN, PLANNING COMMISSION

**CONDITIONS OF APPROVAL**

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**PLAT "B"**

## HAZEL'S ORCHARD

INCLUDES A VACATION OF LOTS 1 & 2, HAZEL'S ORCHARD SUBDIVISION  
LOCATED IN THE NORTHWEST QUARTER OF SECTION 2, T8S, R3E, SLB&M  
SUBDIVISION

SPRINGVILLE CITY, UTAH COUNTY, UTAH  
SCALE: 1" = 30 FEET

PREPARED BY:  
**LEVEL OF FOCUS, INC**  
1334 East 1150 South  
Spanish Fork, Utah 84660  
(801) 319-5441

SPRINGVILLE AREA IRRIGATION & DRAINAGE GROUP  
APPROVED THIS \_\_\_ DAY OF \_\_\_\_\_, A.D. 20\_\_

SURVEYOR'S SEAL CITY-COUNTY ENGINEER SEAL CLERK-RECORDER SEAL

December 29, 2020

TO: Planning Commission Members

FROM: Laura Thompson, City Planner II

RE: **Plat amendment approval for Spring Pointe Retail Center, Plat J located at 2178 W 500 N in the HC-Highway Commercial Zone.**

---

**Petitioner:** Trevor Sharp  
533 W State Rd #102  
Pleasant Grove, UT 84062

---

### Summary of Issues

---

Does the proposed plat amendment meet the requirements of Springville City Code?

### Background

---

The proposed plat amendment will divide the 12.37-acre lot into two-lots amending Lot 7 of the Spring Pointe Retail Center Subdivision.

### Analysis

---

#### DEVELOPMENT REVIEW COMMITTEE (DRC)

The Development Review Committee reviewed the preliminary plan on November 12, 2020 and provided the applicant with a copy of redlined comments on the submitted plans and checklist. Any items not addressed, or any additional revisions needed are listed below in the "POST DRC COMMENTS" section.



#### POST DRC COMMENTS

All items have been addressed.

**Staff Recommendation**

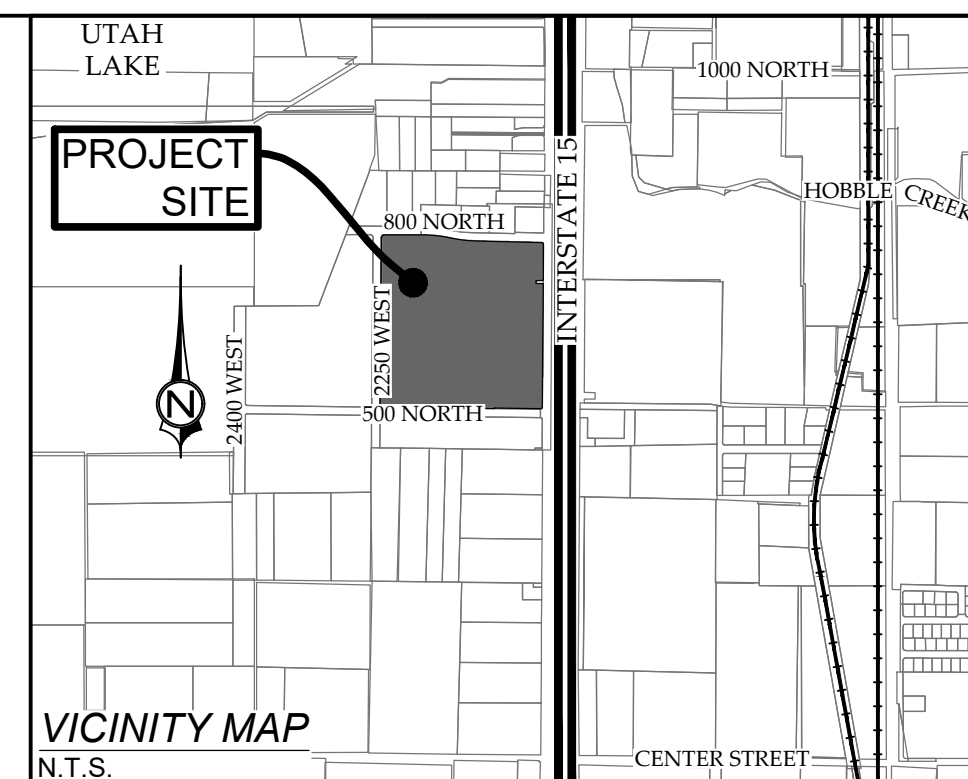
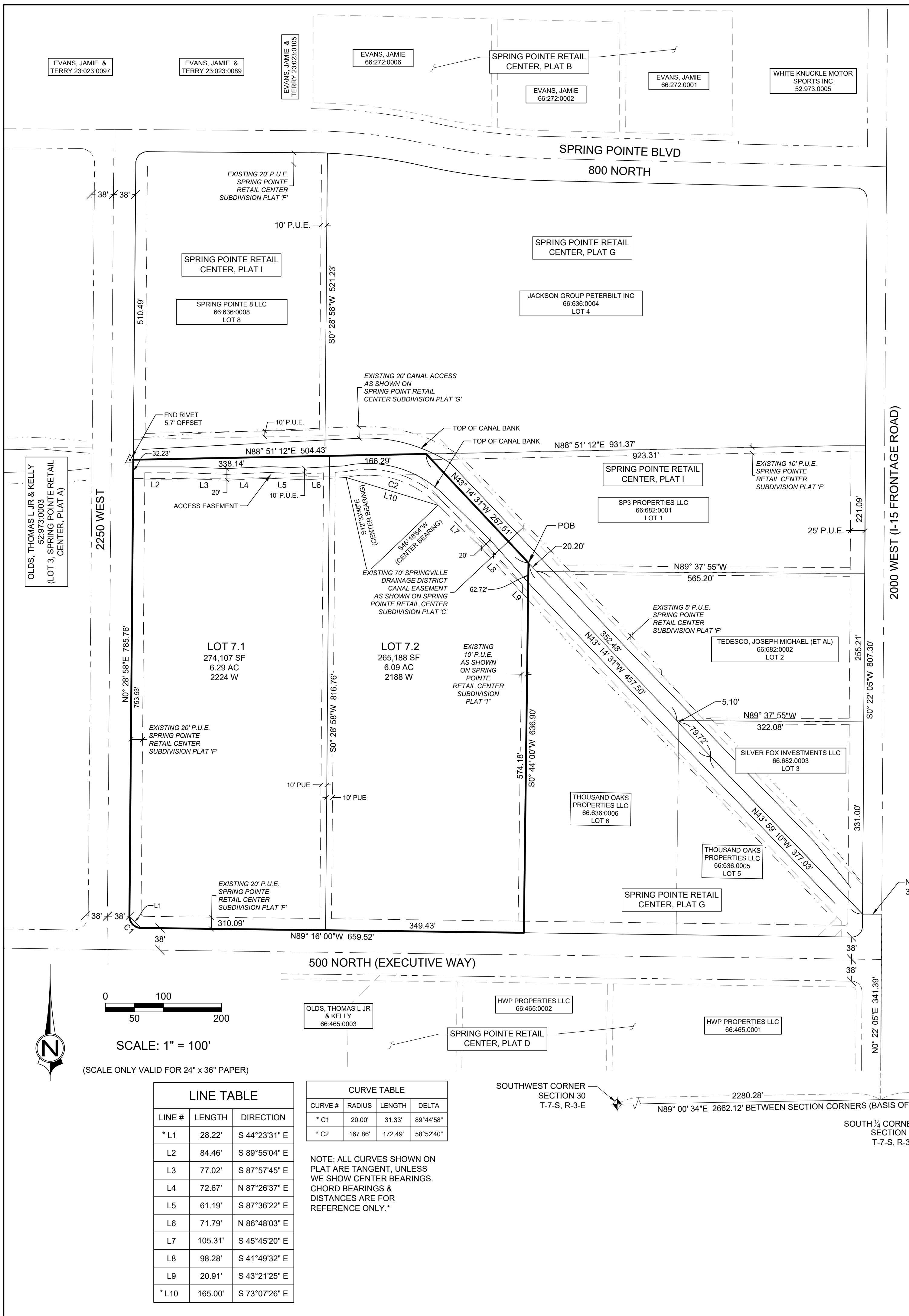
---

Staff finds the plat amendment meets the requirements of Springville City Code and recommends approval.

**Recommended Motion**

---

Move to grant plat amendment approval for Spring Pointe Retail Center, Plat J located at 2178 W 500 N in the HC-Highway Commercial Zone.



**LEGEND**

- PLAT BOUNDARY
- PROPOSED PROPERTY / LOT LINE
- EXISTING PROPERTY / LOT LINE
- PROPOSED EASEMENT LINE
- EXISTING EASEMENT LINE
- CENTERLINE
- SECTION CORNER
- SET REBAR & CAP
- FOUND RIVET (AS NOTED)

**PLAT NOTES:**

OWNER: OLDS, THOMAS L JR & KELLY  
 PROJECT ACREAGE: 12.38 ACRES  
 LOT ACREAGE: LOT 7.1: 6.29 ACRES, LOT 7.2: 6.09 ACRES  
 RIGHT-OF-WAY DEDICATION: 0 ACRES  
 ZONE: HC

**SURVEYOR'S CERTIFICATE**

I, DAVID MORTENSEN, DO HEREBY CERTIFY THAT I AM A REGISTERED LAND SURVEYOR, AND THAT I HOLD CERTIFICATE NO. 6436557 AS PRESCRIBED UNDER THE LAWS OF THE STATE OF UTAH. I FURTHER CERTIFY BY AUTHORITY OF THE OWNERS, I HAVE MADE A SURVEY OF SAID TRACT OF LAND SHOWN ON THIS PLAT AND DESCRIBED HEREIN, AND HAVE SUBDIVIDED SAID TRACT OF LAND INTO LOTS, AND THAT THE SAME HAS BEEN CORRECTLY SURVEYED AND STAKED ON THE GROUND AND THAT THIS IS TRUE AND CORRECT.

DAVID T. MORTENSEN, P.L.S.  
 (see seal below)  
 01-07-2021  
 DATE

**LEGAL DESCRIPTION**

ALL OF LOT 7, SPRING POINTE RETAIL CENTER SUBDIVISION, PLAT "I", RECORDED MAY 29, 2019 AS ENTRY NO. 47529-2019, AS MAP 16570, OFFICIAL RECORDS UTAH COUNTY RECORDERS OFFICE, BEING A PART OF THE SOUTHWEST QUARTER OF SECTION 30, TOWNSHIP 7 SOUTH, RANGE 3 EAST, SALT LAKE BASE & MERIDIAN, CITY OF SPRINGVILLE, UTAH COUNTY, STATE OF UTAH; BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHEAST CORNER OF SAID LOT 7, SAID POINT BEING N 89°00'34" E ALONG THE SOUTH LINE OF SAID SECTION 30 A DISTANCE OF 2280.28 FEET, AND N 0°22'05" E 341.39 FEET, AND N 89°37'55" W 33.00 FEET AND N 43°59'10" W 377.03 FEET, AND N 43°14'31" W 457.50 FEET, FROM THE SOUTHWEST CORNER OF SAID SECTION 30; THENCE S 0°44'00" W ALONG THE EAST LINE OF SAID LOT 7 A DISTANCE OF 636.90 FEET, TO THE SOUTHEAST CORNER OF SAID LOT 7; THENCE ALONG THE SOUTH AND WEST LINES OF SAID LOT 7 THE FOLLOWING THREE (3) COURSES: (1) N 89°16'00" W 659.52 FEET, TO THE BEGINNING OF A TANGENT CURVE TO THE RIGHT WITH A RADIUS OF 20.00 FEET; (2) WESTERLY 31.33 FEET ALONG SAID CURVE, THROUGH A CENTRAL ANGLE OF 89°44'58"; AND (3) N 0°28'58" E 785.76 FEET, TO THE NORTHWEST CORNER OF SAID LOT 7; THENCE ALONG THE NORTH LINE OF SAID LOT 7 THE FOLLOWING TWO (2) COURSES: (1) N 88°51'12" E 504.43 FEET, AND (2) S 43°14'31" E 257.51 FEET, TO THE POINT OF BEGINNING.

CONTAINS 539,294 SQ FT, OR 12.38 ACRES, MORE OR LESS.

**OWNERS DEDICATION**

I (WE), THE UNDERSIGNED OWNER(S) OF ALL THE PROPERTY DESCRIBED IN THE SURVEYOR'S CERTIFICATE HEREON AND SHOWN ON THIS MAP AND SUBJECT TO ANY CONDITIONS AND RESTRICTIONS STATED HEREON, HAVE CAUSED THE SAME TO BE SUBDIVIDED INTO LOTS AND EASEMENTS, AND DO HEREBY DEDICATE OTHER PUBLIC AREAS AS INDICATED HEREON FOR THE PERPETUAL USE OF THE PUBLIC.

IN WITNESS WHEREOF WE HAVE HEREUNTO SET OUR HANDS THIS \_\_\_\_ DAY OF \_\_\_\_\_, \_\_\_\_.

BY: \_\_\_\_\_

BY: \_\_\_\_\_

BY: \_\_\_\_\_

TITLE: \_\_\_\_\_

**ACKNOWLEDGEMENT**

STATE OF \_\_\_\_\_ (ss.)  
 COUNTY OF \_\_\_\_\_ (ss.)

ON THE \_\_\_\_ DAY OF \_\_\_\_\_, PERSONALLY APPEARED BEFORE ME THE SIGNERS OF THE FOREGOING DEDICATION WHO DULY ACKNOWLEDGED TO ME THAT THEY DID EXECUTE THE SAME.

NOTARY PUBLIC \_\_\_\_\_ MY COMMISSION EXPIRES \_\_\_\_\_  
 STATE OF \_\_\_\_\_

**LIMITED LIABILITY ACKNOWLEDGEMENT**

STATE OF \_\_\_\_\_ (ss.)  
 COUNTY OF \_\_\_\_\_ (ss.)

ON THE \_\_\_\_ DAY OF \_\_\_\_\_, PERSONALLY APPEARED BEFORE ME \_\_\_\_\_, WHO, BEING BY ME DULY SWORN, DID SAY THAT \_\_\_\_\_ IS THE \_\_\_\_\_ OF \_\_\_\_\_, A LIMITED LIABILITY COMPANY, AND THAT THE FOREGOING OWNER'S DEDICATION WAS SIGNED FOR, AND IN BEHALF OF, SAID LIMITED LIABILITY COMPANY, BY AUTHORITY OF ITS MEMBERS OR ITS ARTICLES OF ORGANIZATION, AND \_\_\_\_\_ ACKNOWLEDGE TO ME THAT SAID LIMITED LIABILITY COMPANY EXECUTED THE SAME.

NOTARY PUBLIC \_\_\_\_\_ MY COMMISSION EXPIRES \_\_\_\_\_  
 STATE OF \_\_\_\_\_

**NARRATIVE**

THE PURPOSE OF THIS SURVEY IS TO CREATE 2 LOTS FROM EXISTING 1 LOT. THE SURVEY WAS PERFORMED AT THE REQUEST OF OUR CLIENT. THE BASIS OF BEARING FOR THIS SURVEY IS THE SOUTH LINE OF THE SOUTHWEST QUARTER OF SECTION 30, TOWNSHIP 7 SOUTH, RANGE 3 EAST, SALT LAKE BASE AND MERIDIAN; SHOWN HEREON AS N89°00'34"E.

THE FOLLOWING DOCUMENTS OF RECORD WERE REVIEWED AND CONSIDERED AS A PART OF THIS SURVEY. THERE MAY BE OTHER DOCUMENTS EITHER PRIVATE OR OF RECORD THAT WOULD AFFECT THIS SURVEY. ANY NEW EVIDENCE CONTRADICTORY TO THIS SURVEY SHOULD BE PRESENTED TO CIVIL SCIENCE FOR REVIEW AND CONSIDERATION.

SPRING POINTE RETAIL CENTER SUBDIVISION, PLAT "A" (RECORDED DOCUMENT NO. 80202:2003, UTAH COUNTY RECORD'S OFFICE).  
 SPRING POINTE RETAIL CENTER SUBDIVISION, PLAT "C" (RECORDED DOCUMENT NO. 68300:2010, UTAH COUNTY RECORD'S OFFICE).  
 SPRING POINTE RETAIL CENTER SUBDIVISION, PLAT "F" (RECORDED DOCUMENT NO. 89604:2017, UTAH COUNTY RECORD'S OFFICE).  
 SPRING POINTE RETAIL CENTER SUBDIVISION, PLAT "G" (RECORDED DOCUMENT NO. 69571:2018, UTAH COUNTY RECORD'S OFFICE).  
 SPRING POINTE RETAIL CENTER SUBDIVISION, PLAT "I" (RECORDED DOCUMENT NO. 47529-2019, UTAH COUNTY RECORD'S OFFICE).

**ACCEPTANCE BY LEGISLATIVE BODY**

THE CITY OF SPRINGVILLE, COUNTY OF UTAH, HEREBY APPROVES THIS SUBDIVISION SUBJECT TO THE CONDITIONS AND RESTRICTIONS STATED HEREON AND ACCEPTS THE DEDICATION OF ALL STREETS, EASEMENTS, AND OTHER PARCELS OF LAND INTENDED FOR PUBLIC PURPOSES FOR THE PERPETUAL USE OF THE PUBLIC THIS \_\_\_\_ DAY OF \_\_\_\_\_.

MAYOR \_\_\_\_\_ COUNCIL \_\_\_\_\_

COUNCIL \_\_\_\_\_ COUNCIL \_\_\_\_\_

COUNCIL \_\_\_\_\_ COUNCIL \_\_\_\_\_

APPROVED: \_\_\_\_\_ ATTEST: \_\_\_\_\_

CITY ENGINEER (see seal below) CLERK - RECORDER (see seal below)  
 SPRINGVILLE CITY SPRINGVILLE CITY

**PLANNING COMMISSION APPROVAL**

APPROVED THIS \_\_\_\_ DAY OF \_\_\_\_\_, BY THE SPRINGVILLE CITY PLANNING COMMISSION.

DIRECTOR - SECRETARY \_\_\_\_\_ CHAIRPERSON, PLANNING COMMISSION \_\_\_\_\_

**CITY ATTORNEY**

APPROVED THIS \_\_\_\_ DAY OF \_\_\_\_\_.

CITY ATTORNEY \_\_\_\_\_

**DOMINION ENERGY UTAH - NOTE:**

QUESTAR GAS COMPANY, DBA DOMINION ENERGY UTAH, HEREBY APPROVES THIS PLAT FOR THE PURPOSES OF APPROXIMATING THE LOCATION, BOUNDARIES, COURSE AND DIMENSIONS OF THE RIGHTS-OF-WAY AND EASEMENT GRANTS AND EXISTING UNDERGROUND FACILITIES. NOTHING HEREIN SHALL BE CONSTRUED TO WARRANT OR VERIFY THE PRECISE LOCATION OF SUCH ITEMS. THE RIGHTS-OF-WAY AND EASEMENTS ARE SUBJECT TO NUMEROUS RESTRICTIONS APPEARING ON THE RECORDED RIGHT-OF-WAY AND EASEMENT GRANT(S). DOMINION ENERGY UTAH ALSO APPROVES THIS PLAT FOR THE PURPOSE OF CONFIRMING THAT THE PLAT CONTAINS PUBLIC UTILITY EASEMENTS; HOWEVER, DOMINION ENERGY UTAH MAY REQUIRE ADDITIONAL EASEMENTS IN ORDER TO SERVE THIS DEVELOPMENT. THIS APPROVAL DOES NOT CONSTITUTE ABRIGATION OR WAIVER OF ANY OTHER EXISTING RIGHTS, OBLIGATIONS OR LIABILITIES INCLUDING PRESCRIPTIVE RIGHTS AND OTHER RIGHTS, OBLIGATIONS OR LIABILITIES PROVIDED BY LAW OR EQUITY. THIS APPROVAL DOES NOT CONSTITUTE ACCEPTANCE, APPROVAL OR ACKNOWLEDGEMENT OF ANY TERMS CONTAINED IN THE PLAT, INCLUDING THOSE SET FORTH IN THE OWNERS DEDICATION OR THE NOTES, AND DOES NOT CONSTITUTE A GUARANTEE OF PARTICULAR TERMS OR CONDITIONS OF NATURAL GAS SERVICE. FOR FURTHER INFORMATION PLEASE CONTACT DOMINION ENERGY UTAH'S RIGHT-OF-WAY DEPARTMENT AT 801-366-8532.

QUESTAR GAS COMPANY  
 DBA DOMINION ENERGY UTAH

APPROVED THIS \_\_\_\_ DAY OF \_\_\_\_\_  
 BY: \_\_\_\_\_  
 TITLE: \_\_\_\_\_

PLAT "J"  
**SPRING POINTE RETAIL CENTER SUBDIVISION**  
 (AN AMENDMENT OF SPRING POINTE RETAIL CENTER SUBDIVISION PLAT I)

LOCATED IN THE SW ¼ OF SECTION 30, TOWNSHIP 7 SOUTH, RANGE 3 EAST, SALT LAKE BASE AND MERIDIAN, CITY OF SPRINGVILLE, UTAH COUNTY, UTAH

SURVEYOR'S SEAL CITY ENGINEER'S SEAL CLERK-RECORDER SEAL COUNTY RECORDER

**LINE TABLE**

LINE #	LENGTH	DIRECTION
* L1	28.22'	S 44°23'31" E
L2	84.46'	S 89°55'04" E
L3	77.02'	S 87°57'45" E
L4	72.67'	N 87°26'37" E
L5	61.19'	S 87°36'22" E
L6	71.79'	N 86°48'03" E
L7	105.31'	S 45°45'20" E
L8	98.28'	S 41°49'32" E
L9	20.91'	S 43°21'25" E
* L10	165.00'	S 73°07'26" E

**CURVE TABLE**

CURVE #	RADIUS	LENGTH	DELTA
* C1	20.00'	31.33'	89°44'58"
* C2	167.86'	172.49'	58°52'40"

NOTE: ALL CURVES SHOWN ON PLAT ARE TANGENT, UNLESS WE SHOW CENTER BEARINGS. CHORD BEARINGS & DISTANCES ARE FOR REFERENCE ONLY.\*

PROJ. # Fx20050.24  
 DATE 01-07-2021  
 DRAWN BY: WK/DA  
 CHECKED BY: DTM

**CivilScience**  
 Engineers | Surveyors | Solutions  
 3160 WEST CLUBHOUSE DRIVE  
 LEHI, UT 84043  
 801.768.7200

**SHEET**  
 1 OF 1