

NOTICE AND AGENDA

Notice is hereby given that the City Council of the City of Santaquin will hold a City Council Meeting on **Tuesday, November 20, 2007**, in the Council Chambers, 45 West 100 South, at 7:00 pm.

AGENDA

1. **ROLL CALL**
2. **PLEDGE OF ALLEGIANCE**
3. **INVOCATION/INSPIRATIONAL THOUGHT**
4. **CONSENT AGENDA**
 - a. Minutes
 1. November 7, 2007
 - b. Bills
 1. \$103,636.10
5. **FORUM, BID OPENINGS, AWARDS, AND APPOINTMENTS**

Public Forum is held to a 30-minute maximum with each speaker given no more than 5 minutes each. If more than 6 Speakers, time will be adjusted accordingly to meet the 30 minute requirement
6. **FORMAL PUBLIC HEARINGS**
7. **UNFINISHED BUSINESS**
 - a. Discussion continuation with regard to accepting money in lieu of water for the Orchards Subdivisions
8. **NEW BUSINESS**
 - a. Canvas of the Election Votes
 - b. Discussion and possible action with regard the Orchards Subdivision Plat F
 - c. Discussion and possible action with regard the Orchards Subdivision Plat H
 - d. Discussion and possible action with regard the Orchards Subdivision Plat I
 - e. Discussion and possible action with regard the Orchards Subdivision Plat J
 - f. Discussion and possible action with regard the Orchards Subdivision Plat K
 - g. Discussion and possible action with regard the Orchards Subdivision Plat L
 - h. Discussion and possible action with regard to reimbursement for sewer line upsized in Apple Cove Plat "C"
9. **BUSINESS LICENSES**
10. **INTRODUCTIONS AND ADOPTION OF ORDINANCES AND RESOLUTIONS (Roll Call Vote)**
 - a. Resolution 11-02-2007 "Fee Schedule"
11. **PETITIONS AND COMMUNICATIONS**
 - a. Discussion and possible acceptance of the Santaquin 66 Addition Annexation
 - b. Discussion and possible acceptance of the Jones Annexation
12. **REPORTS OF OFFICERS, STAFF, BOARDS, AND COMMITTEES**
 - a. Chamber of Commerce ~ Quarterly Report
13. **REPORTS BY MAYOR AND COUNCIL MEMBERS**
 - a. Mayor DeGraffenried
 - b. City Manager Chatwin
14. **EXECUTIVE SESSION** (May be called to discuss the character, professional competence, or physical or mental health of an individual)
15. **EXECUTIVE SESSION** (May be called to discuss the pending or reasonably imminent litigation, and/or purchase, exchange, or lease of real property)
16. **ADJOURNMENT**

If you are planning to attend this Public Meeting and, due to a disability, need assistance in understanding or participating in the meeting, please notify the City ten or more hours in advance and we will, within reason, provide what assistance may be required.

CERTIFICATE OF MAILING

The undersigned duly appointed City Recorder for the municipality of Santaquin City hereby certifies that a copy of the foregoing Notice and Agenda was faxed to the Payson Chronicle, Payson, UT, 84651.

BY: 

Susan B. Farnsworth, City Recorder

POSTED:

CITY CENTER
POST OFFICE

ZIONS BANK ® Amendment to Agenda

**MINUTES OF A CITY COUNCIL MEETING
HELD IN THE COUNCIL CHAMBERS
NOVEMBER 20, 2007**

Mayor James E. DeGraffenried called the meeting to order at 7:00 pm. Council Member attending: Arthur Adcock, Martin Green, and James Linford. Filip Askerlund and Tracy Roberts were excused.

Others attending: City Manager Stefan Chatwin, City Planner Dennis Marker, Council Member elect Brent Vincent, Garrett Sealy, Greg Saylin, and Sherry Westover.

PLEDGE OF ALLEGIANCE

City Recorder Farnsworth led the Pledge of Allegiance.

INVOCATION/INSPIRATIONAL THOUGHT

Mayor DeGraffenried offered an Invocation.

CONSENT AGENDA

Minutes

November 7, 2007

Bills

\$103,636.10

Council Member Adcock moved to approve the Consent Agenda. Council Member Linford seconded the motion. Council Members Adcock, Green, and Linford, voted in the affirmative.

FORUM, BID OPENINGS, AWARDS, AND APPOINTMENTS

Nothing

FORMAL PUBLIC HEARINGS

Nothing

UNFINISHED BUSINESS

Discussion continuation with regard to accepting money in lieu of water for the Orchards Subdivisions

See Item 8b through item 8h. (see attachment "A" for Staff recommendation)

NEW BUSINESS

Canvas of the Election Votes

Council Member Adcock moved to accept the General Election Tabulations provided by Utah County Representatives as follows:

- 2669 registered voters
- 1093 cards cast – totaling 40.95% of possible votes
- Filip Askerlund received 600 votes totaling 20.63%
- Martin P. Green received 697 votes totaling 23.96%
- Mike Jayme received 222 votes totaling 7.63%
- Allen Reed received 290 votes totaling 9.97%
- Tracy J. Roberts received 424 votes totaling 14.58%
- Brent Vincent received 655 votes totaling 22.52%
- Write-in's received 21 votes totaling .72%

Council Member Linford seconded the motion. Council Member Green indicated he could not "make the vote numbers jive". He was told each voter could cast three votes. That would account

for the number of votes cast being in excess of the number of individuals voting. Council Members Adcock, Green, and Linford voted in the affirmative. (see attachment "B" for Official results)

Discussion and possible action with regard the Orchards Subdivision Plat F

Discussion and possible action with regard the Orchards Subdivision Plat H

Discussion and possible action with regard the Orchards Subdivision Plat I

Discussion and possible action with regard the Orchards Subdivision Plat J

Discussion and possible action with regard the Orchards Subdivision Plat K

Discussion and possible action with regard the Orchards Subdivision Plat L

Council Member Green moved to give final approval for the Orchards Subdivision Plats "F", "H", "I", "J", "K", and "L" subject to the address changes requested by the Chief Building Official, approve accepting money in lieu of water for the Orchards Subdivision after transferring 132 shares of Summit Creek Irrigation for Plats "A" through "F" and "L".

Mr. Seely request cash in lieu of for Plats "A" through "F" and "I".

Council Member Green continued: For Plats "H" through "K" accept money in lieu which will be put in an escrow account until the Ferguson well issue is resolved and the water rights transferred to the City. At the time the rights are transferred to the City, an appropriate refund will be issued. Council Member Linford seconded the motion. Council Members Adcock, Green, and Linford voted in the affirmative. (see attachment "C" for Staff recommendations)

Discussion and possible action with regard to reimbursement for sewer line upsize in Apple Cove Plat "C"

Council Member Linford moved to approve reimbursement for sewer line upsize in Apple Cove Plat "C" for \$11,162.80. Council Member Adcock seconded the motion. Council Members Adcock, Green, and Linford voted in the affirmative. (see attachment "D" for Staff recommendations)

BUSINESS LICENSES

Council Member Adcock reported David Hadley DBA Hadley Family Dentistry had submitted a new Business License Application. All required inspections are complete and requirements met.

Council Member Adcock moved to approve the Business License for David Hadley DBA Hadley Family Dentistry. Council Member Green seconded the motion. Council Members Adcock, Green, and Linford voted in the affirmative.

INTRODUCTIONS AND ADOPTION OF ORDINANCES AND RESOLUTIONS (Roll Call Vote)

Resolution 11-02-2007 "Fee Schedule"

Council Member Green moved to approve Resolution 11-02-2007 "Fee Schedule". Council Member Adcock seconded the motion. Council Members Adcock, Green, and Linford voted in the affirmative.

PETITIONS AND COMMUNICATIONS

Discussion and possible acceptance of the Santaquin 66 Addition Annexation

Council Member Adcock moved to accept the Santaquin 66 Addition Annexation Petition. Council Member Linford seconded the motion. Council Members Adcock, Green, and Linford voted in the affirmative.

Discussion and possible acceptance of the Jones Annexation

Council Member Green moved to accept the Jones Annexation Petition. Council Member Adcock seconded the motion. Council Members Adcock, Green, and Linford voted in the affirmative.

REPORTS OF OFFICERS, STAFF, BOARDS, AND COMMITTEES

Chamber of Commerce ~ Quarterly Report

A Representative was not in attendance.

REPORTS BY MAYOR AND COUNCIL MEMBERS

City Manager Chatwin

Council Member Green was told the banners which will be hung along Main Street will be hung shortly. Positive comments were rendered with regard to the holiday decorations.

City Manager Chatwin informed Council Member Green that the original developer interested in the Sorenson Property have not heard from Mr. Sorenson therefore they have moved on to other projects.

Council Member Linford

Council Member Linford indicated he had to wait for 30 cars before he could enter Main Street from Highland Drive. He requested discussing a possibility of a round-a-bout which would alleviate some of the traffic problems. City Manager Chatwin indicated UDOT Representatives have studies this issue and was told by City Officials to reevaluate this option.

Council Member Linford reported the Utah Lake Commission has money available to Cities that have population under 20,000 for water projects. City Manager Chatwin will explore this option.

Council Member Adcock indicated he would be out of town the 2nd Council Meeting in December.

Council Member Green reminded those in attendance of the Light Parade on November 24. Santa will enter through the South entrance into Gym.

Community Choir will perform on Sunday, December 9 beginning at 7:00 at the Church located at 45 S 500 W.

Mayor DeGraffenried indicated at the Chamber of Commerce installation banquet, he will honor Craig Evans as the Citizen of the Year. Mr. Evans has been the director of the Community Choir for approximately 20 years.

EXECUTIVE SESSION (May be called to discuss the character, professional competence, or physical or mental health of an individual)

Nothing

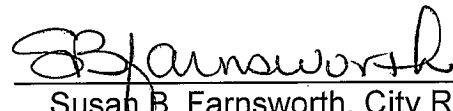
EXECUTIVE SESSION (May be called to discuss the pending or reasonably imminent litigation, and/or purchase, exchange, or lease of real property)
Nothing

ADJOURNMENT

At 7:46 pm Council Member Adcock moved to adjourn. Council Member Linford seconded the motion. Council Members Adcock, Askerlund, Green, Linford, and Roberts voted in the affirmative.

Approved on December 5, 2007.


James E. DeGraffenried, Mayor


Susan B. Farnsworth, City Recorder



ATT A

A Community Prospering in Country Living

(Agriculture, Equestrian, Recreation)

MEMORANDUM

November 16, 2007

To: Mayor DeGraffenried and City Council via Planning Commission
From: Dennis Marker, City Planner
RE: The Orchards Subdivision Request to pay Money in Lieu of Water

Background:

On March 21, 2007 the City Council reviewed a request from Double G Investments, LLC to pay money in lieu of providing water for portions of the Orchards Development. No action was taken that evening due to well rights information needing to be obtained. JUB engineering is reviewing and will be providing the additional well information. Mr. Garrett Seely, representing Double G Investments has requested the City Council once again consider his petition.

The petition has two parts; first, Plats A through F and L, secondly, Plats H through K (aka. Ferguson Property).

Orchard Plat	Acres	Required Water (3 ac ft per ac)	Equivalent SCI* Shares	Money Equivalent**
A	25.04	75.12	41.73	\$ 146,066.67
B	19.4	58.2	32.33	\$ 113,166.67
C	21.6	64.8	36.00	\$ 126,000.00
D	16.07	48.21	26.78	\$ 93,741.67
E	11.02	33.06	18.37	\$ 64,283.33
F	19.45	58.35	32.42	\$ 113,458.33
L	4.93	14.79	8.22	\$ 28,758.33
Subtotal	117.51	352.53	195.85	\$ 685,475.00
H	17.84	53.52	29.73	\$ 104,066.67
I	17.84	53.52	29.73	\$ 104,066.67
J	9.89	29.67	16.48	\$ 57,691.67
K	11.66	34.98	19.43	\$ 68,016.67
Subtotal	57.23	171.69	95.38	\$ 333,841.67
Totals	174.74	524.22	291.23	\$1,019,316.67

* Summit Creek Irrigation Company

** Money Equivalent based on \$3,500 per 1 share of Summit Creek Irrigation Company water.

Current status of water dedications is as follows

Plats	Shares Needed	Shares Provided	Difference	Cash Equivalent
A-F, L	195.85	133.5*	62.35	\$ 218,225.00
H-K	94.58	None to Date**	94.58	\$ 331,030.00
Total	290.43	133.5	156.93	\$ 549,255.00

* 96 shares have been dedicated and 37.5 shares should be dedicated by meeting date. Staff will follow up on these prior to action being taken.

** Pending determination of Ferguson well rights.

Mr. Seely has requested that for plats A through F and L, the City Council accept the 133.5 Summit Creek Irrigation Company shares and a cash equivalent for the difference in water shares required. An official determination of market costs will still need to be prepared by City engineering staff.

Mr. Seely has also requested that for plats H through K, the City Council accept money in lieu of all required shares until such time as a determination on the Ferguson well rights is made by JUB Engineering. The applicant has stated that a portion of the well rights may be traded to adjacent orchard owners in exchange for Summit Creek shares those owners possess. The resulting equivalent of Summit Creek shares would then be transferred to the City. These negotiations and ultimate water rights coming to the City would be based on JUB's findings and the State Geologists for verification.

Additional Information.

The Orchards, Plat G (aka. Pyne property) has an additional 40 Summit Creek Irrigation Company water shares. These shares will be transferred to the City at the time of its development.

Recommendation:

Staff recommends the City Council grant the petition of Double G Investments, LLC to provide money in lieu of water for based on the following findings and subject to the following conditions.

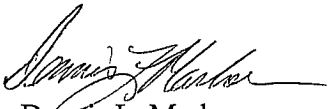
Findings

1. Santaquin City Code, Section 8-1-12 requires that properties annexed into the City must provide at least 3 acre feet of water per acre of development ground.
2. Santaquin City Code, Section 8-1-12.B. does allow the City to accept money in lieu of water rights required for development. The amount of actual water required is determined at the discretion of the City Council. Monies in lieu of such are to be based on recent similar water sales available to the City.
3. The petitioner has already dedicated 133.5 shares of water on behalf of the development and is continuing to work in good faith with the City to provide addition well rights and Summit Creek Irrigation shares.

Conditions

1. That at least 133.5 Summit Creek Irrigation Company shares (240.3 acre feet) be provided for The Orchards Subdivision Plats A through F and including L. That a cash equivalent be provided to the City for the remaining 112.23 acre feet of water required for these plats.

2. That a cash equivalent be provided for the 171.69 acre feet of water required for plats H through K of the Orchards Subdivision. When additional water rights and/or Summit Creek Irrigation Company shares are transferred to the City on behalf of these plats, the required amount of money in lieu of water for these plats may be reduced and/or refunded to the developer.
3. That the determination of required monies in lieu of water be based on City ordinance and policy.



Dennis L. Marker
City Planner

Susan Farnsworth

From: Dennis Marker
Sent: Wednesday, November 14, 2007 1:32 PM
To: Garrett; Garrett
Cc: Susan Farnsworth; David Thurgood
Subject: Orchards Water Requirements

On March 21, 2007 the City Council reviewed a request from Double G Investments, LLC to pay money in lieu of providing water for the Orchards Development. No action was taken that evening due well rights information needing to be obtained. JUB engineering is reviewing and will be providing the additional well information. This email is to serve as notice that the City Council has not yet granted your request for allowing money in lieu of water.

According to Orchards plats which have been submitted for final review (encompassing 174.26 acres) at least 522.78 acre feet of water (i.e. 290 shares of Summit Creek Irrigation Water) is required to be dedicated before final plats can be recorded. To date only 96 shares of Summit Creek Irrigation Water has been turned over to the Santaquin Service District.

Please provide a summary of your current status on delivering the required water shares to the City and an updated request to the City Council for approval of providing money in lieu of water. Discussion on this and plats F, H, I, J, K, and L, has been tentatively scheduled on next weeks City Council meeting agenda.

Feel free to call me if you have any questions or concerns about this information.

Sincerely,

Dennis L. Marker

Santaquin City Planner

45 West 100 South, Santaquin City, UT, 84655

W (801) 754-3211 x12

F (801) 754-1753

dmarker@santaquin.org

11/14/2007



Engineers • Surveyors • Planners

November 20, 2007

Honorable Mayor and City Council
45 West 100 South
Santaquin City, Utah 84655

J-U-B ENGINEERS, Inc.
ENGINEERS • SURVEYORS • PLANNERS

240 West Center Street
Suite 200
Orem, Utah 84057
Ph: 801-226-0393
Fax: 801-226-0394

Re: The Orchards Development Water Requirement

The Orchards Development Plats "A", "B", "C", "D", "E", "F", "H", "I", "J", "K", and "L" contain a combined total of 174.26 acres. By ordinance the amount of water required is 3 acre-feet per gross acre. The total amount required for these plats is 522.78 acre-feet. A summary of water the Developer proposes to use is as follows:

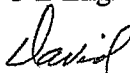
Irrigation Company/Source	Status	Shares or Acres	Yield/Share/Acre Duty (acre-feet)	Volume (acre-feet)
Summit Creek Irrigation	Turned in	96 shares	1.8	172.8
Summit Creek Irrigation	Pending	36 shares	1.8	64.8
Ferguson Well 55-6307 (a16545)	Pending	60 acres	4.0	240
Total				477.6
Short				(45.18)

Cash in-lieu will be paid for the (45.18) acre-feet. We have investigated WR-6307. This right was segregated from WR-1323 by Change A16545 filed 01/17/1992. This right is in a 10-inch diameter well 425 feet deep. The well was drilled in 1974 and has been in use each year since. According to the State Engineers records supplemental water is represented by 3 shares of Summit Creek Irrigation and 31 shares of East Santaquin Irrigation. The area irrigated by this right and supplemental water is 60-acres. The acre-duty for this area is 4 acre-feet per acre, or a total volume of 240 acre-feet.

We recommend that the cash value of the 240 acre-feet be held in an escrow account agreeable with the City until a Change Application and all applicable documents is filed with the State Engineer and an "Order" issued by him approving the Change Application. The "Order" by the State Engineer will quantify the volume of water, how much can be diverted and depleted, and may contain conditions to meet before the transfer is finalized. If the "Order" is for less than the 240 acre-feet the Developer is required to pay cash from the escrow account for the difference.

We are happy to answer any questions you may have.

Best regards,
J-U-B Engineers, Inc.


David C. Thurgood, P.E.
Santaquin City Engineering

Cc: Stefan Chatwin, City Manager
Dennis Marker, City Planner
Garrett Seely, Developer

2007 Municipal General Election
 Official Results
 Summary Report
 Santaquin City

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 Time:15:45:03
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Registered Voters 2669 - Cards Cast 1093 40.95%

Num. Report Precinct 3 - Num. Reporting 3 100.00%

SANTAQUIN COUNCIL

	Total	
Number of Precincts	3	
Precincts Reporting	3	100.0 %
Vote For	3	
Total Votes	2909	
FILIP ASKERLUND	600	20.63%
MARTIN P. GREEN	697	23.96%
MIKE JAYME	222	7.63%
ALLEN REED	290	9.97%
TRACY J. ROBERTS	424	14.58%
BRENT VINCENT	655	22.52%
Write-in Votes	21	0.72%

Provisional

Polling Place Santaquin City Hall

Counted

25

Not Counted

No proof of Residency

7

Total

32

Statement of Votes Cast
2007 General Election
Official Results
Santaquin City

Date:11/19/07
Time:15:17:36
Page:1 of 3

	TURN OUT		
	Reg. Voters	Cards Cast	% Turnout
Jurisdiction Wide			
SQ01			
Polling	807	292	36.18%
Absentee	807	2	0.25%
Provisional	807	7	0.87%
Early	807	9	1.12%
In-Office	807	0	0.00%
Total	807	310	38.41%
SQ02			
Polling	969	391	40.35%
Absentee	969	5	0.52%
Provisional	969	8	0.83%
Early	969	10	1.03%
In-Office	969	1	0.10%
Total	969	415	42.83%
SQ03			
Polling	893	378	42.33%
Absentee	893	10	1.12%
Provisional	893	10	1.12%
Early	893	5	0.56%
In-Office	893	0	0.00%
Total	893	403	45.13%
Total			
Polling	2669	1061	39.75%
Absentee	2669	17	0.64%
Early	2669	24	0.90%
Provisional	2669	25	0.94%
In-Office	2669	1	0.04%
Total	2669	1128	42.26%

Statement of Votes Cast
2007 General Election
Official Results
Santaquin City

Date:11/19/07
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	SANTAQUIN COUNCIL									
	Reg. Voters	Total Votes	FILIP ASKERLUND		MARTIN P. GREEN		MIKE JAYME		ALLEN REED	
Jurisdiction Wide										
SQ01										
Polling	807	722	135	18.70%	188	26.04%	49	6.79%	58	8.03%
Absentee	807	6	2	33.33%	2	33.33%	0	0.00%	1	16.67%
Provisional	807	12	2	16.67%	2	16.67%	2	16.67%	1	8.33%
Early	807	9	3	33.33%	2	22.22%	0	0.00%	0	0.00%
In-Office	807	0	0	-	0	-	0	-	0	-
Total	807	749	142	18.96%	194	25.90%	51	6.81%	60	8.01%
SQ02										
Polling	969	1053	223	21.18%	245	23.27%	70	6.65%	118	11.21%
Absentee	969	12	1	8.33%	1	8.33%	2	16.67%	2	16.67%
Provisional	969	10	1	10.00%	3	30.00%	1	10.00%	1	10.00%
Early	969	29	7	24.14%	9	31.03%	0	0.00%	2	6.90%
In-Office	969	3	0	0.00%	1	33.33%	1	33.33%	0	0.00%
Total	969	1107	232	20.96%	259	23.40%	74	6.68%	123	11.11%
SQ03										
Polling	893	994	216	21.73%	230	23.14%	91	9.15%	100	10.06%
Absentee	893	18	2	11.11%	6	33.33%	0	0.00%	2	11.11%
Provisional	893	30	6	20.00%	6	20.00%	4	13.33%	4	13.33%
Early	893	11	2	18.18%	2	18.18%	2	18.18%	1	9.09%
In-Office	893	0	0	-	0	-	0	-	0	-
Total	893	1053	226	21.46%	244	23.17%	97	9.21%	107	10.16%
Total										
Polling	2669	2769	574	20.73%	663	23.94%	210	7.58%	276	9.97%
Absentee	2669	36	5	13.89%	9	25.00%	2	5.56%	5	13.89%
Early	2669	49	12	24.49%	13	26.53%	2	4.08%	3	6.12%
Provisional	2669	52	9	17.31%	11	21.15%	7	13.46%	6	11.54%
In-Office	2669	3	0	0.00%	1	33.33%	1	33.33%	0	0.00%
Total	2669	2909	600	20.63%	697	23.96%	222	7.63%	290	9.97%

Statement of Votes Cast
2007 General Election
Official Results
Santaquin City

Date:11/19/07
Time:15:17:36
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	SANTAQUIN COUNCIL					
	TRACY J. ROBERTS		BRENT VINCENT		Write-In Votes	
Jurisdiction Wide						
SQ01						
Polling	136	18.84%	152	21.05%	4	0.55%
Absentee	1	16.67%	0	0.00%	0	0.00%
Provisional	2	16.67%	1	8.33%	2	16.67%
Early	3	33.33%	1	11.11%	0	0.00%
In-Office	0	-	0	-	0	-
Total	142	18.96%	154	20.56%	6	0.80%
SQ02						
Polling	150	14.25%	238	22.60%	9	0.85%
Absentee	2	16.67%	4	33.33%	0	0.00%
Provisional	1	10.00%	3	30.00%	0	0.00%
Early	7	24.14%	4	13.79%	0	0.00%
In-Office	1	33.33%	0	0.00%	0	0.00%
Total	161	14.54%	249	22.49%	9	0.81%
SQ03						
Polling	111	11.17%	240	24.14%	6	0.60%
Absentee	2	11.11%	6	33.33%	0	0.00%
Provisional	6	20.00%	4	13.33%	0	0.00%
Early	2	18.18%	2	18.18%	0	0.00%
In-Office	0	-	0	-	0	-
Total	121	11.49%	252	23.93%	6	0.57%
Total						
Polling	397	14.34%	630	22.75%	19	0.69%
Absentee	5	13.89%	10	27.78%	0	0.00%
Early	12	24.49%	7	14.29%	0	0.00%
Provisional	9	17.31%	8	15.38%	2	3.85%
In-Office	1	33.33%	0	0.00%	0	0.00%
Total	424	14.58%	655	22.52%	21	0.72%

2007 Municipal General Election
 Official Results
 Summary Report
 Santaquin City

Date: 11/20/07
 Time: 10:48:42
 Page: 1 of 1

Registered Voters 2669 - Cards Cast 1128 42.26%

Num. Report Precinct 3 - Num. Reporting 3 100.00%

CITIZEN'S STATE REFERENDUM NUMBER 1			
		Total	
Number of Precincts	3		
Precincts Reporting	3	100.0 %	
Vote For	1		
Total Votes	1120		
FOR	512	45.71%	
AGAINST	608	54.29%	

SANTAQUIN COUNCIL			
		Total	
Number of Precincts	3		
Precincts Reporting	3	100.0 %	
Vote For	3		
Total Votes	2909		
FILIP ASKERLUND	600	20.63%	
MARTIN P. GREEN	697	23.96%	
MIKE JAYME	222	7.63%	
ALLEN REED	290	9.97%	
TRACY J. ROBERTS	424	14.58%	
BRENT VINCENT	655	22.52%	
Write-in Votes	21	0.72%	



a+ c

A Community Prospering in Country Living

(Agriculture, Equestrian, Recreation)

MEMORANDUM

November 16, 2007

To: Mayor DeGraffenried and City Council via Planning Commission
From: Dennis Marker, City Planner
RE: The Orchards Subdivision (Final Review) Zone: R-10 with PUD Overlay

Plat F @ 300 West 800 North	Acres: 19.45+/-	Buildable Lots: 58
Plat H @ 400 East Ginger Gold Road	Acres: 17.23+/-	Buildable Lots: 60
Plat I @ 500 East Ginger Gold Road	Acres: 17.84+/-	Buildable Lots: 63
Plat J @ 500 East 700 North	Acres: 9.89+/-	Buildable Lots: 42
Plat K @ 650 North 400 East	Acres: 11.66+/-	Buildable Lots: 45
Plat L @ 350 West 700 North	Acres: 4.93+/-	Buildable Lots: 19

Background:

Mr. Garrett Seely, representing Double G Investments, LLC, is seeking final approvals of the above listed plats, consisting of 287 lots on 81 acres. (See attached maps and subdivision plans). The Development Review Committee (DRC) has reviewed the proposals and forwarded a positive recommendation on the final plans. The Planning Commission reviewed these plats during their November 8, 2007 meeting and has forwarded a positive recommendation to the City Council for their approval (See attached Draft Planning Commission Minutes)

The Orchards phases are as follows

Phase	Acres	Lots	Open Space*	Road Area*
The Orchards Plat F	19.45	58 + 3 public	1.56	4.97
The Orchards Plat H	17.23	60 + 1 public	0.69	5.96
The Orchards Plat I	17.84	63	0.0	6.00
The Orchards Plat J	9.89	42 + 1 public	0.0	2.38
The Orchards Plat K	11.66	45	0.0	3.30
The Orchards Plat L	4.93	19	0.45	0.96
Totals	81.0	287 + 5 public	2.70 acres	23.57 acres

* Acres. Road areas do include City Master Planned trails.

Analysis:

The property is located in the R-10 zone with a PUD overlay. The development standards for this proposal were established by the North Orchards Annexation and Development Agreement approved and entered into with the City on July 7, 2004. The following Lot standards are stipulated in that agreement.

Lot Standards.

Required Interior/Corner Lot sizes = 5,000 / 6,000 sq.ft.

Minimum Lot Size per plat (Interior/Corner)

F -	5,700 / 6,432 sq. ft.	(Lot Multiple / 40)
H -	6,000 / 6,952 sq. ft.	(Lot 155 / Multiple)
I -	7,000 / 7,050 sq. ft.	(Lot Multiple / 259)
J -	6,632 / 7,161 sq. ft.	(Lot Multiple / 337)
K -	6,986 / 7,284 sq. ft.	(Lot 437 / Multiple)
L -	6,222 / 7,175 sq. ft.	(Lot 12 / 14)

Required Lot Frontage (Interior) = 55 ft

Minimum lot frontages per plat

F	55.30	(lots 11,14,15)
H	54	(lot 118)
I	65	(Lot 239)
J	62	(Lot 309)
K	60	(Multiple)
L	60*	(Lot 10)

Required Lot Frontage (Corner) = 65/65

Minimum Corner lot Frontages per plat

68.88 / 95.22	(lot 40)
65.82 / 105.02	(lot 117)
67.88 / 102.93	(lot 245)
72.53 / 108.55	(lot 310)
67.54 / 116.20	(lot 438)
75.96 / 100.35	(lot 11)

* Does not include the flag lot, 19 which received special approval from the Planning Commission during their August 9, 2007 meeting in accordance with City code, §10-10. It has 25 feet and was required to have 24 feet.

Access.

The subdivisions will have direct access off either 400 East or 350 West. Roads in plats I, J, and K will be stubbed to the west to tie in to future developments and be in accordance with the City's Master Circulation Plan. All proposed lots would have direct access off of public streets. No private streets are proposed within this phase of the development. All improvements will comply with the City approved street cross-sections.

Impact on Adjacent Properties.

Traffic. The largest impact on the adjacent properties will be the increased amounts of construction traffic in the area during construction and the increased traffic brought to the area by future residents. The North Orchards Development agreement requires the developer to provide a construction routing plan to limit impacts on existing neighborhoods. This plan is a requirement to be prepared before construction begins. It typically obtained during a pre-construction meeting with City staff.

The impact of future residents on the City's streets has been addressed in a traffic impact study prepared by Hales Engineering dated September 21, 2007. In addition to those roads being improved with these subdivisions, it states,

"A minor street widening project [of 400 East or 300 West] will not eliminate the delay motorists will experience with the added project traffic [on Main Street]."

Dust. With the large amount of earth movement that will occur during construction of these subdivisions, adjacent residents will be subjected to increased amount of airborne particulates. The applicant is required to provide a staging and materials stockpiling and recycling plan to address dust and airborne particulate mitigation. This information is also a requirement before construction can begin and is obtained during pre-construction meetings with staff.

Agricultural Operations. The orchards surrounding the development are part of functioning agricultural operations, which utilize pesticides, burning of woody materials, irrigation, and working hours not always consistent with residential neighborhoods. Persons moving into the subject development should be made aware of these and other possible impacts associated with orchard farming. The applicant has incorporated language into the development's Codes, Covenants and Restrictions (CC&Rs) which make future home owners aware of the adjacent uses. The developer will also be installing a 6 foot vinyl fence along agricultural properties adjacent to this development, which will help to shield them from residential impacts.

Sensitive Lands.

There are no areas with 30% or greater slopes within this development.

Recreation Amenities.

No park space (ball fields, gazebos, soccer fields, etc) are being proposed in these phases, they are still required in order for the developer to utilize high density housing within the "increased density area" master pads. However, approximately 2.0 acres of ground will be added to the Orchard Cove Park with the recording of plats F and L. The developer will also be installing parkstrip and street improvements along the Orchard Cove Park. A design for future park improvements has been proposed by staff and will be primarily funded through impact fees. The applicant will also be installing a large segment of trail along Ginger Gold Road. This trail segment will be flanked by parkstrips and landscape areas in accordance with the City's Trails General Plan and construction standards.

Recommendation:

The Planning Commission has recommended approval of the subject plats with the following conditions:

1. That the developer **dedicates adequate water shares** to the City or receive approval from the City Council for money in lieu of water shares prior to recordation of the subdivision plats or construction begins.

The applicant has submitted a money in lieu of water petition to the City Council.

2. That all required **bonding and inspection fees** be paid prior to construction beginning.

This will be handled through standard administrative procedures

3. That all required details and information requested by the Development Review Committee be provided prior to the City Council's review.

Since the Planning Commission made its recommendation the developer has submitted plans showing compliance with all engineering requirements and zoning standards. Some lot addressing issues still remain, but these can be handled before any final mylar plats are presented for the City Council to sign.

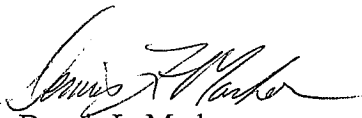
Staff recommends the City Council grant final approval of The Orchards Plats F, H, I, J, K, and L. based on the following findings and subject to the following conditions:

Findings

1. The development is eligible for PUD status and increased densities based on the amenities being provided in accordance with the North Orchards Annexation and Development Agreement of which the proposed development is under.
2. The development complies with the standards for development which have been adopted and approved as part of the North Orchards Annexation and Development Agreement of which the proposed development is under.

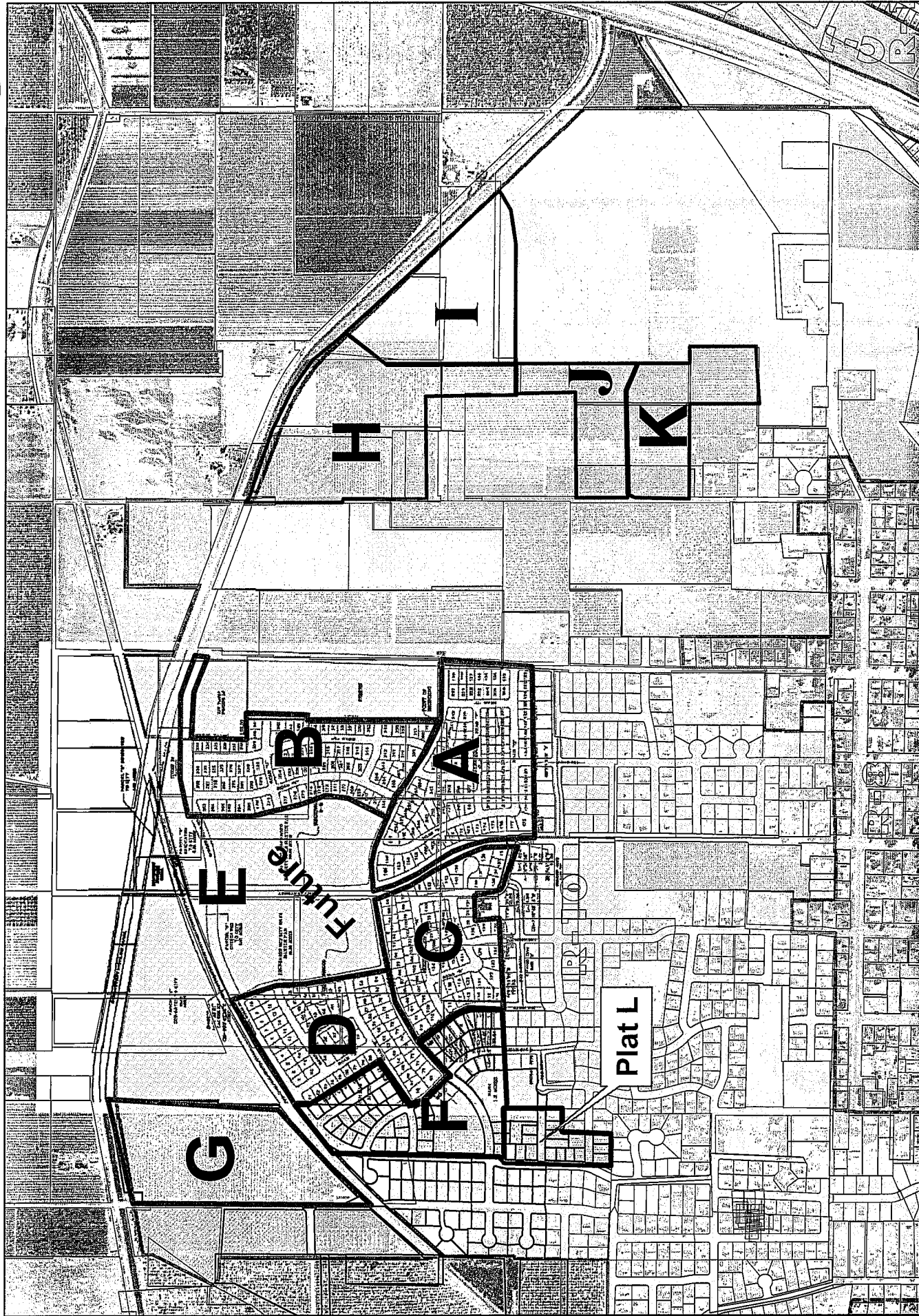
Conditions

1. That the developer **dedicates adequate water shares** to the City or receive approval from the City Council for money in lieu of water shares prior to recordation of the subdivision plats or construction begins.
2. That all required **bonding and inspection fees** be paid prior to construction beginning.
3. That all required details and information requested by the Development Review Committee be provided prior to the City Council's review (See DRC minutes dated October 23, 2007 and October 30, 2007).



Dennis L. Marker
City Planner

Orchar Subdivisions Plats





Orchards Plats "H", "I", "J", & "K" Final Review

November 15, 2007

PLAT "H"

- 1. Change address on lot # 158 from 442 East, to 444 East.**
- 2. Change address on lot # 160 from 412 East, to 416 East.**
- 3. Change address on lots 121, and 122 off of Pristine Drive to Northing address's.**

PLAT "I"

- 1. Change all addressing of lots off of Pristine Drive to northing address's.**
- 2. Change all addressing of lots off of Ginger Gold Road to northing address's.**

Santaquin Building Official
A. Randy Spadafora



*freedom * family * friendship*

att D

Memorandum

To: Stefan Chatwin
City Manager
45 West 100 South
Santaquin, UT 84655

CC: Brett Penrod
Penrod Construction, Inc.
3511 West 7300 South
Benjamin, UT 84660

From: David C Thurgood, P.E. *DCT*
J-U-B Engineers, Inc.
City Engineers

Date: November 12, 2007

Re: Reimbursement for sewer line upsize cost in Apple Cove Plat "C"

We have reviewed the size increase costs provided by Penrod Construction, Inc. regarding increasing the size of the sewer line across the north end of the development as per the Sanitary Sewer Capital Facilities Plan. Mr. Penrod did not include cost of increased labor in his or the cost difference in the upsized sewer plugs. We have attached our worksheet regarding the upsize items of work and costs. We are of the opinion that the costs are fair and reasonable. This reimbursement is eligible for using Impact Fee's because it is growth related.

We recommend payment of \$11,162.80.

Please let us know if you have any questions.