

## NOTICE AND AGENDA

Notice is hereby given that the City Council of the City of Santaquin will hold a City Council Meeting on Wednesday, July 18, 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. July 11, 2007
  - b. Bills
    1. \$146,424.78
5. **FORUM, BID OPENINGS, AWARDS, AND APPOINTMENTS**

Public Forum will be 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**
8. **NEW BUSINESS**
  - a. Authorization to purchase Ford F150 from Tischner Ford
  - b. Discussion and possible action with regard to amendments of The Orchards Final Plats "A", "B", "C", & "D"
  - c. Discussion and possible action with regard to an Industrial Zone location-City Planner has information
  - d. Discussion and possible action with regard to East Santaquin Meadows rezoning and planned unit development (PUD) request at approximately 800 South 100 West, approximately 10 acres from C-1 to R-15.
9. **BUSINESS LICENSES**
10. **INTRODUCTIONS AND ADOPTION OF ORDINANCES AND RESOLUTIONS (roll call vote)**
  - a. Resolution 07-02-2007 "Fee Schedule"
11. **PETITIONS AND COMMUNICATIONS**
12. **REPORTS OF OFFICERS, STAFF, BOARDS, AND COMMITTEES**
13. **REPORTS BY MAYOR AND COUNCIL MEMBERS**
  - a. Discussion of the City Center Park
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: S. B. Farnsworth  
Susan B. Farnsworth, City Recorder

### POSTED:

CITY CENTER  
POST OFFICE  
ZIONS BANK ® Amendment to Agenda

**MINUTES OF A COUNCIL MEETING  
HELD IN THE COUNCIL CHAMBERS  
JULY 18, 2007**

Mayor James E. DeGraffenried called the meeting to order at 7:12 pm. Council Members attending: James Linford, Tracy Roberts, Arthur Adcock, Martin Green and Filip Askerlund.

Others attending: Legal Counsel Bret Rich, City Planner Dennis Marker, Police Chief Dennis Howard, Planning Commission Representative John Chatterley, Loretta Moshier, Mike Jayme, Robert Field, Calvin Brubaker and other unidentified individuals.

**PLEDGE OF ALLEGIANCE**

Council Member Linford led the Pledge of Allegiance.

**INVOCATION/INSPIRATIONAL THOUGHT**

Council Member Askerlund Offered an Invocation.

**CONSENT AGENDA**

***Minutes***

July 11, 2007

***Bills***

\$146,424.78

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

**FORUM, BID OPENINGS, AWARDS, AND APPOINTMENTS**

Nothing

**FORMAL PUBLIC HEARINGS**

Nothing

**UNFINISHED BUSINESS**

Nothing

**NEW BUSINESS**

***Authorization to purchase Ford F150 from Tischner Ford***

Council Member Askerlund moved to authorize the purchase of a 2007 Ford F150 from Tischner Ford in the amount of approximately \$16,580. Council Member Green seconded the motion. Council Members Linford, Roberts, Adcock, Green and Askerlund voted in the affirmative.

***Discussion and possible action with regard to amendments of The Orchards Final Plats "A", "B", "C", & "D"***

City Planner Marker reported Mr. Garrett Seely, representing Double G. Investments, LLC, is seeking approval of a modification to Plats "A", "B", "C", & "D" of the Orchards Subdivision. The subject development was granted final approvals by the City Council on March 21, 2007. Since that time Mr. Seely has been marketing the subdivisions to perspective home builders. Responses to the marketing have included a desire to adjust plat boundary lines to accommodate more desirable model home locations. The total number of approved lots in these plats will not change. City Ordinance, Section 11-5-9 requires that major modifications to final plats must be reviewed by the Planning Commission and City Council prior to recordation (see attachment "A" for Staff's recommendations).

Council Member Green moved to approve the Orchards Final Plats "A", "B", "C", and "D". Council Member Askerlund seconded the motion. Council Members Linford, Roberts, Adcock, Green and Askerlund voted in the affirmative.

***Discussion and possible action with regard to an Industrial Zone location-City Planner has information***

City Planner Marker indicated there is a need to establish an area that may allow Sexually Orientated Businesses. The proposed re-zoning would keep within the General Plan and allow for such businesses.

Council Member Askerlund moved to authorize the Planning Commission to begin the process to re-zoning the current PF Zone West of the railroad tracks and all of the railroad property. Council Member Linford seconded the motion. Council Members Linford, Roberts, Adcock, Green and Askerlund voted in the affirmative.

***Discussion and possible action with regard to East Santaquin Meadows rezoning and planned unit development (PUD) request at approximately 800 South 100 West, approximately 10 acres from C-1 to R-15.***

City Planner Marker reported Mr. Robert Fields has submitted a request for the property located at approximately 800 S 100 West, which is partially zoned R-15 and partially zoned C-1, be entirely zoned R-15 and that the City allow him to utilize a PUD overlay for development of the property. The applicant desires to develop a subdivision which has an average lot size around 10,000 square feet, but will also have two small park areas for public use. The Planning Commission conducted a public hearing on this recommendation for both requests (see attachment "B" for Staff recommendation).

Council Member Linford indicated he understood that the developer would increase the lot sizes to at least 10,000 square feet per lot. The Developer answered in the affirmative as well as indicated they would redesign the lot sizes to have a 90' to 100' frontage.

Council Member Askerlund moved authorize the Staff to work with the property owners to draft a Development Agreement to include the 10,000 square foot lots, after which the City Council would approve the re-zoning and the use of the PUD overlay. Council Member Linford seconded the motion. Council Members Linford and Roberts voiced the desire to have the park construction before the development of homes begins. Mayor DeGraffenried indicated the Council would like to have all issues cut and dried before construction begins. Council Members Linford, Roberts, Adcock, Green and Askerlund voted in the affirmative.

**BUSINESS LICENSES**

Nothing

**INTRODUCTIONS AND ADOPTION OF ORDINANCES AND RESOLUTIONS (roll call vote)**

***Resolution 07-02-2007 "Fee Schedule"***

Council Member Linford moved to approve Resolution 07-02-2007 "Fee Schedule". Council Member Green seconded the motion. Council Members Linford, Roberts, Adcock, Green and Askerlund voted in the affirmative.

**PETITIONS AND COMMUNICATIONS**

Nothing

**At this point Mayor DeGraffenried recognized Mike Jayme as a candidate for City Council.**

**REPORTS OF OFFICERS, STAFF, BOARDS, AND COMMITTEES**

Planning Commission Member Chatterley reported the Planning Commission spent a great deal of time discussing the Main Street zone. He indicated there was a great public turnout for the discussion. Due to the Public interest, the Public Hearing was continued to the next meeting. Mr. Chatterley indicated there were both negative and positive comments presented during the Public Hearing.

He indicated that the remainder of the items were forwarded to the City Council. Those items were discussed this evening.

He also indicated Commission Chairperson Glenl Wear has accepted additional religious responsibilities therefore tendered his resignation as a Planning Commission Member.

Council Member Green commended the Planning Commission on the presentation and reception of the information presented during the Public Hearing.

Council Member Linford asked what the voiced concerns were. City Planner Marker indicated some of the concerns were due to misconceptions.

City Planner Marker reported there has been a struggle between the developers of the Charter School and the Residents along the property line. City Planner Marker met with the contractor and property owners hoping to iron out the concerns. Indications were made that those affected by the construction have met previously and will continue to meet weekly.

Council Member Askerlund was told the project is using "an off site" Inspector. He questioned if the City would have authorization to mandate whether there is health and safety concerns. He asked who would issue the Certificate of Occupancy. It was unclear if that would be within the City jurisdiction. Mayor DeGraffenried indicated the contractor has an obligation to the homeowner to right any wrongs pertaining to the development.

City Planner Marker indicated he had received a questioner from FEMA with regard to the City being excluded from a "flood zone". City Planner Marker will complete the questioner and return it to them. Depending on the FEMA analysis, properties within certain developments may require flood insurance before funds will be available.

**REPORTS BY MAYOR AND COUNCIL MEMBERS**

***Discussion of the City Center Park***

City Recorder Farnsworth reported the Recreation Director is actively pursuing options as to places to hold the Sunday Soccer Games. Additional information will be presented as it is available.

Council Member Askerlund indicated he has a number of items to discuss:

- Shannon is checking on the lighting request along 270 South.
- He requested help distributing information fliers to the Businesses within town advertising the Celebration activities
- Indicated the Recreation Director would like to have "Movies in the Park" during the Summer instead of just at Celebration time
- The movie chosen is "Open Season with free popcorn and lemonade and entertainment before the movie
- A Resident requested holding a Paintball event for the Celebration. The Resident would provide all necessary equipment for a fee of \$500 with the City keeping the gate receipts. An additional option would be for the Resident providing the event at his cost and keep all gate receipts. Council Member Adcock would like to have Legal Counsel review the "waiver" before authorizing the event. The Council Members were in agreement to pay the \$500 and keep the gate receipts. Council Member Roberts questioned if the City would supply a "gate keeper".
- Council Member Askerlund reported there are signs currently in the arena that the owners are paying a fee to the Chamber of Commerce to have the sign hung there. The Business Owner was told she would be allowed to leave the sign and next year have first right of refusal.

Mayor DeGraffenried reported due to the fires in the Knosh area the Mayor and Council would not be able to use the team of horses they were planning to use to pull them along the parade route. Council Member Green will make other arrangements.

Council Member Green was told the "Oberg" issue is being addressed. He also told Council Member Askerlund what a great job he has done with the Celebration Activities.

Mayor DeGraffenried reported the Center Street well should be repaired within the next ten days. He also reported that Summit Creek Irrigation has adjusted the schedule to accommodate the water needs of the Pressurized Irrigation.

Mayor DeGraffenried recognized Brent Vincent as a City Council Candidate. Mr. Vincent reported he previously ran for Council but it didn't work out. He indicated he has served on the Planning Commission as Chairperson two different times.

Council Member Adcock questioned the status of the update of the website. Mayor DeGraffenried will contact Shannon with regard to requesting proposals to update the site.

Council Member Linford indicated he had two items to discuss:

- He would like the parking issues addressed with in the Ordinances
- He requested a new Council Picture.

Mayor DeGraffenried questioned what the Council Members thoughts were with regard to fireworks. Council Member Adcock indicated he thought the Council should support the Governors request to ban fireworks this holiday season. Council Member Roberts indicated the Governors request was a PR issue and believes the request is an over reaction. Council Member Green requested the opinion of the Public Safety Director. Police Chief Howard requested that if the Council Members choose to honor the request of the Governor, the Fire Department travel the

City on July 24 and on a loud speaker, remind the Residents of the need to refrain from using fireworks. Council Member Linford indicated he saw both sides of the issue. He does have a fire concern. Council Member Green would agree with Chief Howard by utilizing the Fire Department. Council Member Askerlund indicated the Governor's request should be supported. Mr. Vincent indicated before the Governor's request, the County Sheriff indicated he didn't want any firearms discharged during the dry season. Mayor DeGraffenried would like to utilize the Fire Department in strongly encouraging voluntary non-use of fireworks. The Council Members requested adding an additional Officer to help with patrol.

**EXECUTIVE SESSION** (May be called to discuss the character, professional competence, or physical or mental health of an individual)  
Nothing

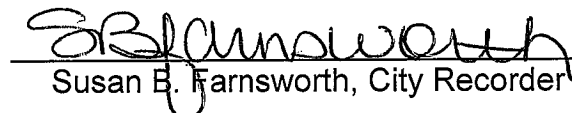
**EXECUTIVE SESSION** (May be called to discuss the pending or reasonably imminent litigation, and/or purchase, exchange, or lease of real property)  
Nothing

**ADJOURNMENT**

At 8:52 pm Council Member Green moved to adjourn. Council Member Roberts seconded the motion. Council Members Linford, Roberts, Adcock, Green and Askerlund voted in the affirmative.

Approved on August 1, 2007.

  
James E. DeGraffenried, Mayor

  
Susan B. Farnsworth, City Recorder



## A Community Prospering in Country Living

(Agriculture, Equestrian, Recreation)

# MEMORANDUM

July 6, 2007

To: Mayor DeGraffenried and City Council via Planning Commission  
From: Dennis Marker, City Planner  
RE: The Orchards (Final Plat Modifications for Plats A, B, C, and D) Zone: R-10 (PUD)  
1000 North Center Street

### Background:

Mr. Garrett Seely, representing Double G Investments, LLC, is seeking approval of a modification to Plats A, B, C, and D of the Orchards Subdivision (**See attached subdivision plans**). The subject development was granted final approvals by the City Council on March 21, 2007. Since that time Mr. Seely has been marketing the subdivisions to perspective home builders. Responses to the marketing have included a desire to adjust plat boundary lines to accommodate more desirable model home locations. The total number of approved lots in these plats will not change. City Ordinance, Section 11-5-9 requires that major modifications to final plats must be reviewed by the Planning Commission and City Council prior to recordation.

### Analysis:

#### Zoning.

The proposed development follows the established purposes and development standards allowed in accordance with the R-10 Zone and the North Orchards Annexation and Development agreement. That agreement established that this area would be a single family development with trails, open spaces, parks, and Codes Covenants and Restrictions (CC&R's) that apply architectural and landscape controls to the individual lots. The proposed subdivisions still follow those criteria.

#### Lots and Lot Standards.

The following table shows the relationship of the proposal to the currently approved plats

Plat	Currently Approved # Lots	Proposed # lots	Lot Difference
Plat A	111	104	- 7
Plat B	88	95	+7
Plat C	92	79	- 13
Plat D	68	81	+13

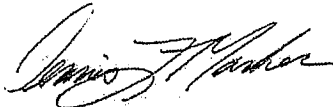
The lot sizes will not change from those previously approved.

**Planning Commission Recommendation:**

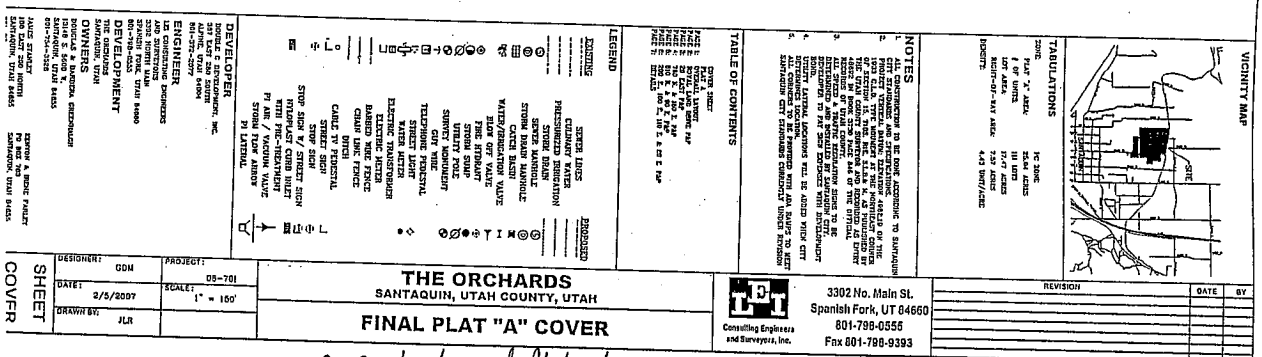
The Planning Commission reviewed this proposal during their July 12, 2007 meeting and has forwarded a positive recommendation on the proposed The Orchards Plats A, B, C, and D final plat modifications based on the following findings:

**Findings**

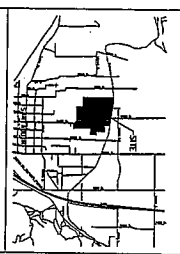
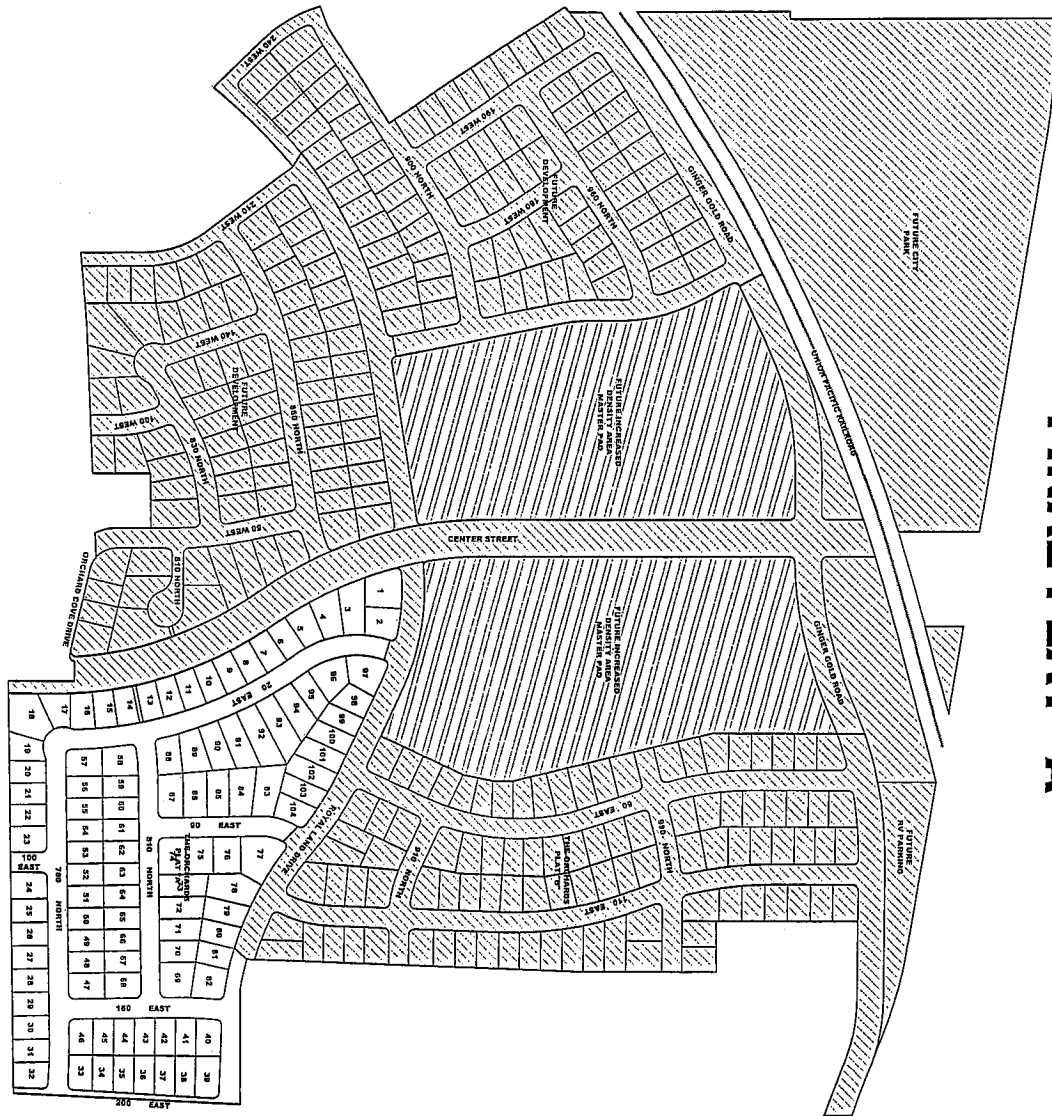
1. The development is located within the R-10 Zone with standards established via the North Orchards Annexation and Development Agreement of which all the proposed lot comply.
2. The plats were previously granted final approval on March 21, 2007 following the Santaquin City DRC recommendation for approval and the neither the total number of lots nor configuration of lots is changing.



Dennis L. Marker  
City Planner



Previously Approved Plant Areas



ZONE:	PG ZONE
PLAY "A" AREA:	21.82 ACRES
# OF UNITS:	104 LOTS
LOT AREA:	16.68 ACRES
RIGHT-OF-WAY AREA:	6.14 ACRES
DENSITY:	4.77 UNIT/ACRE

NOTES  
1. All of

- 31 PROJECT VERTICAL CURVE ELEVATION (424.12) IS THE
- 32 SAME AS THE ELEVATION OF THE TOP OF THE
- 33 FIRST GRADE. THE ELEVATION OF THE TOP OF THE
- 34 GRADE IS THICK, THE SLAB IS PUBLISHED IN
- 35 THE UTILITY RECORD SURVEYED AND RECORDED AS EXISTING
- 36 RECORDS OF UTILITY CORRECTION 446 OF THE CRITICAL
- 37 SECTION.
- 38 ALL STREETS A TRAVEL RELOCATION SUCH TO BE
- 39 RELOCATED AND REINSTALLED BY SATURNUM CITY
- 40 TO THE 24th STREET INTERSECTION WITH BENTLEY/
- 41 BENTLEY.
- 42 TRAVEL LATERAL LOCATIONS WILL BE ADDED WHEN TO
- 43 BE ADDED TO THE PROJECT.
- 44 ALL CORRECTIONS TO BE PROVIDED WITH THE DATA TO THE
- 45 SATURNUM CITY STANDARDS CURRENTLY UNDER REVIEW.

## TABLE OF CONTENTS

	COSTS DIRECT
PAGE 1	PLAT A
PAGE 2	OVERALL LAYOUT
PAGE 3	ROYAL LAND BENT PAP
PAGE 4	20 EAST PAP
PAGE 5	710 N. & 100 E. PAP
PAGE 6	710 N. & 90 E. PAP
PAGE 7	700 E. 100 E. 110 E. & 90 E. PAP
PAGE 8	DETAILS

[illegible]

100

DOUBLE C DEVELOPMENT, INC.  
357 EAST 280 SOUTH

**601-572-2077**  
**ENGINEER**

AND SURVEYORS  
3302 NORTH WALK  
SPASHTI ROCK ITALY 01000


## DEVELOPMENT

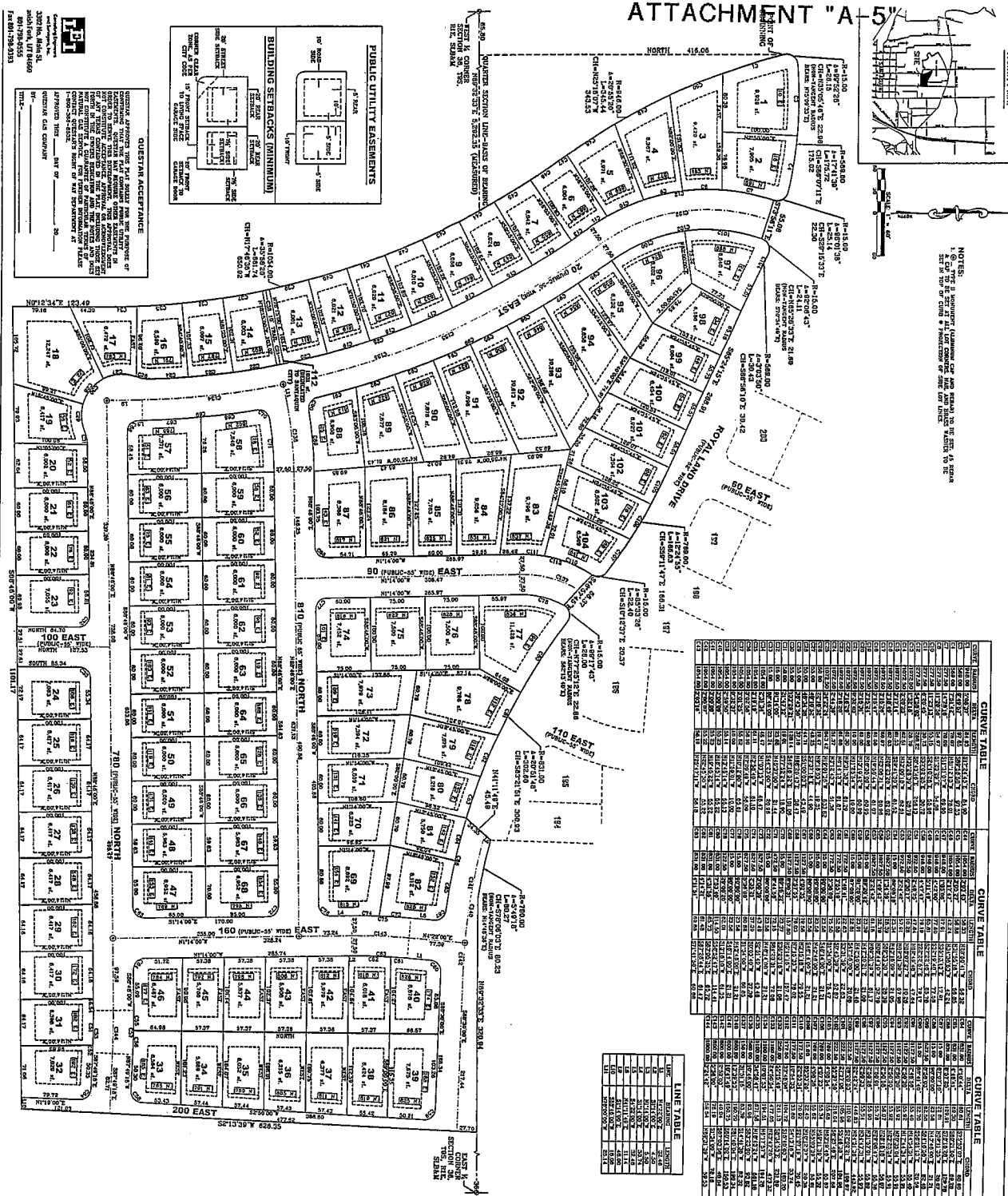
## OWNERS

SANTAQUIN, UTAH 84035  
801-734-3526

JAMES STANLEY  
188 EAST 200 NORTH  
SALT LAKE, UTAH 84155

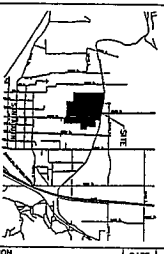
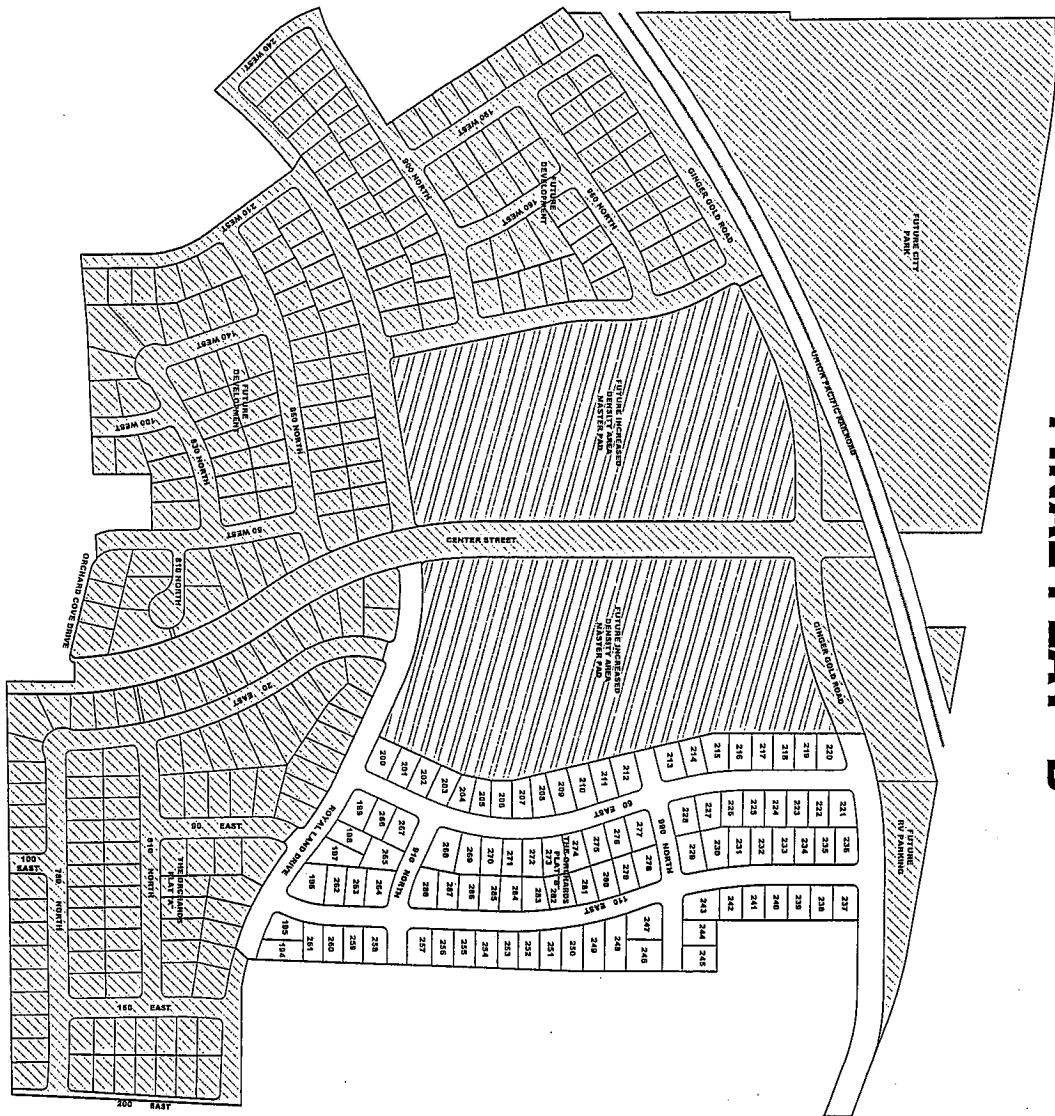
1

COVER SHEET	DESCRIPTION: GDM	PROJECT: 06-701	 3302 No. Main St. Spanish Fork, UT 84660 801-798-0555 Fax 801-798-9393	REVISION	DATE	BY
	DATE: 3/3/2007	SCALE: 1" = 150'		THE ORCHARDS SANTAQUIN, UTAH COUNTY, UTAH  <b>FINAL PLAT "A" COVER</b>		
	DRAWN BY: JLR					

[illegible]

LINE TABLE		
LINE	BEARING	LENGTH
L1	N42°09' E	32.48
L2	S14°04' E	4.50
L3	N14°00' E	5.50
L4	S11°00' E	30.74
L5	S4°25'00" E	32.48
L6	N11°10' E	11.14
L9	N44°00' E	48.00
L10	S34°04' E	18.08
UT	N30°00' E	23.14

[illegible]



TABULATIONS	
220R.	PC ZONE
PLAY "B" AREA	22.48 ACRES
# OF UNITS	99 LOTS
LOT AREA	1414 ACRES
ROOST-OF-WAY AREA	6.34 ACRES
CRSOUTH	4.23 DRY/ACRE

[illegible]

COVER SHEET  
PAGE 1  
FBI WASHINGTON, D.C. (PLAT 1)  
PAGE 2 100 EAST 74th  
PAGE 3 80 EAST 74th  
PAGE 4 CONCRETE COULD HOLD PLAT  
PAGE 5 PRO N. A. 710 K. PLAT  
PAGE 6 DETAILS

1. 2. 3. 4. 5. 6. 7. 8. 9. 10. 11. 12. 13. 14. 15. 16. 17. 18. 19. 20. 21. 22. 23. 24. 25. 26. 27. 28. 29. 30. 31. 32. 33. 34. 35. 36. 37. 38. 39. 40. 41. 42. 43. 44. 45. 46. 47. 48. 49. 50. 51. 52. 53. 54. 55. 56. 57. 58. 59. 60. 61. 62. 63. 64. 65. 66. 67. 68. 69. 70. 71. 72. 73. 74. 75. 76. 77. 78. 79. 80. 81. 82. 83. 84. 85. 86. 87. 88. 89. 90. 91. 92. 93. 94. 95. 96. 97. 98. 99. 100.

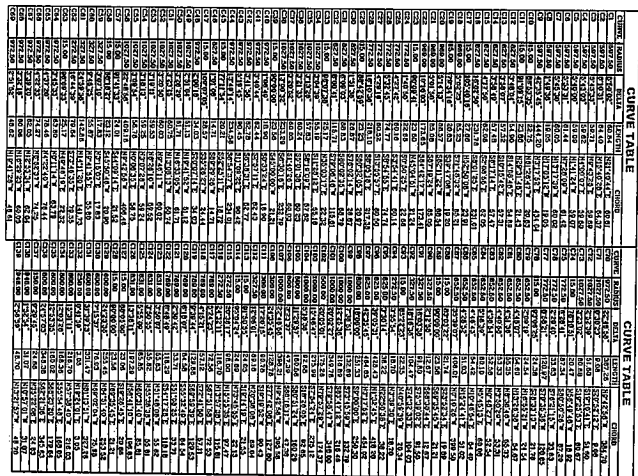
|                                                                                            |                                                                                              |                                                                                              |                                                                                                                   |                                                                                                                    |
|--------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------|
| <b>DESIGNER:</b><br>JAMES BRADLEY<br>151 E. 2ND ST.<br>ST. LOUIS, MO 63102<br>800-752-3022 | <b>OWNER:</b><br>THE CREDIT UNION<br>1210 E. 66TH ST.<br>ST. LOUIS, MO 63113<br>800-752-3022 | <b>CONTRACTOR:</b><br>JAMES BRADLEY<br>151 E. 2ND ST.<br>ST. LOUIS, MO 63102<br>800-752-3022 | <b>PROJECT:</b><br>ROOFING & RECLAMATION, INC.<br>10000 ALPINE, SUITE 1000<br>ST. LOUIS, MO 63143<br>800-752-3027 | <b>ENGINEER:</b><br>ROOFING & RECLAMATION, INC.<br>10000 ALPINE, SUITE 1000<br>ST. LOUIS, MO 63143<br>800-752-3027 |
|--------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------|

**VICINITY MAP**



| SANTOQUIN        |                  | TWIN COUNTY, TEXAS     |                    |
|------------------|------------------|------------------------|--------------------|
| SOUND BY 16 FEET |                  |                        |                    |
| STANDARD SEAL    | WATER POWER SEAL | BIT-DRUM STANDARD SEAL | CONVY-RECOVER SEAL |
|                  |                  |                        |                    |

This form approved by Bob Cowley and the Association. SIGNED

[illegible]

#### BOUNDARY DESCRIPTION

[illegible]

| SANTQUIN           |                      | UTAH COUNTY, UTAH          |                          |
|--------------------|----------------------|----------------------------|--------------------------|
| SCALE 1" = 40 FEET |                      |                            |                          |
| SANITARY SEAL      | WELLHEAD PUBLIC SEAL | GR-CONCRETE EXCLUSION SEAL | CONCRETE-REINFORCED SEAL |

This form approved by Utah County and the consolidated therein.



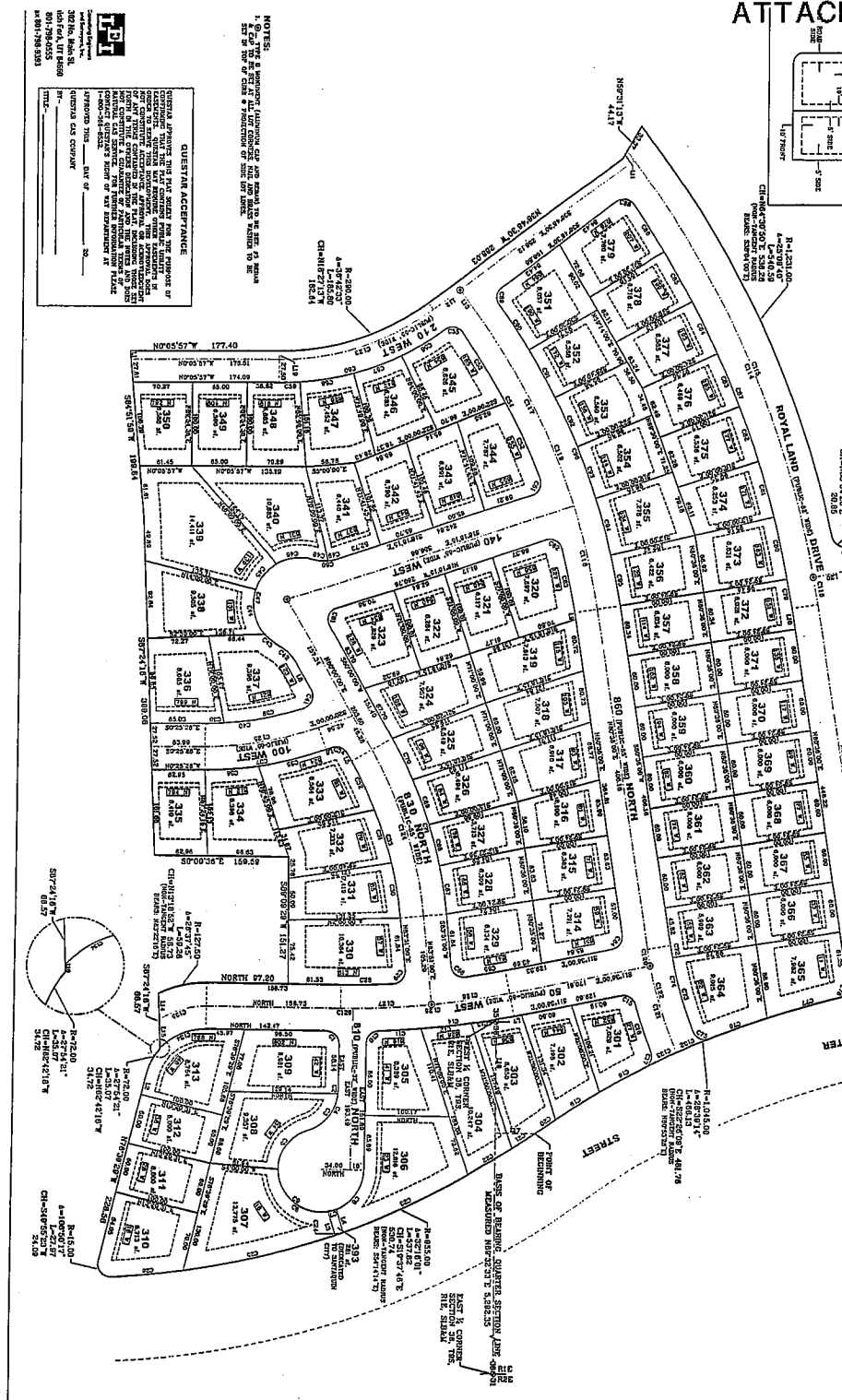
Consulting Engineers  
and Architects, Inc.  
3302 No. Main St.,  
Salt Lake City, UT 84143  
801-798-0555  
Fax 801-798-0193



| LINE TABLE |             |        |
|------------|-------------|--------|
| LINE       | DESCRIPTION | LENGTH |
| L1         | M4-14.5E2   | 10.04  |
| L2         | M4-14.5E2   | 2.95   |
| L3         | M4-14.5E2   | 2.95   |
| L4         | M4-14.5E2   | 2.95   |
| L5         | M4-14.5E2   | 10.50  |
| L6         | M4-14.5E2   | 6.00   |
| L7         | M4-14.5E2   | 5.11   |
| L8         | M4-14.5E2   | 6.00   |
| L9         | M4-14.5E2   | 2.97   |
| L10        | M4-14.5E2   | 10.00  |
| L11        | M4-14.5E2   | 2.95   |
| L12        | M4-14.5E2   | 2.95   |
| L13        | M4-14.5E2   | 2.95   |
| L14        | M4-14.5E2   | 2.95   |
| L15        | M4-14.5E2   | 13.50  |
| L16        | M4-14.5E2   | 10.00  |
| L17        | M4-14.5E2   | 10.00  |
| L18        | M4-14.5E2   | 45.20  |

[illegible][illegible][illegible]

Diagram illustrating a public utility easement layout. The layout includes a 12' BLVD, a 12' SIDEWALK, and a 12' FRONT YARD. The easement area is divided into two sections: a 12' FRONT YARD and a 12' SIDEWALK. The easement area is labeled "PUBLIC UTILITY EASEMENTS".



NOTES:  
1. @ - TYPE B WOUNDING (FLAMING) CAP AND GRASS) TO BE SET. #5 REBAR CAP TO BE SET AT ALL LOT CORNERS. NAIL AND BRACE WASHING TO BE SET BY TOP OF CURB @ PROJECTION OF SIDE LOT LINES.

**QUESTAR ACCEPTANCE**

**Continuing Education**  
and Licensing, Inc.

**LEI**

1001 Ford, Unit E4609  
Midvale, UT 84055  
801-798-0555  
801-798-5383

**NATURAL GAS SERVICE FOR FURNACE INFORMATION PLEASE**  
**CONTACT QUESTAIR'S RIGHT OF WAY DEPARTMENT AT**  
**1-800-361-8532.**

UPROOFED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_ 20\_\_\_\_

QUESTAIR GAS COMPANY

BY \_\_\_\_\_

\_\_\_\_\_

TITLE \_\_\_\_\_

APPROVED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_\_\_  
QUESTIA GAS COMPANY  
BY \_\_\_\_\_  
TITLE \_\_\_\_\_

sum were ignored by both Canada and the municipalities therein.

## THE ORCHARDS

## A PLANNED COMMUNITY

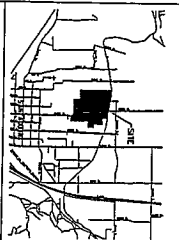
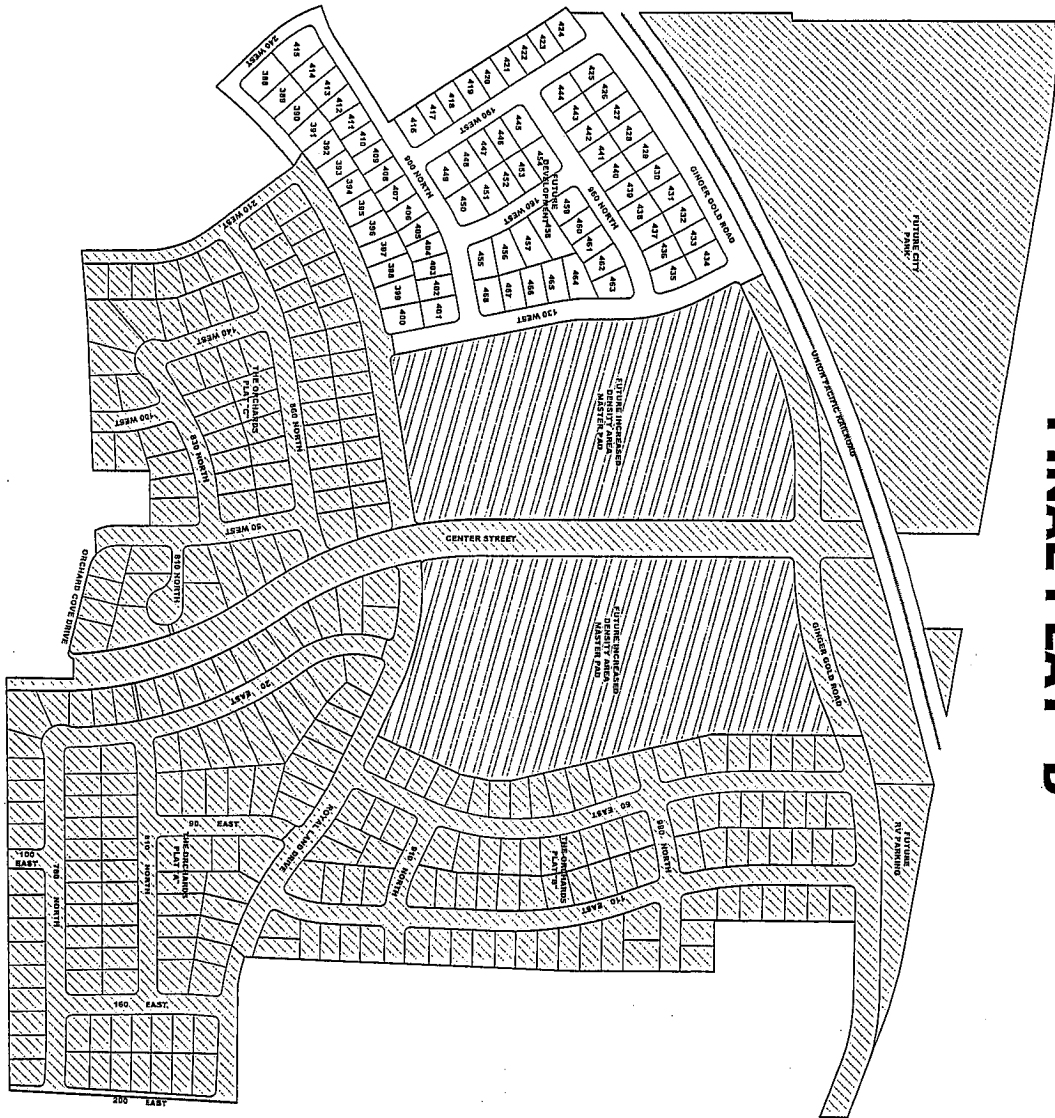
## SARTAGUIN

| CITY-COUNTY DIVISION | COUNTY |
|----------------------|--------|
|                      |        |

---

10

positions therein.



| ZONE             | PC ZONE        |
|------------------|----------------|
| PLAY TO AREA     | 16.73 ACRES    |
| # OF UNITS       | 81 UNITS       |
| LOT AREA         | 12.55 ACRES    |
| RENT-OF-WAY AREA | 6.18 ACRES     |
| EXISTING         | 4.32 UNIT/ACRE |

[illegible]TABLE OF CONTENTS

COVER SHEET  
PLAT D  
OVERALL LAYOUT  
GORGES COLD ROAD PAP  
100 WEST & 100 WEST PAP  
800 NORTH & 800 NORTH PAP  
240 WEST & 160 WEST PAP  
TOTALS

| EGEND | FASTING | SETER LINES | PROP |
|-------|---------|-------------|------|
|-------|---------|-------------|------|

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**THE ORCHARDS**  
SANTAQUIN, UTAH COUNTY, UTAH  
**FINAL PLAT "D" COVER**



**LEI**  
Consulting Engineers  
and Engineers, Inc.

3302 No. Main St.  
Spanish Fork, UT 84660  
801-798-0555  
Fax 801-798-9393

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**SHEET**  
**COVER**





**A Community Prospering  
in Country Living**  
(Agriculture, Equestrian, Recreation)

## MEMORANDUM

July 6, 2007

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To: Mayor DeGraffenried and City Council via Planning Commission  
From: Community Development Department  
RE: East Santaquin Meadows Rezoning (C-1 to R-15 with a PUD Overlay) R#07-01  
Approximately 100 West 800 South 10.0 Acres

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Note: This item was noticed to property owners within 500 feet of the subject parcel.

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### Background:

Mr. Robert Fields has submitted a request for the property located at approximately 800 South 100 West, which is partially zoned R-15 and partially zoned C-1, be entirely zoned R-15 and that the City allow him to utilize a PUD overlay for development of the property. The applicant desires to develop a subdivision which has an average lot size around 10,000 square feet, but will also have two small park areas for public use. The Planning Commission conducted a public hearing on this request during their July 12, 2007 regular meeting and afterward forwarded a negative recommendation for both requests (See Draft minutes)

The subject area includes a portion of Interstate 15 (I-15) and the property currently owned by East Santaquin Meadows, LLC (See attached map). The properties to the south are zoned R-15 and are being developed under a PUD overlay with a majority of lots ranging in size from 10,000 square feet to 13,000 square feet. Existing neighborhoods to the east have been developed as standard R-10 subdivisions. The northeast area of the subject property is adjacent to properties zoned RC, but which are vacant at this time.

### Analysis:

Santaquin City Code (S.C.C.), §10-7-6, lists the following criteria approval of a rezoning request.

1. The rezoning conforms to the intent of the Santaquin City general plan and annexation policy plan;
2. The rezoning does not create an unnecessary island or spot zoning;
3. The rezoning will not adversely affect surrounding properties; and
4. The rezoning will not cause property, structures, or uses of the property to unnecessarily become nonconforming according to this title.

**Criteria 1: General Plan and Annexation Plan**

The Future Land Use map in the Santaquin City General Plan, adopted May 2, 2007, shows this area appropriate for "Medium Density" residential land uses. This land use specifies residential single-family lots which may range from 2 to 5 units per acre (9,000 to 20,000 square feet).

The purposes outlined for the R-15 zone are to encourage the creation and maintenance of residential areas within the city which are characterized by medium sized lots on which single-family dwellings are situated, surrounded by well kept lawns, trees, and other plantings. A minimum of vehicular and pedestrian traffic and quiet residential conditions favorable to family living are also characteristic of this zone (10-7D-1 emphasis added). Multiple unit dwellings in this zone require conditional use permits and adherence to site plan standards established in the Title 10.

**Criteria 2: Spot Zoning**

By rezoning the property to R-15, the City will be creating a link between two R-15 zones. The total acreage in R-15 zoning near this area would be approximately 230 acres. Nearly 200 of those acres would have a PUD overlay development standard.

**Criteria 3: Adverse Affect on Surrounding Properties**

Should this property develop, there will not be any direct traffic access into the existing neighborhoods to the east. Those residents along 900 South would experience some increased traffic. The amount of traffic would be based on the number of homes and access points in any future development of the subject property. Since the R-15 Zone would provide less of a destination point than a commercial or professional office use on the corner, there would likely be less traffic impact on the existing neighborhoods.

**Criteria 4: Nonconforming Uses**

The subject properties are vacant with the exception of the I-15 corridor. No nonconforming uses will occur with this rezoning.

**Public Notice:**

Several residents attended the public hearing held on July 12, 2007. (See attached minutes for comments).

**Request for PUD overlay:**

During previous meetings with DRC and the Planning Commission, the applicant has presented several build-out scenarios. The plan attached to this memo is the most recent submittal and includes revisions based on UDOT comments about the frontage road alignment.

The intent of the PUD ordinance is to

"achieve an excellent balance between open space and buildings, harmony between new development and the surrounding area, longer life expectancy for buildings, superior maintenance and appearance of buildings and premises, and an overall project atmosphere that concurs with the goals for a more attractive city.

The regulations are intended to create residential development which offers a better living environment than is obtained through standard lot by lot development. Upon approval of a planned unit development, the approved site plan shall then constitute the zoning restrictions and regulations of the zoning district applied to the territory shown on the plan.

It is also the intent of this article to require the developer to demonstrate by the materials submitted for approval that the objectives and goals of the general plan will be fostered. If this cannot be shown, approval of the inherent density increases allowed through these regulations shall not be given."

In order to utilize the PUD a developer must dedicate 10% of the gross acreage of the site to open space "which may contain recreation activity areas, picnic pavilions, gazebos, water features, playgrounds, or landscaped areas . . . . The open space may be held in common, administered by a homeowners' association, dedicated to the city upon acceptance by the city council, or used to provide amenities in the development.

The developer has 26.45 gross acres. He has proposed three areas of open space in order to comply with the 10% requirement. Those properties and possible uses of each are listed below.

| Parcel Area        | Location                                     | Possible uses                                                                                                                                                                                                                                                                             |
|--------------------|----------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 1.52 acres         | Intersection of 900 south Highland Dr.       | This area could contain a tot lot, small gazebo, Highland Dr. trail stop, grassy open area. Access will be good. Developer will dedicate and City to improve it.                                                                                                                          |
| 1.09 acres         | North end of development                     | This property is adjacent to the I-15 right-of-way and across Highland Dr. from the housing area. It will be used for storm detention and green space. There is a 12-18 foot drop off running through the proposed area which limits use of the area. Access to the park will be limited. |
| 0.04 acres         | South of 900 South Highland Dr. intersection | This property is large enough for a park bench and landscaping adjacent to 900 South. Access will good.                                                                                                                                                                                   |
| Total acres = 2.65 |                                              |                                                                                                                                                                                                                                                                                           |

The ten percent (10%) open space requirement may be waived by the city council only upon demonstration by the applicant of features or other amenities, either natural or to be implemented, that are proposed to replace this requirement and the city council determining the proposal to be of an equal or greater value or amenity than the ten percent (10%) open space requirement.

In addition to the above open space, the developer will be completing the full right-of-way width of Highland Drive, which includes a 21 feet wide landscape area and 10 feet wide trail along the backs of the proposed homes. This trail is in accordance with the City's trail master plan. Landscaping along the trail is required to be installed by the developer according to the City's Landscape standards found in Title 10-15 of the Santaquin City Code.

#### PUD Bonus Density

Under the R-15 zone, on a square parcel of 26.45 acres, a developer could get nearly 58 units. This is according to the base density for the zone of 2.18 units/acre. Under a PUD, a possible 25% increase in units can be granted for providing amenities above the 10% open space. Those amenities are listed below as well as the corresponding proposal from the developer.

| Amenity                                                                                                                                                                                                                        | Possible increase                  | Developer Proposed                                                      |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------|-------------------------------------------------------------------------|
| <u>Active recreation areas</u> may include swimming pools, sports courts, spas, and other similar                                                                                                                              | 15%                                | None proposed                                                           |
| <u>Enclosed garage</u> for each dwelling<br>(Note: 2 car garages are required under our parking ordinance 10-14)                                                                                                               | 10%                                | 2 car garage for each home.                                             |
| <u>Common Buildings Or Facilities:</u> for meetings, indoor recreation, receptions, classes, or other similar uses for use by the residents fo the project                                                                     | 5%                                 | None proposed                                                           |
| <u>Design Theme</u> (architectural style or motif)                                                                                                                                                                             | 10%                                | CC&Rs will require particular building materials and elements           |
| <u>Environmental Preservation</u> of sensitive lands i.e. flood zones, steep slopes, etc.                                                                                                                                      | 10%                                | None exist on the property.                                             |
| <u>Fencing</u> throughout the project in harmony with the architectural features of the structures such as brick columns, vinyl, wood, or cinder block fencing, and have provisions for the perpetual maintenance of the fence | 5%                                 | Developer plans to install vinyl fencing along Highland Dr.             |
| <u>Landscaping</u> installation to be maintained by automated system.                                                                                                                                                          |                                    | Parkstrips will be installed (City local street standard cross-section) |
| — Parkstrips                                                                                                                                                                                                                   | 5%                                 | There is no proposed entry sign or other landscaping.                   |
| — Entry Signs                                                                                                                                                                                                                  | 5%                                 |                                                                         |
| — Landscape islands in parking areas                                                                                                                                                                                           | 5%                                 |                                                                         |
| — Landscape front yards with specific plantings                                                                                                                                                                                | 15%                                |                                                                         |
| <u>Additional Open Space</u> than Ten Percent                                                                                                                                                                                  | 15-25% based on additional acreage | None proposed                                                           |

|                                                                                                                                                                                                                                         |     |               |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----|---------------|
| Dedication and acceptance of land to Santaquin City for use as a public park, trail, or other recreational use which is equal to, or greater than, ten percent (10%) of the area of the development and not smaller than five (5) acres | 15% | None proposed |
| passive open space areas, at least one-fourth (1/4) acre in size, may include barbecue areas, or water features                                                                                                                         | 10% | None Proposed |
| Special Features: e.g. Fountains, streams, architectural features, design themes, or other features that are used commonly and are highly visible                                                                                       | 5%  | None Proposed |

Based on the above table, the applicant has proposed amenities which would entitle him to some bonus density. The proposed percentage increase is between 10 and 15%.

#### **Staff Concerns**

The intent states that a PUD is to provide "a better living environment than is obtained through standard lot by lot development." The concept plans presented so far represent a typical standard lot development with little regard for connectivity to open space or communal amenities. Other concerns expressed during the public hearing included noise attenuation from the freeway and traffic impacts. These details can be evaluated during the development review process by staff.

#### **Planning Commission Recommendation:**

The Planning Commission has recommended that the rezoning request and the request to utilize the PUD overlay standards be denied (See attached draft minutes for discussion)

#### **Staff Recommendation**

Staff recommends the City Council approve the rezoning of approximately 10 acres near 100 West 800 South, as shown on the attached map, from the C-1 zone to the R-15 zone, based on the following findings and subject to the following conditions.

#### **Findings**

1. The rezoning conforms to the intent of the Santaquin City general plan, R-15 Zone purposes and City annexation policy plan;
2. The rezoning does not create an unnecessary island or spot zoning;
3. The rezoning will not adversely affect surrounding properties; and
4. The rezoning will not cause property, structures, or uses of the property to unnecessarily become nonconforming according to the Santaquin City Code.

**Conditions**

1. That the PUD overlay be granted with minimum lot sizes being 10,000 square feet and all review processes be completed as outlined by ordinance.
2. That a development agreement, which outlines required amenities, open space areas, landscaping requirements, and contingencies, be entered into by the applicant and the City prior to preliminary approvals of subdivision.



Dennis L. Marker  
City Planner

 **DRAFT**

## **PLANNING COMMISSION MINUTES**

July 12, 2007

### **East Santaquin Meadows Rezoning**

Dennis Marker displayed the current zoning map. Mr. Marker said Robert Fields had petitioned to have 3.7 acres presently zoned C-1 rezoned to R-15. Mr. Marker suggested the rezone be extended across the freeway, which would encompass approximately 10 acres. The applicant would like to use the property for homes in the East Santaquin Meadows subdivision. The R-15 zone requires lots with 15,000 sq ft min, and setbacks of 30 in front, 25 in back, and 10 on the sides. Mr. Fields has asked to be allowed to utilize the City PUD overlay standards, wherein the developer provides 10% of the gross acreage of the subdivision as open space for amenities. Bonus densities may also be given for additional provided amenities, such as additional park space, attached garages, higher architectural standards, and/or dedicating more open space, which the City would evaluate. Mr. Fields has provided a copy of a conceptual layout. The development would include putting in two major roads, extending Highland Drive along the front of the subdivision. The plan shows lot sizes from 8500 square feet to 16,900 square feet. If the zone is left R-15, 58 lots are possible. A PUD overlay could have close to 72 lots. Mr. Fields' proposal calls for 67 lots.

Robert Fields addressed the Planning Commission. He said the buildings would be done by Stratfield Homes, and there were several different home styles that would be built. Mr. Fields displayed pictures of homes that Stratfield builds. This would be a phased project, with the Alexander property developed during Phase 2, as Mr. Alexander needs some time to take care of things.

Mr. Fields said the plan actually has more lots on it than he wanted, but the engineer left town before it could be adjusted. John Chatterley asked how many reductions he planned to take. Mr. Fields said he planned to take out a lot from each section. Originally the area had been approved to be high density housing with multiple housing units. When the developer realized he had made a mistake, he decided not to do the high density housing. Mr. Fields said he was asked by the landowner to help him develop the land. Currently Mr. Fields is developing Countryside Estates, which has similar homes to the ones planned for East Santaquin Meadows, and CC & R's that would be adopted in the Meadows as well.

Mr. Fields said there are two parks planned for the area, a large one suitable for soccer fields, and a small one good for picnics and family activities. A pavilion could be placed in the smaller area. Mr. Fields said those who are buying in Countryside Estates are outstanding citizens who love Santaquin and want to stay in the City all their lives. One of the custom homes has a \$500,000 value.

The development to the south of the Meadows is extending Highland Drive. The two developments could work together on the sewer, which UDOT says can be run on UDOT property north toward Canyon Road.

Dennis Marker said the street cross section is about fifteen feet off the freeway. John Chatterley asked what provisions had been made to buffer noise from the freeway. Mr. Fields said when the freeway is expanded the State would put in sound barriers. Commissioner Chatterley asked if the developer was going to leave sound control up to the highway department. Mr. Fields said they did not have the right to put barriers up on UDOT property. Commissioner Chatterley said living that close to freeway without baffling could represent a problem for a homeowner. Dennis Marker said the sidewalk shown beside Highland Drive is actually a 21 foot landscape trail which will help buffer some sound. Mr. Fields said he has listened to the freeway from the subdivision area and it is quieter than he imagined.

Doug Rohbock asked about access to Highland Drive for lots 1 to 13. Mr. Fields said their lots would be fenced in back, and would not have access. Mr. Fields is also looking at fencing the park, and said he is considering City advice on public safety issues.

Robert Hales said he has lived on Highland Drive for a long time and truck brake noise is a factor. Putting signs on the freeway limiting use of Jacob brakes was discussed. Kurt Stringham said the City would be required to enforce any regulations made.

Joyce Johnson asked how Highland Drive would be affected where it teed into Canyon Road. Mr. Fields said there would be no effect. Several audience members vigorously disagreed. Ms. Johnson said the cement trucks coming down Highland Drive would impact the neighborhood.

Mark Westover asked if Highland Drive would be completed before or after the subdivision. Mr. Fields said it would be completed after, as it would go through Alexander property, and the Alexanders needed a little time to take care of their business.

Glenl Wear opened the public hearing on the East Santaquin Meadows rezoning.

Dennis Brandon addressed the Commission. Mr. Brandon said he had been to a lot of meetings about changes in zoning. He said he remembered the retirement community project and the concessions made for the project. Mr. Brandon said if the C-1 zone was continually being eroded, and eventually there would be nowhere for commercial to go. The RC zone he is currently in is becoming an island. Dennis Marker clarified that this area was proposed for a senior community in January 2006, and rezoned as an R-10 PUD overlay for that purpose. When the land was sold, the City Council rezoned it back to R-15.

Robert Hales addressed the Commission. Mr. Hales said he had a copy of an old plan, rejected by the City Council, which contained a maximum number of houses in that area. Mr. Hales said the East Santaquin Meadows plan was better than the original one. He said the problem with PUD overlays is that people see the R-15 zone and think that is the kind of area they are purchasing in, and the PUD reverses that. Mr. Hales said perhaps the City could make enough income from impact fees to improve parks without concessions. Mr. Hales said he did not like PUD's, and when he expressed that opinion, he was invited to resign from the Planning Commission.

Bob Westover addressed the Commission. Mr. Westover encouraged the Planning Commission to not allow a PUD overlay, as it did not make sense to have a development that close to the freeway. He said UDOT would not build a barrier. Mr. Westover said he agreed with Mr. Brandon that the zones were eroding, and this development would destroy the R-15 designation. The subdivision was utilizing R-8 criteria and the area left by the freeway for a park was too small to even play baseball. He said he is concerned about who maintains all these little pieces of property that say parks, and the City would be better off with bigger size lots that the landowners were responsible to take care of themselves.

Robert Fields said the developers would like to make one acre lots, but it was financially impossible. The Brubakers, who own the land, want to make a community pleasing development, but if they can't use the land as residential, it will take other resources to take care of it. Mr. Fields said they were trying to do everything under the present ordinance, and were trying to build nicer homes for good residents. Mark Westover said he was concerned with the size of the lots, not the homes. Mr. Fields asked what recourse the owners had. Commissioner Westover said it could be developed as an R-15. Mr. Fields said it would lose money. Commissioner Westover said it is not the responsibility of the City to make sure the developer makes money.

John Chatterley agreed with Commissioner Westover, and said Mr. Fields had come to the Commission a few months ago to oppose the rezoning, and told the Commission he would lose money if the area was rezoned back to R-15. Commissioner Chatterley said apparently that was not true, as Mr. Fields was still planning to build. Mr. Fields stated it was because they were trying to use the PUD option. He asked if the Commission was not going to allow PUD's anymore. Commissioner Chatterley said the Commission was going to recommend that to the City Council. Mr. Fields said the property would have to be made commercial then.

Brendan Bowen addressed the Commission. Mr. Bowen said he lived on 900 South, and had some concerns with the different expedencies of developers. He said he suspected that if the road connection was not completed first, it might never happen. Mr. Bowen was also concerned about the large number of children in the area, and the possibility of someone being hurt if a lot of heavy equipment ran through the area.

Roger Siggard addressed the Planning Commission. Mr. Siggard said his main concern was the vision of Santaquin, and what was really wanted. Did we want to cram homes into every possible acre, so developers could make a lot of money, or did we want open space. Mr. Siggard said he was now able to ride his horse in that field and would consider moving if that was closed off. He said he hoped that the Commission would not let developers ruin the City.

Glenl Wear closed the Public Hearing.

Dennis Marker said the general plan for this area is residential, and he felt the rezone was appropriate. Mr. Marker said if the PUD is forwarded to the City Council, specific findings should be given for the recommendation, whether positive or negative.

CITY COUNCIL 7-18-07  
ATTACHMENT "B-10"

John Chatterley made a motion to recommend the City Council deny the request for rezoning, and deny the PUD overlay for East Santaquin Meadows. Mark Westover seconded the motion. Kurt Stringham said the zoning may be a moot point if the PUD is not allowed. Glenl Wear said the commercial area had no freeway access and was basically unusable for commercial. The vote on the motion to recommend denial of the rezoning and PUD overlay was as follows:

|                 |     |
|-----------------|-----|
| John Chatterley | Aye |
| Doug Rohbock    | Aye |
| Kurt Stringham  | Aye |
| Mark Westover   | Aye |
| Glenl Wear      | Nay |

John Chatterley made a motion to recommend to the City Council that a moratorium be placed on PUD overlays until adequate time had elapsed to readdress the City's zoning requirements. Kurt Stringham seconded the motion. The vote to recommend a moratorium be placed on PUD overlays was unanimous.

## C-1 Zone to R-15 Zone with a PUD Overlay



