

SANTAQUIN CITY CORPORATION

PLANNING COMMISSION MINUTES

The following are the minutes of the regular meeting of the Planning Commission of the City of Santaquin, Utah. The meeting was held on Wednesday, June 14, 1995, in the Santaquin City Council Chambers.

The following Board members were in attendance: Chairman Brent Vincent, Kurt Stringham, Jim DeGraffenreid, Dick Kay, Shawna Johnson and LaVon Ross. Steve Sowby sat in for City Planner Dale Berg.

The meeting was called to order by Brent Vincent.

1. JOHNNY AND SHAWNA JOHNSON: Concept plan for subdivision.

Shawna pointed out error on road: says 65.02'; should be 56.02'.

The Johnson's are presenting their proposal to see if it's something they can do.

There was a discussion about a turn around for future road. Brent said old Ordinance states there can be no deadend streets; must end in cul-de-sac, 100' radius, asphalt.

Jim suggested finding out if they can extend that pass into Ed Westover's then make it a temporary turn around, until the street is continued on. They would have to curb and gutter to the end of their property, would have to dedicate that as part of the road, not the turn around but just the distance.

A discussion followed on the sidewalk, curb and gutter.

There was a question on required setback for existing Provstgaard's home and proposed location of road.

Mr. Sowby related some of Mr. Berg's concerns: temporary turn around; review previous approvals on the Westover piece, whatever has been approved there, it needs to conform with that; whether curb and gutter will be required on both sides; if house exists, you can't create a problem there, you have to be the 30', so the road would have to slide over.

Shawna was told that property owners would need to be contacted.

Mr. Sowby suggested they make application, pay their fees, make the filings like they think they want it and present it to the Planning Commission.

Questions that need to be answered: turnaround, curb and gutter location, is sidewalk required, what is setback

for Bart Provstgaard's house with regard to new road, will they need to run sewer.

2. RULON RODDA: Preliminary plans for subdivision.

There was a discussion concerning some of the things Mr. Berg had Mr. Rodda's group look at (see attached Preliminary Plan Review) and corrections that have been made.

Mr. Kunz noted that a couple of more sumps may need to be added. They will look at the calculations to make sure that the number of sumps are sufficient to take care of the water.

Mr. Sowby indicated that there are several more conditions in addition to the 18 already mentioned:

Dale said he would recommend preliminary approval of the plat subject to the following conditions:

1. At the time the final plat is submitted there be clear title shown on the western boundary where they have shown the subdivision extending westerly over the fence, that there be clear title shown to that property west of the fence.
2. At the final plat stage there be adequate calculations on the drainage and the sumps. Their preliminary look shows there are not enough sumps so they want Mr. Kunz's recommendation on the capacity, location, resolution of the sumps to handle the drainage.
3. Concerning the road on the North, that there be shown clear title that the City does own this little portion of road and that they have the ability to connect it all across the City property.
4. The Planning Commission discuss exactly what they want to do with lots 3 and 21; odd shaped lots.

Mr. Sowby said with these conditions, Dale would recommend Preliminary approval.

A discussion followed on what to do with lots 3 and 21. It was decided to leave these two lots as they are on the map.

A MOTION was made by Kurt to give preliminary approval to this preliminary plat with those first three conditions that Dale recommended, also that we get lot 21 straightened out as talked about. Shawna seconded. All voted "aye".

Mr. Rodda requested to be put on the agenda for July 12, 1995 for final approval.

3. DIANE HIATT: Discuss possibility of building twin home at 435 East 400 North.

Mr. Hiatt was present. Selling home, interested in what

they can do with their side lot; 90' deep 224' wide.
Considering a twin home. The property must be split.

Mr. Hiatt was told that there is no allowance for a twin home under the current Ordinance. A home or duplex would be okay.

To subdivide, Mr. Hiatt was told to present a plat map and pay fees, at that time his 45 day waiting period would begin. Brent told him he did not have to have it surveyed, Mr. Hiatt said he needed it surveyed for his purposes.

4. DON GILSON: Letter withdrawing proposed subdivision.

Brent read Mr. Gilson's letter to the Planning Commission (see attached copy).

Fees were refunded to Mr. Gilson. The decision to refund was made by the City Council.

Mr. Gilson read from a memorandum he composed after meeting with Dale Berg and the Planning Commission January 17, 1995. He asked the question "Can I get a building permit with that plat in effect?" The answer was "No problem." He put in an application for a building permit and Verl Wilkey called him and told him he couldn't have it.

Brent stated Mr. Gilson's building permit couldn't be given because his home would be built on Lot #1 of a non-approved subdivision.

Jim made a MOTION to accept the withdrawal of Mr. Gilson's subdivision. Jr. seconded. All voted "aye".

5. MALCOLM JOLLEY: Zone change.

There was a discussion regarding Mr. Jolley's request for a zone change on his property.

Mr. Sowby said Mr. Jolley has made a legal petition for a zone change. There are three courses of action:

1. Recommend to the City Council that it stays as it is, Commercial.
2. Recommend to the City Council that zone be changed to Residential.
3. Send the request forward to the City Council with a non-recommendation.

A MOTION was made by Kurt recommending that Mr. Jolley's request be forwarded on to the City Council with no recommendation from the Planning Commission. Jim seconded. All voted "aye".

6. APPROVAL OF MINUTES OF MAY 10, 1995:

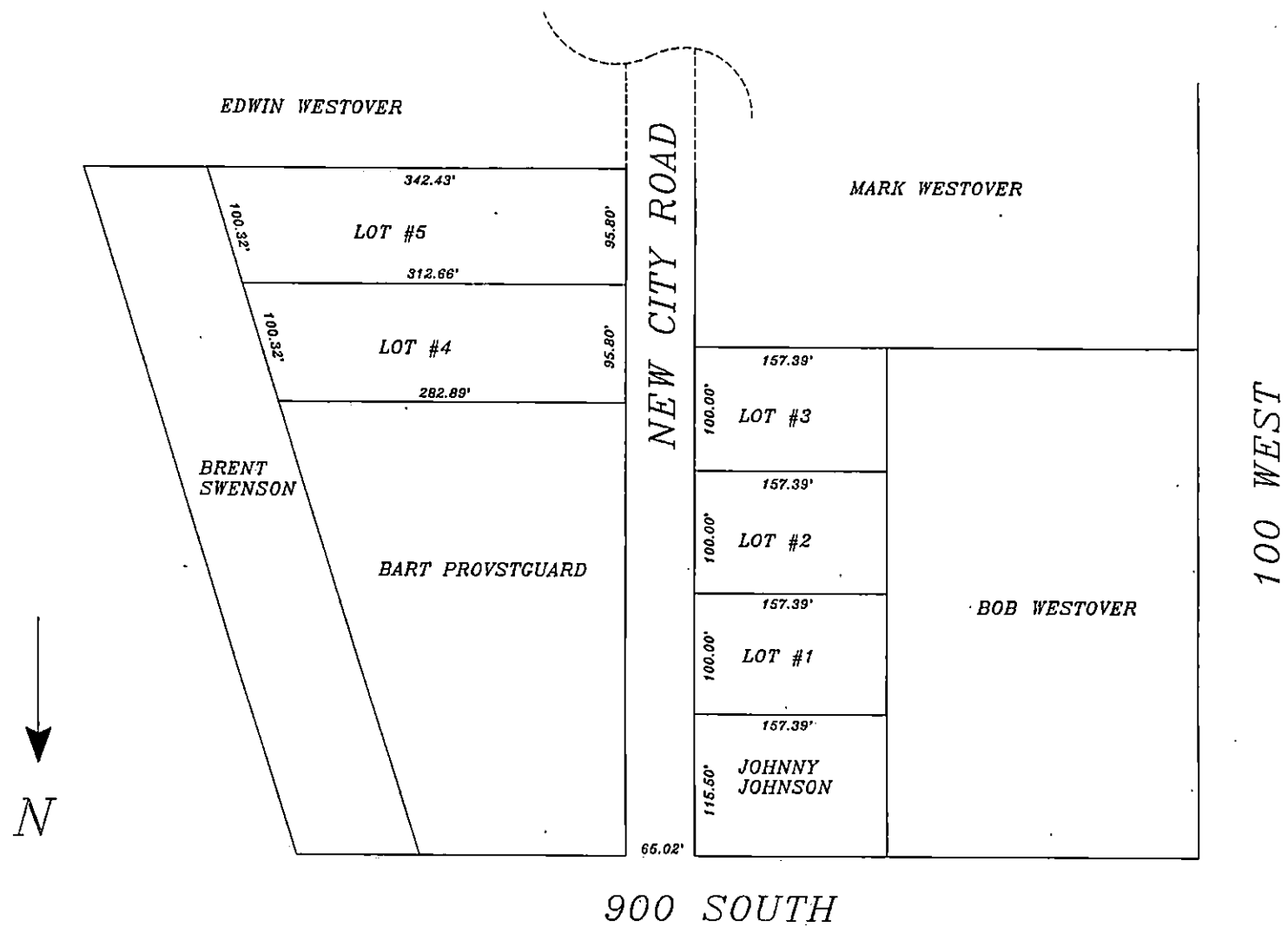
A MOTION by Shawna to accept the minutes of May 10, 1995, with a change on page 2, Bob Hales - Subdivision,

paragraph 7, adding "Mr. Hales stated" at the beginning of the paragraph. Jim seconded. All voted "aye".

A request was made to send copies of the May 10, 1995 minutes to Bob Hales and Don Gilson.

A MOTION to adjourn was made by Dick. Kurt seconded. All voted "aye".

Lorna Lloyd



(JOHNNY JOHNSON BUILDING LOTS, LAYOUT)

**Preliminary Plan Review
of
Carriage Towne Meadows**

Fax: (801) 221-9213

To: Robert D. Kunz

From: Dale R. Berg

Date: May 26, 1995

1. The preliminary plan submission does not include a policy of title insurance or a preliminary title report as required by Section 4, Step 5.
2. Preliminary plan is to be drawn at a scale of one inch equals 50 feet. The plan submitted is drawn at one inch equals 60 feet, see Section 5(1).
3. A manhole will be required on the sewer line that ends in the middle of lot 4.
4. Please show how storm drainage in front of lots 1 and 2 will be handled. Also is a catch basin going to be installed across the street and piped to the sump in front of lot 4?
5. The water lines in the two cal-de-sacs need to be extended through the cal-de-sac and a fire hydrant installed on the ends of each line.
6. Fire hydrant also need to be shown on the plan at such locations that the center of no lot is more than 250 feet from a hydrant or that the spacing between hydrants does exceed 500 feet measured along the street line.
7. Valves need to be installed on each of three legs of the water line at the intersection of 100 West and 600 South, and at the intersection of Center Street and 600 South. The valve at the 650 cal-de-sac could be eliminated.
8. The size and location of off-site water lines that will be connected should be shown on the preliminary plan.
9. Is the existing large irrigation ditch that runs along lots 1 and three to be left open, piped or fenced?
10. Preliminary engineering drawings of typical street cross-section showing curb, gutter and sidewalk as required by Section 5(2).

division without boundary exceptions and to follow through with all other requirements of the subdivision ordinance. If such documents cannot be furnished, the project shall be halted until such time as proof can be furnished by the owners.

- Step 6. Planning Commission approves, disapproves, or approves plat with modifications.
- Step 7. Subdivider prepares and submits final plat together with required fees to the Santaquin City Treasurer. (One tracing, one permanently reproducible copy and five prints of each sheet).
- Step 8. Planning and Zoning Commission reviews final plat, in conjunction with the City Representative and others as deemed appropriate, and refers the plat to the City Council with recommendations.
- Step 9. Subdivider posts bond or other security and subdivision improvements agreement with the City, guaranteeing required improvements.
- Step 10. City records final plat in the office of the County Recorder within, thirty (30) days.

Section 5.1 PRELIMINARY PLAT. A preliminary plat shall be furnished for all proposed land divisions and shall consist of:

(1) A plan showing the proposed subdivision layout drawn at a scale of 1 inch equals 50 feet, which shall show:

- (a) North point, scale and date.
- (b) The names and addresses of the subdivider, the engineer, and/or surveyor of the subdivision, and the owners of the land immediately adjoining the land to be subdivided.
- (c) Proposed name of the subdivision.
- (d) The location of the subdivision as forming a part of the larger tract or parcel where the plan submitted covers only a part of the subdivider's tract, and a vicinity sketch.
- (e) The boundary lines of the tract to be subdivided in heavy lines.
- (f) Information sufficient to accurately locate property shown on the plan, with reference to survey markers, or monuments.
- (g) The location, width and other dimensions of the existing or planned streets and buildings within the tract.
- (h) The location, width and other dimensions of the proposed streets, lots, easements, parks and other open spaces with proper labeling of spaces to be dedicated to the public.
- (i) Existing sanitary sewers, storm drains, water supply mains, easements, within the tract.

(2) Preliminary engineering drawings, including typical cross-sections, and plans and/or written statements regarding width and type of proposed off-site and on-site water mains; sanitary sewers, drainage facilities, and other proposed improvements, such as sidewalks, curbs and gutters, parks and fire hydrants.

(3) Preliminary grading and drainage plans, if required by the Santaquin City Representative or Planning and Zoning Commission, showing existing grades with dashed lines and contours and proposed grades super-imposed with solid line contours. However, such plans shall be required in all hillside area subdivisions and shall also indicate:

- (a) Areas with 10% or greater natural slope by cross hatching.
- (b) The location of proposed cuts and fills.

(4) For subdivisions proposed in hillside areas, a vegetation plan shall also be submitted which shall show the location of existing vegetation, the location of vegetation proposed to be removed, and a revegetation proposal for those areas which will

11. There is a problem with the contour lines on lot 16 crossing one another.
12. The description on the survey tie to the east is not legible.
13. Who will own and be responsible for the small piece of property across the street from lots 9 and 10.
14. It appears that the street in front of lots 1 and 2 is proposed to be a half street. What efforts have been made to acquire the additional property or assistance from the adjacent property owner to make this a full street.
15. The following recommendations are made with regards to proposed sumps: (a) the sump shown between lots 14 and 15 should be moved to the north end of lot 1, (b) an additional sump should be installed across the street from the one in front of lot 4, (c) the sump shown on the south end of lot 2 should be moved to the north end of lot 1 just before the irrigation ditch or the a catch basin should be installed that discharges into the irrigation ditch. If a catch basin is used, then approval to discharge into the irrigation ditch must be obtain from Summit Irrigation Company.
16. You are not required to provide the information required in the Environmental Impact Statement other than the storm runoff calculations you have all ready submitted.
17. Lot No. 2 is too small.
18. Check the set back at a distance of 30 feet from the property line on all cul-de-sacs.



***Santaquin City
Corporation***

45 West 100 South
SANTAQUIN, UTAH 84655
754-3211

Councilman Paul Bean
C/O Santaquin City Council
Santaquin City

June 6, 1995

Dear Mr. Bean:

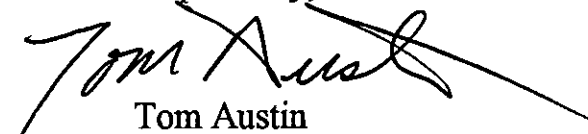
Mr. Malcolm Jolly came to me today and formally requested that we change the zoning on his property on 300 West at about 75 North from commercial to residential.

As you recall, the property in question historically had a variance in dispute and that issue was resolved in litigation. It was agreed by the parties involved that a building permit would be issued for the lot and Mr. Jolly is progressing toward requesting a permit. He has found that lending institutions are reluctant to lend money on a piece of property that is zoned commercial. These circumstances have prompted him to make the zoning change request.

I have included some documents and requirements as sent to me from our attorney David Tuckett relating to Mr. Jolly's request.

I would recommend that the request be allowed.

Respectfully,


Tom Austin
Santaquin City Manager

MEMO

To: Santaquin City
From: David C. Tuckett
Subject: Method of changing zone
Date: June 6, 1995

QUESTION PRESENTED

What is the procedure for making a zone change?

ANSWER AND ANALYSIS

The proper procedure for making a zone change is as follows:

- (1) The individual seeking the zone change should make a request with the planning commission.¹
- (2) The planning commission should make a recommendation to the city council.
- (3) The city council shall hold a public hearing on the proposed zone change as recommended by the city council.²
- (4) The city council shall provide reasonable notice of the public hearing at least 14 days before the date of the hearing.³
- (5) After the public hearing, the city council may: (a) adopt the zoning

¹ Section 10-9-403(1)(b) Utah Code Annotated, states that "[t]he legislative body may not make any amendment authorized by this subsection unless the amendment was proposed by the planning commission or is first submitted to the planning commission for its approval, disapproval, or recommendation."

² U.C.A. §10-9-402(a)

³ U.C.A. §10-9-402(b)

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recommendation as proposed; (b) amend the recommendation and adopt or reject
the amendment; or © reject the recommendation.

CONCLUSION

The above is the proper procedure for amending a zone. If you have any further
questions, please contact me.