

CITY OF SARATOGA SPRINGS
CITY COUNCIL MEETING
Tuesday, April 19, 2016
City of Saratoga Springs City Offices
1307 North Commerce Drive, Suite 200, Saratoga Springs, Utah 84045

CITY COUNCIL AGENDA

Commencing at 7:00 p.m. or after the completion of Work Session.

1. Call to Order.
2. Roll Call.
3. Invocation / Reverence.
4. Pledge of Allegiance.
5. Public Input – This time has been set aside for the public to express ideas, concerns, and comments - please limit repetitive comments.

POLICY ITEMS:

REPORTS:

1. Mayor.
2. City Council.
3. Administration Communication with Council.
4. Staff Updates: Inquiries, Applications, and Approvals.

ACTION ITEMS:

1. Dallas Willden Eagle Scout Project Proposal.
2. Tickville Wash Facilities Reimbursement Agreement. R16-22 (4-19-16) (Cont. from 3-29-16).
3. Administrative Vehicle Purchase.
4. Murphy Express Site Plan.
5. Denny's Site Plan.
6. 2016 Municipal Recreation Grant Proposal.
7. City Street Lighting Special Improvement District (SID) – Tanner Lane Church (Saratoga Springs Church 4), R16-24 (4-19-16).
8. City Street Lighting Special Improvement District (SID) – Ring Road Church (Jacobs Ranch 1 Church), R16-25 (4-19-16).

APPROVAL OF MINUTES:

1. March 29, 2016.

CLOSED SESSION:

1. Motion to enter into closed session for any of the following: purchase, exchange, or lease of real property; pending or reasonably imminent litigation; the character, professional competence, or the physical or mental health of an individual.

ADJOURNMENT

Councilmembers may participate in this meeting electronically via video or telephonic conferencing.
The order of the agenda items is subject to change by order of the Mayor.

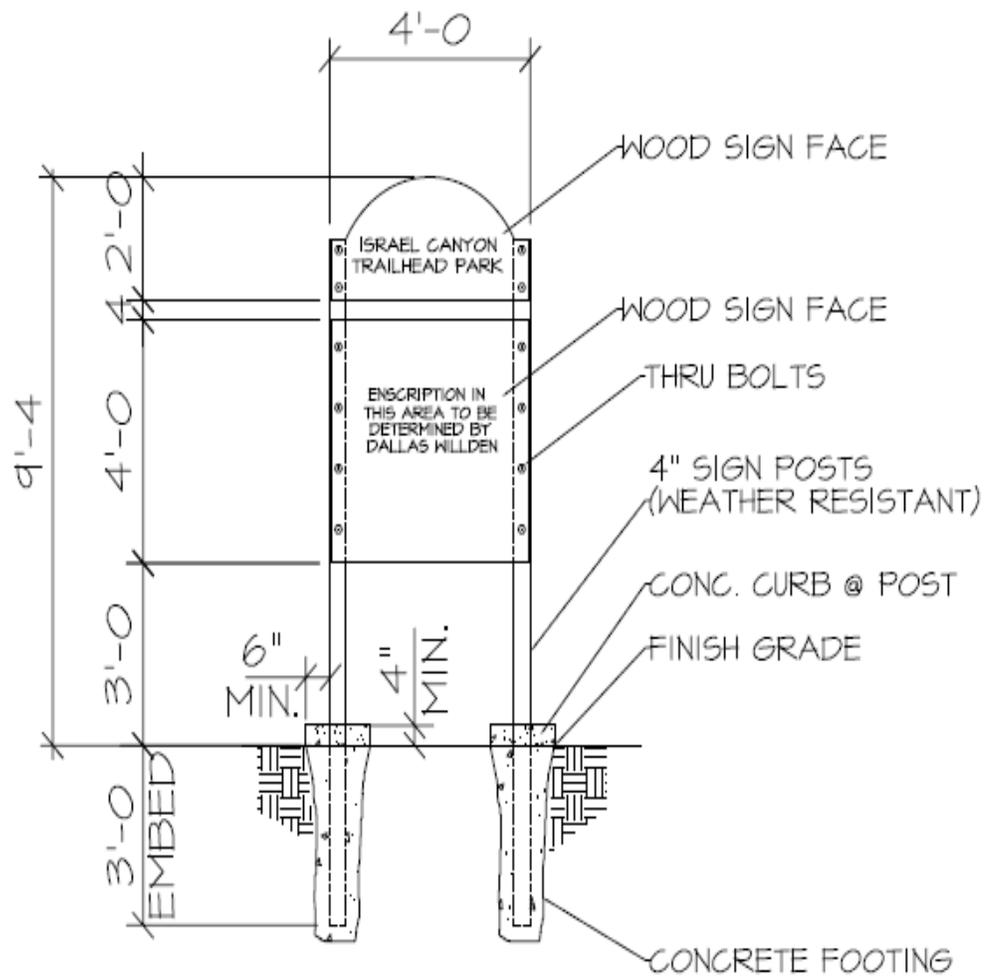
In compliance with the Americans with Disabilities Act, individuals needing special accommodations (including auxiliary communicative aids and services) during this meeting should notify the City Recorder at 766-9793 at least one day prior to the meeting.

MEMORIAL PARK SIGN

Dallas Willden

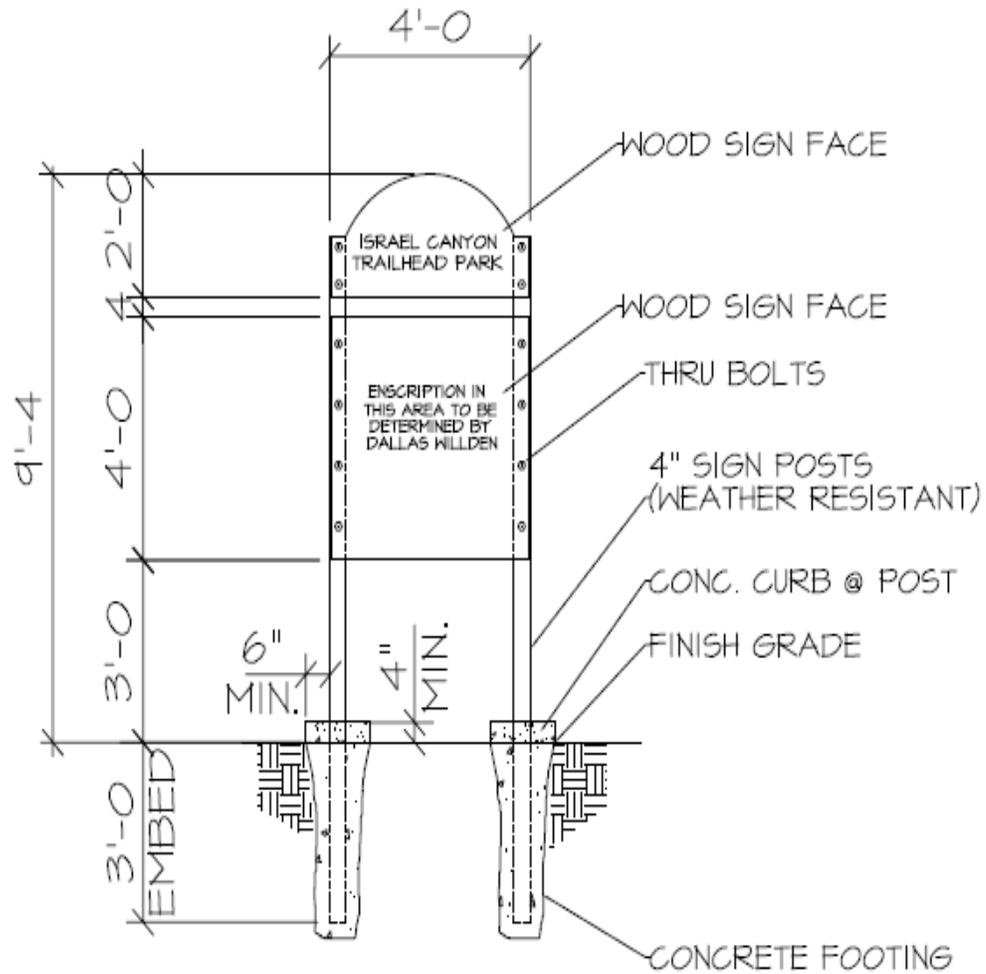
Eagle Scout Project

4/6/2016



DALLAS WILLDEN- ISRAEL CANYON TRAILHEAD PARK SIGN
PROPOSED EAGLE PROJECT





DALLAS WILLDEN- ISRAEL CANYON TRAILHEAD PARK SIGN
 PROPOSED EAGLE PROJECT

Memorial Sign is proposed to be 9 feet tall from the ground and 4 feet wide.

The top two feet of the sign will be the park name engraved into a wood board. If the name is allowed, "Grasslands" could be in the middle with Israel Canyon Trailhead curved around the top.

The memorial inscription will be printed on a vinyl slate bolted on to a wooden board for stability.

Based on the recommendation from city staff, the sign would be placed at head of the south entrance to the park. This would allow the sign to be seen by all who are entering the park.

The orange squares on the right show the location.



DRAFT MEMORIAL TEXT – BY CHRIS CULLEY

Our lives were forever changed by the events of September 1st, 2012 and the days that followed. Mother Nature took a few minutes to create a pathway of destruction through our neighborhood, but what happened in the aftermath of the flood is the purpose of this memorial.

The true spirit of neighborly kindness poured in from near and far. Just minutes after the destruction, the service began. That night, the thirteen homes of those affected, were not only identified, but clean up began, sand bags were filled and set in place to protect against further damage which provided comfort. Also, this assistance was vital in saving many valuables. We were amazed at the number of volunteers that continued to come and help into the late hours.

The following days were even more amazing as thousands of happy eager people came to help us. Over ten thousand people came and served us in our hour of need. We also had many local businesses, subcontractors, and local city workers donate time, equipment, tools, food, and more.

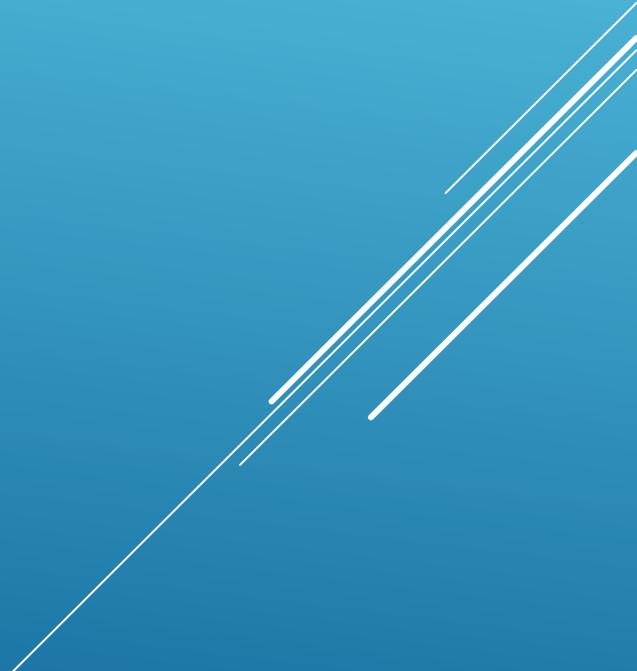
In the moment it felt like it would take years to clean up and get back to normal, but as the saying goes “many hands make light work”. The homeowners affected continue to express gratitude to all those who came. It was through these acts of kindness that we could face each day with hope and encouragement.

---- Proposed addition if that name is permitted ----

This park is affectionately known as “Grasslands Park”, because after the flood was over, the cleanup had finished, grass sprouted from under the mud. This grass represented a new beginning, hope, and optimism for the future. This reminds us that because of the kindness of others, we were able to have a new beginning.

PROPOSED THAT TWO PICTURES ARE PRINTED
ALONG SIDE OF TEXT

HERE ARE SOME OPTIONS.

A decorative graphic consisting of several parallel white lines of varying lengths, arranged in a diagonal pattern from the bottom right towards the center of the slide.



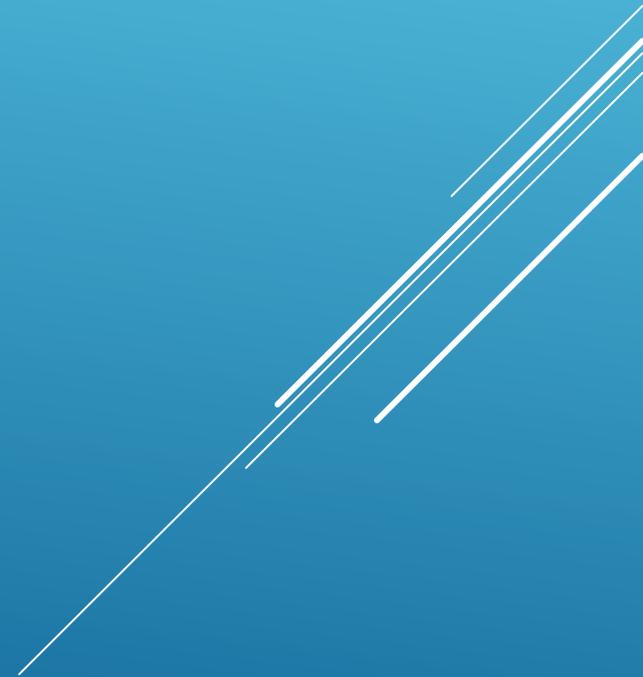








THANK YOU FOR YOUR TIME AND
CONSIDERATION



RESOLUTION NO. R16-22 (4-19-16)

**RESOLUTION OF THE CITY OF SARATOGA SPRINGS,
UTAH, APPROVING A FACILITIES REIMBURSEMENT
AGREEMENT FOR TICKVILLE WASH**

WHEREAS, certain improvements have been identified as necessary within the natural drainage feature commonly referred to as Tickville Wash, which is situated within the City and runs through property owned by Suburban Land Reserve, Inc. (“SLR”) and D.R. Horton, Inc. (“DRH); and

WHEREAS, SLR and DRH have agreed to complete the improvements and advance such costs necessary to complete the improvements, subject to partial reimbursement by the City of such costs as provided within the Facilities Reimbursement Agreement; and

WHEREAS, the City is authorized pursuant to Section 11-36a-402(2)(b) of the Impact Fees Act to reimburse a portion of the costs of the improvements as provided within the Facilities Reimbursement Agreement;

WHEREAS, it is in the best interests of the citizens of Saratoga Springs that the improvements be built and that the Facilities Reimbursement Agreement be approved.

NOW THEREFORE, BE IT RESOLVED by the City Council of the City of Saratoga Springs, Utah that the Tickville Wash Facilities Reimbursement Agreement attached as Exhibit 1 is approved and that the Mayor is authorized to sign said Agreement. This resolution shall take effect immediately upon passage.

PASSED AND APPROVED this ____ day of _____, 2016

City of Saratoga Springs

Mayor

Attest:

City Recorder

EXHIBIT 1

TICKVILLE WASH FACILITIES REIMBURSEMENT AGREEMENT

THIS TICKVILLE WASH FACILITIES REIMBURSEMENT AGREEMENT (this “Agreement”), dated as of _____, 2016 (the “Effective Date”), is entered into by and among the CITY OF SARATOGA SPRINGS, a municipal corporation of the State of Utah (the “City”), SUBURBAN LAND RESERVE, INC., a Utah corporation (“SLR”), D.R. HORTON, INC., a Delaware corporation (“DRH”), and CORPORATION OF THE PRESIDING BISHOP OF THE CHURCH OF JESUS CHRIST OF LATTER-DAY SAINTS, a Utah corporation sole (“CPB”).

RECITALS

1. The natural drainage feature commonly referred to as Tickville Wash (the “Tickville Wash”) is situated within the City and runs through property owned by SLR and DRH.

2. Certain improvements have been identified that need to be made relating to the Tickville Wash, which improvements constitute “system improvements” within the meaning of the Utah Impact Fees Act, Title 11, Chapter 36a of the Utah Code (the “Impact Fees Act”) and qualify for reimbursement under the Impact Fees Act (as more particularly described herein, the “Improvements”).

3. The Improvements will provide additional storm water drainage capacity for lands that either naturally drain, or with reasonable engineer and cost (and City approval) can be made to drain, to the Tickville Wash drainage basin (the “Tickville Wash Basin”).

4. SLR owns property within the Tickville Wash Basin, a portion of which property (the “Property”) was sold to DRH pursuant to the terms of that certain Real Property Purchase and Sale Agreement, dated as of July 5, 2013, as amended (the “Purchase Agreement”).

5. Portions of the Property are located in Special Flood Hazard Area “Flood Zone A” and cannot be developed until FEMA has amended and revised the Flood Insurance Rate Map(s) (FIRM Panel # 4902500115A dated July 17, 2002).

6. In order to obtain a Letter of Map Revision that amends the map to designate the affected portions of the Property as Zone X, it is necessary for the Improvements to be completed.

7. The City is not prepared or required to fund the initial construction of the Improvements at this time.

8. SLR and DRH have agreed in the Purchase Agreement to advance the costs necessary to complete the Improvements, subject to partial reimbursement by the City of such costs as provided herein.

9. The City is authorized pursuant to Section 11-36a-402(2)(b) of the Impact Fees Act to reimburse a portion of the costs of the Improvements as provided herein.

10. The parties desire to document their mutual agreement with respect to the method of reimbursement by the City of the costs of the Improvements.

NOW THEREFORE, for and in consideration of the foregoing, and other valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the parties hereby agree as follows:

SECTION 1. COMPLETION OF IMPROVEMENTS. The Improvements to be constructed by DRH are more particularly described in Exhibit A attached hereto.

SECTION 2. FUNDING. SLR and DRH shall advance 100% of the costs of designing and constructing the Improvements and obtaining the necessary rights-of-way and/or easements necessary for the Improvements. The City shall not be required to advance payment for any of the costs of the project. Funding of up to, but not in excess of, \$2,200,000 will be advanced by SLR, with DRH to advance 100% of the costs in excess of \$2,200,000. Attached hereto as Exhibit B is an estimate of the anticipated costs of the Improvements. In no event shall City be responsible for reimbursing the parties for improvement costs exceeding 110% of the estimated cost of the Improvements in Exhibit B.

SECTION 3. REIMBURSEMENT.

a. Upon final inspection, the posting of a warranty bond, the recordation of all applicable access and maintenance easements to the City, and approval and acceptance of the Improvements by the City, SLR shall notify the City of the total costs of the design and construction of the Improvements, which costs may include only those amounts allowed by the Impact Fees Act, and shall provide the City with such evidence as shall be reasonably required to substantiate such costs (the "Costs"). If the Impact Fees Act does not authorize reimburse for an invoiced improvement or cost, the City shall have no obligation to reimburse DRH or SLR.

b. To satisfy its reimbursement obligations, the City agrees to issue to SLR and DRH storm water impact fee credits in an amount equal to 89.5% of the total Costs ("Credits") so long as such reimbursement is authorized under the Impact Fees Act, and subject to the limitations of subsection (c) below. The value of the Credits to be issued to SLR shall not exceed \$1,969,000 (which represents 89.5% of \$2,200,000); with all additional Credits to be issued to DRH for the balance of the City's reimbursement obligations (i.e., Credits valued at 89.5% of all Costs in excess of \$2,200,000). The City shall confirm the value of the Credits allocated to SLR and DRH within ten (10) business days after submission of the final Costs by SLR to the City.

c. SLR and DRH may apply their respective Credits, as provided below in this subsection (c), against the storm water impact fees that are due and payable by SLR, DRH, and other developers as provided in 3.c.iii below, at then applicable rates, with respect to future development on land identified on Exhibit C.

(i) For SLR development on property now owned or acquired in the future by SLR/CPB, Credits may be applied directly by SLR.

(ii) For DRH development on property now owned or acquired in the future by DRH, Credits may be applied directly by DRH.

(iii) For development on property that, at the time of development, is not owned by SLR/CPB or DRH, the City shall pay to SLR all storm water impact fees it receives from the developer, in exchange for a dollar-for-dollar reduction of the outstanding balance of the Credits. Such reduction shall be allocated by the City between SLR and DRH as directed by SLR, in accordance with a separate agreement between SLR and DRH. The City agrees to rebate such storm water impact fees to SLR until all of the Credits have been exhausted. This Section 3.c.(iii) shall not apply to the extent the developer of such property is not subject to storm water impact fees per the Impact Fees Act.

d. For development on property now owned or acquired in the future by DRH outside of the land identified in Exhibit C, the City shall allow DRH to use its Credits for development of its property in exchange for a dollar-for-dollar reduction of the outstanding balance of the Credits pertaining to DRH. This provision is designed to help DRH recover the full benefit of its reimbursement Credits, recognizing that DRH does not currently have sufficient land holdings within the land identified in Exhibit C or elsewhere in the City to use all of its reimbursement Credits.

e. All Credits (and related rights under this Agreement) shall be freely assignable by SLR and DRH (or any subsequent holder of the Credits) to each other, and to any other person or entity (“assignee”), for development of land identified on Exhibit C. Each such assignment shall be evidenced by a document executed and notarized by SLR or DRH, as the case may be, and describing the land to which the Credits apply. The assignment shall be delivered to the City. Neither SLR or DRH, on the one hand, nor the assignee of the Credits, on the other hand, shall have any claims against the City regarding the Credits so long as the City correctly accounts for (and gives credit for) the Credits.

f. The City reserves the right to purchase the Credits from SLR or DRH at any time at an amount mutually agreed to by the parties.

g. The application of Credits as provided above shall be accounted for on the ledger attached hereto as Exhibit D or substantially similar instrument (the “Ledger”). The City shall provide SLR and DRH with copies of the then current Ledger upon request. Any discrepancies identified by any of the parties shall be addressed and reconciled immediately.

h. The Credits granted hereunder shall never expire, and shall remain valid until all of the Credits have been applied against storm water impact fees or until all of the Tickville Wash Basin has been developed, whichever occurs earlier.

i. SLR and DDRH agree to release, indemnify, defend, and hold the City harmless from any claim by any person, entity, or party claiming that the Costs were not reimbursed to the party that installed the Improvements.

SECTION 4. AMENDMENT OF IFFP; IMPACT FEES. The City shall, if necessary and as allowed by the Impact Fees Act, amend the IFFP to include all of the Improvements, so that all of the Improvements qualify for funding and reimbursement, in the full amount of 89.5% of the Costs, out of impact fees under Section 11-36a-402 of the Impact Fees Act.

SECTION 5. PRIOR AGREEMENTS. This Agreement supersedes any conflicting provision of prior agreements between the parties, both oral and written, to the extent such prior agreements relate to the subject matter hereof; provided that that certain Tickville Wash Agreement, dated as of May 10, 2001, by and among the City, the Utah Lake Distributing Company, CPB, Saratoga Springs Development, LLC, Wardley-McLachlan, LLC, Utah County, Paul Mendenhall, Mark Jacob and Curtis Beverly, shall remain in effect in accordance with its terms, except that this Agreement shall satisfy all and any City's obligations to CPB under said Agreement.

SECTION 6. FURTHER ACTS. The parties shall perform those acts and/or sign all documents required by this Agreement or which may be reasonably necessary to effectuate the terms of this Agreement.

SECTION 7. NO AGENCY OR PARTNERSHIP. This Agreement does not create any kind of joint venture, partnership, agency, or employment relationship between or among the parties.

SECTION 8. LEGAL COMPLIANCE. The parties shall comply with all applicable federal, state, and local laws and ordinances in the performance of this Agreement. Any terms which the parties are mandated by law to include in this Agreement shall be considered part of this Agreement.

SECTION 9. AMENDMENT. This Agreement cannot be amended except by a written instrument signed by the parties.

SECTION 10. SEVERABILITY. If a court, governmental agency, or regulatory agency with proper jurisdiction determines that any provision of this Agreement is unlawful, that provision shall terminate. If a provision is terminated, but the parties can legally, commercially, and practicably continue to perform this Agreement without the terminated provision, the remainder of this Agreement shall continue in effect.

SECTION 11. AUTHORITY. Each individual executing this Agreement hereby represents and warrants that he or she has been duly authorized to sign this Agreement in the capacity and for the entities identified.

SECTION 12. GOVERNING LAW. This Agreement shall be interpreted and enforced under the laws of the State of Utah. Venue for any legal action brought on this Agreement shall lie with the Fourth Judicial District Court for Utah County, Utah.

SECTION 13. COUNTERPARTS; SIGNATURES. This Agreement may be signed in multiple counterparts, all of which taken together shall constitute one and the same agreement. Further, copied or electronically or facsimile transmitted signatures of an original signature shall be treated for all purposes as an original signature. After execution and delivery of this Agreement, a copy of the signed Agreement shall be considered for all purposes as an original of

the Agreement to the maximum extent permitted by law, and no party to this Agreement shall have any obligation to retain a version of the Agreement that contains original signatures in order to enforce the Agreement, or for any other purpose, except as otherwise required by law.

IN WITNESS WHEREOF, the parties have executed this Agreement as of the day and year first above written.

CITY OF SARATOGA SPRINGS, a
municipal corporation of the State of Utah

By: _____
Its: _____

ATTEST & COUNTERSIGN:

City Recorder

CORPORATION OF THE PRESIDING
BISHOP OF THE CHURCH OF JESUS
CHRIST OF LATTER-DAY SAINTS,
a Utah corporation sole

By: _____
Name (Print): _____
Its: Authorized Agent

SUBURBAN LAND RESERVE, INC., a
Utah corporation

By: _____
R. Steven Romney
Its: President

D.R. HORTON, INC., a Delaware
corporation

By: _____
Name (Print): _____
Its: _____

EXHIBIT A

[Here attach description of Improvements and required easements.]

EXHIBIT B

[Here attach estimate of total Costs.]

EXHIBIT C

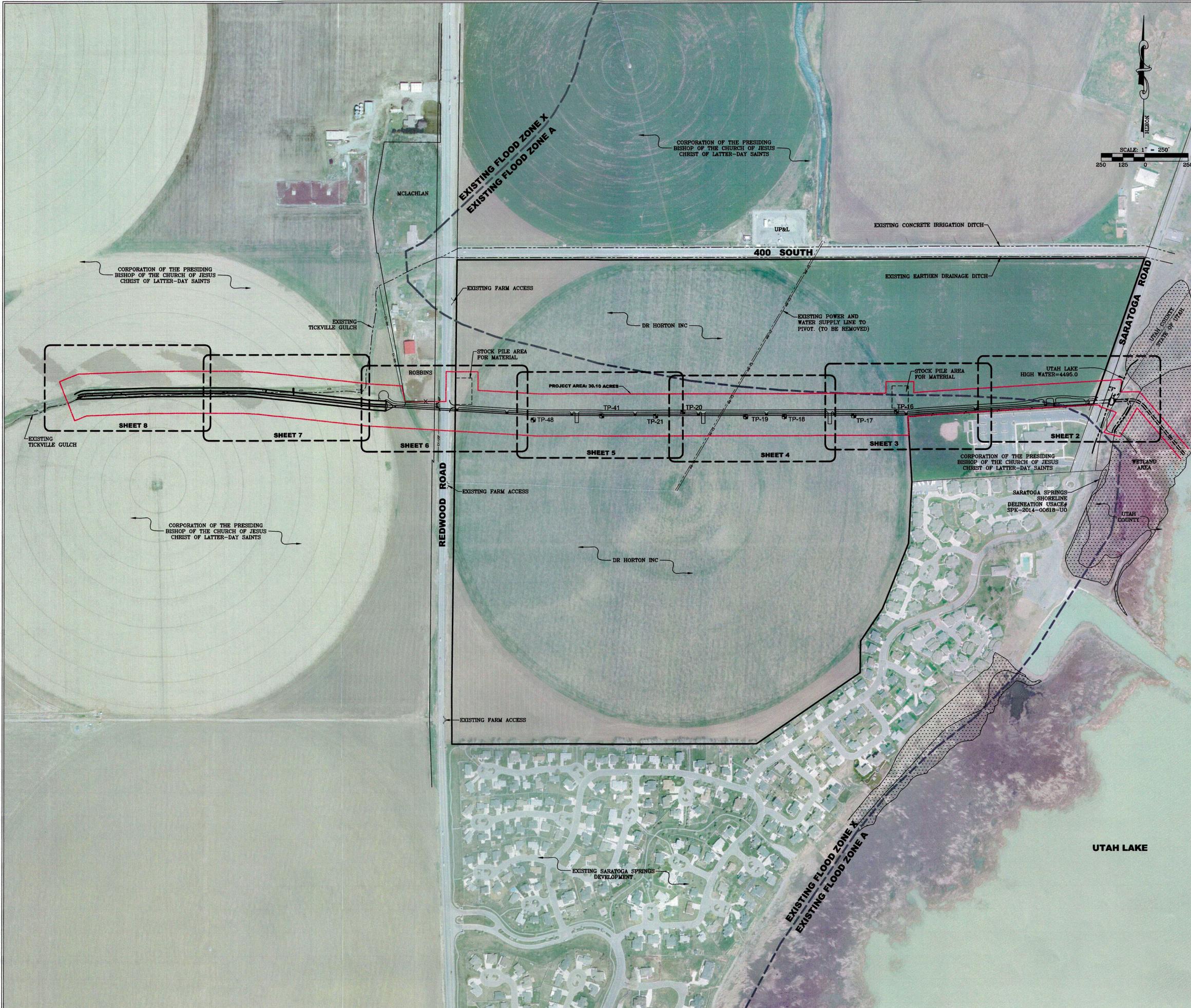
[Here attach map of eligible reimbursable land.]

EXHIBIT D

STORM WATER IMPACT FEE CREDITS LEDGER

(Related to Tickville Wash Facilities Reimbursement Agreement by and among the City of Saratoga Springs, Utah, Suburban Land Reserve, Inc., D.R. Horton, Inc. and Corporation of the Presiding Bishop of the Church of Jesus Christ of Latter-day Saints, dated as of _____, 2016)

| Date | SLR Credits Applied or Assigned / Name of Project or Assignee | DRH Credits Applied or Assigned / Name of Project or Assignee | Remaining SLR Available Credits | Remainin g DRH Available Credits | Initials: City | Initials: SLR | Initials: DRH |
|----------|---|---|---------------------------------|----------------------------------|----------------|---------------|---------------|
| 03/__/16 | | | \$1,969,000 | \$_____ | | | |
| | | | | | | | |
| | | | | | | | |
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| | | | | | | | |
| | | | | | | | |
| | | | | | | | |



VICINITY MAP

SCALE: 1" = 250'

LEI
- A Utah Corporation -
ENGINEERS
SURVEYORS
PLANNERS
3302 N. Main Street
Spanish Fork, UT 84660
Phone: 801.798.0555
Fax: 801.798.9393
office@lei-eng.com
www.lei-eng.com

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TABLATIONS

| | |
|---|------------------------|
| OVERALL TICKVILLE GULCH RE-ALIGNMENT LENGTH | 5,919 FT. (1.12 MILES) |
| RE-ALIGNED OPEN CHANNEL LENGTH | 1,780 FT. |
| RE-ALIGNED OPEN CHANNEL AREA | 2.02 ACRES |

SCANNED
JUL 14 2015

COVER NOTES

- ORIENTATION OF COVER SHEET TO NORTH. ALL PLAN & PROFILE SHEETS ORIENTED TO SOUTH TO ACCOMMODATE CHANNEL ALIGNMENT REQUIREMENT.
- THE DATUM USED FOR SHOWN ELEVATIONS IS NGVD 29. NGS MONUMENT K41 WITH AN ELEVATION OF 4494.20 WAS USED AS A BENCHMARK.
- THE FOLLOWING PERMITS AND ASSOCIATED TIMING MUST BE COMPLETED:
 - UDOT - PRIOR TO CONSTRUCTION ACTIVITIES WITHIN REDWOOD ROAD. THIS PERMIT WILL BE ISSUED TO THE CONTRACTOR.
 - ARMY CORP OF ENGINEERS - PRIOR TO CONSTRUCTION ACTIVITIES WEST OF STA. 58+32.
 - FFSL RIGHT OF ENTRY AND GENERAL PERMIT - PRIOR TO PHASE I OR PHASE II IMPROVEMENTS WITHIN THE STATE LANDS AS DETAILED ON SHEET CH-1. FINAL CROSS SECTION AND PLAN & PROFILE DRAWINGS TO BE SUBMITTED TO FFSL FOR APPROVAL.
- PRIOR TO ACCEPTANCE OF THE IMPROVEMENTS, AN EASEMENT WILL BE PREPARED AND CONVEYED TO SARATOGA SPRINGS CITY. EASEMENT EXHIBIT TO SHOW PLAN VIEW AT EASEMENT RELATIVE TO IMPROVEMENTS.

NO EXCEPTION TAKEN
 FURNISH AS CORRECTED
 SUBMIT O&M DATA
 REVISE & RESUBMIT

SEE LETTER DATED _____

CORRECTIONS OR COMMENTS MADE DURING THIS REVIEW DO NOT RELIEVE THE CONTRACTOR FROM COMPLIANCE WITH THE CONTRACT DOCUMENTS. THIS CHECK IS ONLY FOR A REVIEW OF GENERAL CONFORMANCE WITH THE DESIGN CONCEPT OF THE PROJECT AND GENERAL COMPLIANCE WITH INFORMATION GIVEN IN THE CONTRACT DOCUMENTS. THE CONTRACTOR IS RESPONSIBLE FOR CONFIRMING THE CORRELATION OF ALL QUANTITIES AND DIMENSIONS, FABRICATION PROCESSES AND TECHNIQUES OF CONSTRUCTION, AND COORDINATION OF HIS WORK WITH THAT OF ALL OTHER TRADES, AND THE SAFE AND SATISFACTORY PERFORMANCE OF HIS WORK.

Date: 7/14/15 By: [Signature]

PROJECT CONTACTS

| | |
|--|---|
| DEVELOPER / OWNER | ENGINEER |
| SUBURBAN LAND RESERVE 79 SOUTH MAIN STREET NO. 600 SALT LAKE CITY, UT 84111 | LEI CONSULTING ENGINEERS 3302 NORTH MAIN SPANISH FORK, UTAH 84660 (801)798-0555 |
| UDOT | CITY ENGINEER |
| RIZ ROWLAND UDOT REGION 3 658 NORTH 1500 WEST OREM, UTAH 84057 801.227.8000 rrowland@utah.gov | JEREMY LAPIN CITY ENGINEER FOR SARATOGA SPRINGS 1307 N COMMERCE DRIVE #200 SARATOGA SPRINGS, UT 84045 801.768.9793 EXT. 137 jlapin@saratogaspringscity.com |

REVISIONS

| | |
|---|--|
| 1 | |
| 2 | |
| 3 | |
| 4 | |
| 5 | |

LEI PROJECT #: 2013-1869
 DRAWN BY: RWH
 CHECKED BY: NKW
 SCALE: 1" = 250'
 DATE: 07/13/2015
 SHEET

COVER

TICKVILLE GULCH RE-ALIGNMENT
SARATOGA SPRINGS, UTAH
COVER

Tickville Gulch Realignment Reimbursement Summary

| DESCRIPTION | QTY | UNIT | PRICE | AMOUNT |
|---|-----------|------|----------------|-----------------------|
| Base Installation Bid: | | | | |
| Mobilization/UDOT Permits | 1 | LS | \$9,454.00 | \$9,454.00 |
| Silt Fencing | 12,540 | LF | \$2.00 | \$25,080.00 |
| Cobbled Construction Entrances | 3 | EA | \$1,800.00 | \$5,400.00 |
| LOD Fencing | 6,000 | LF | \$1.35 | \$8,100.00 |
| Clear and Grub | 280,000 | SF | \$0.01 | \$2,800.00 |
| Haul off Grubbings | 1,500 | CY | \$7.24 | \$10,860.00 |
| Strip Topsoil/Stockpile on Site | 1 | LS | \$15,515.00 | \$15,515.00 |
| Cut/Grade Open Channel West of Redwood Rd | 1,900 | LF | \$74.05 | \$140,695.00 |
| Reseeding Channel Disturbance | 215,000 | SF | \$0.09 | \$19,350.00 |
| Reseeding Limits of Disturbance | 1,096,161 | SF | \$0.08 | \$87,692.88 |
| Temp. Maintenance Road along Pipeline | 1 | LS | \$75,223.12 | \$75,223.12 |
| Inlet Structure on West Side of Redwood Rd | 1 | LS | \$146,135.44 | \$146,135.44 |
| Redwood Rd Reconstruction | 1 | LS | \$89,453.01 | \$89,453.01 |
| Traffic Control | 1 | LS | \$5,750.00 | \$5,750.00 |
| Dry Utility Relocates | 1 | LS | \$3,515.00 | \$3,515.00 |
| Waterline Loop | 1 | LS | \$15,261.00 | \$15,261.00 |
| Install 96" RCP | 3,815 | LF | \$101.00 | \$385,315.00 |
| Access Manways | 10 | EA | \$1,285.20 | \$12,852.00 |
| Transition Structure West Side of Saratoga Rd | 1 | LS | \$161,170.56 | \$161,170.56 |
| Saratoga Rd Pour In Place Culvert | 115 | LF | \$1,334.51 | \$153,468.65 |
| Outlet Structure on East Side of Saratoga Rd | 1 | LS | \$78,780.52 | \$78,780.52 |
| Saratoga Rd Reconstruct | 1 | LS | \$128,589.59 | \$128,589.59 |
| Traffic Control | 1 | LS | \$8,223.15 | \$8,223.15 |
| Utility Relocates | 1 | LS | \$87,115.27 | \$87,115.27 |
| Misc. Grading on East Side of Saratoga Rd | 1 | LS | \$15,815.45 | \$15,815.45 |
| Excavate for Drainage Swale Along Church Fence | 1,130 | LF | \$3.17 | \$3,582.10 |
| | | | Subtotal | \$1,695,196.74 |
| Option: | | | | |
| Phase II Channel Construction out to Lake | 1 | LS | \$354,035.50 | \$354,035.50 |
| Clear/Grub/Cut Down Trees | 1 | LS | \$14,013.00 | \$14,013.00 |
| Excavate Channel to Lake as per plan | 445 | LF | \$492.50 | \$219,162.50 |
| Construct 12ft Access Rd/Berm and 18" RB | 130 | LF | \$281.00 | \$36,530.00 |
| Reseed Channel | 445 | LF | \$27.00 | \$12,015.00 |
| Additional Rip Rap Pad as per plan | 1 | LF | \$32,315.00 | \$32,315.00 |
| Haul off/dispose of excavated material | 80 | LD | \$500.00 | \$40,000.00 |
| | | | | \$354,035.50 |
| Pipe and Manway Materials | 1 | LS | \$1,130,105.90 | \$1,130,105.90 |
| Misc. Other: | | | | |
| Video Inspection of Pipe | 3,800 | LF | \$2.65 | \$10,070.00 |
| Surveying/Certification of Slope | 1 | LS | \$97,270.10 | \$97,270.10 |
| Compaction Testing (City/UDOT ROW) | 1 | LS | \$1,800.00 | \$1,800.00 |
| Engineering & Design | 1 | LS | \$240,180.48 | \$240,180.48 |
| Easement Land Purchase | 1 | LS | | \$0.00 |
| | | | Subtotal | \$349,320.58 |
| Total Cost of Eligible Improvements | | | | \$3,528,658.72 |
| Total Amount of Reimbursement based on 89.5% | | | | \$3,158,149.55 |
| Credit to SLR | | | | \$1,969,000.00 |
| Credit to DR Horton | | | | \$1,189,149.55 |
| | | | | \$3,158,149.55 |

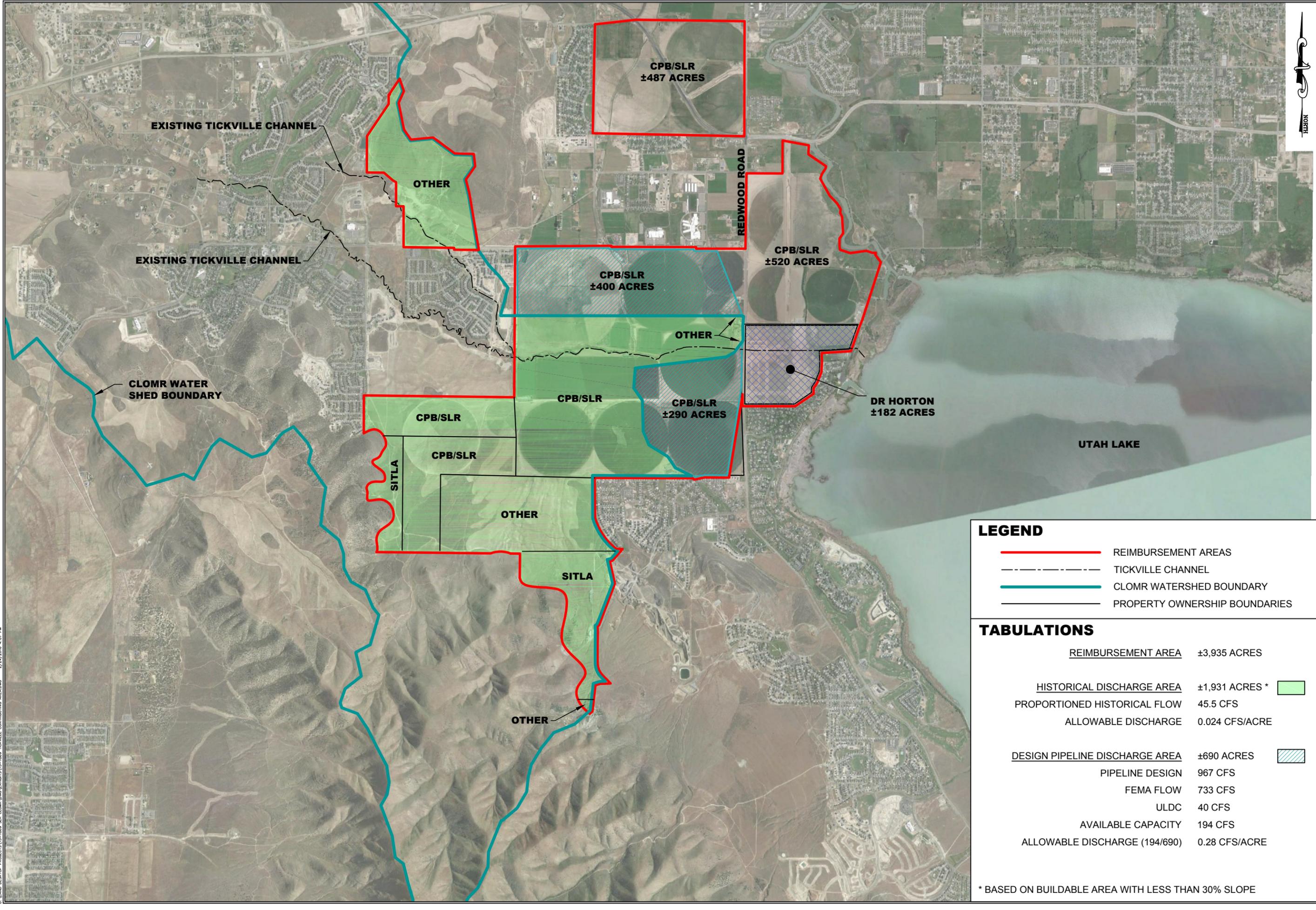
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- An Utah S Corporation -
ENGINEERS
SURVEYORS
PLANNERS

3302 N. Main Street
 Spanish Fork, UT 84660
 Phone: 801.798.0555
 Fax: 801.798.9393
 office@lei-eng.com
 www.lei-eng.com

REIMBURSEMENT AREA
 SARATOGA CITY, UTAH
EXHIBIT C



LEGEND

- REIMBURSEMENT AREAS
- - - - - TICKVILLE CHANNEL
- CLOMR WATERSHED BOUNDARY
- PROPERTY OWNERSHIP BOUNDARIES

TABULATIONS

| | | |
|---------------------------------------|----------------|---|
| <u>REIMBURSEMENT AREA</u> | ±3,935 ACRES | |
| <u>HISTORICAL DISCHARGE AREA</u> | ±1,931 ACRES * | |
| PROPORTIONED HISTORICAL FLOW | 45.5 CFS | |
| ALLOWABLE DISCHARGE | 0.024 CFS/ACRE | |
| <u>DESIGN PIPELINE DISCHARGE AREA</u> | ±690 ACRES | |
| PIPELINE DESIGN | 967 CFS | |
| FEMA FLOW | 733 CFS | |
| ULDC | 40 CFS | |
| AVAILABLE CAPACITY | 194 CFS | |
| ALLOWABLE DISCHARGE (194/690) | 0.28 CFS/ACRE | |

* BASED ON BUILDABLE AREA WITH LESS THAN 30% SLOPE

REVISIONS

| | |
|---|--|
| 1 | |
| 2 | |
| 3 | |
| 4 | |
| 5 | |
| 6 | |

LEI PROJECT #:
2013-1869
 DRAWN BY:
RWH/TJP
 DESIGNED BY:
NKW
 SCALE:
1" = 3000'
 DATE:
02/24/2016

EXHIBIT
C

U:\LAND DESKTOP PROJECTS\13-1869_SLR_CLOMR\EXHIBITS\13-1869_TICKVILLE_CONTRIBUTING_AREA.DWG 2/24/2016 4:07 PM

City Council Staff Report

Author: Daniel Widenhouse, Management Analyst
Subject: Administrative Vehicle
Date: 4/19/2016
Type of Item: Purchase Request



Summary Recommendations: It is recommended that the City Council approve the request to purchase two additional administrative vehicles.

Description:

A. Topic: Administrative Vehicle Purchase

B. Background: City Hall has two vehicles to share between seven different departments. One is a Ford Escape and the other is the 12-passenger van. Given the increasing size of city staff, an available vehicle for conducting business is difficult to find when needed. This results in employees using their own vehicles. Not only does this incur a cost to the city in mileage reimbursements, but the city also increases its liability for its employees using their own vehicles.

C. Analysis: Staff chose four vehicles for test driving. The staff test drove each vehicle, testing for leg room, ceiling height, cargo space, and comfort. The results, along with prices for each vehicle, are as follows:

| Recommended Vehicles | | | | | | | |
|----------------------|--------|------------|------------|-------------|-------------------------|--------------------------|-----|
| Make | Model | Version | Base Price | Final Price | Cargo Space (Back Only) | Cargo Space (Seats Down) | MPG |
| Honda | Fit | LX | \$17,422 | \$17,422 | 16.6 | 52.7 | 36 |
| Toyota | Yaris | L – 5 Door | \$15,355 | \$15,799 | 15.6 | Unavailable | 32 |
| Hyundai | Accent | Hatchback | \$16,195 | \$16,195 | 21.2 | 47.5 | 30 |
| Ford | Escape | S | \$18,708 | \$18,708 | 34.3 | 67.8 | 26 |

Honda Fit, Toyota Yaris, Hyundai Accent: These smaller vehicles provided some storage space while sacrificing space for adult drivers and passengers. The gas mileage was a definitive plus for these vehicles. However, the overall price was just under larger, more comfortable vehicles.

Ford Escape: This small crossover SUV has a large cargo space behind the seats and an even larger space once the seats lay down. Four adults over 6 feet can fit comfortably in this vehicle. The only con was that the gas mileage is not as high as the smaller vehicles. For only \$2,000 more, the City can purchase a vehicle that fits four adults comfortably with room to spare for cargo. As the city grows, it will continue to need more space in vehicles and the larger size of the Ford Escape will be adequate for more years to come than the smaller vehicles.

After the test driving and analysis of future needs, the department determined that City Hall would be best served by purchasing two Ford Escapes.

Cost and Budget: The total cost of the purchase would be as follows:

| Vehicles | Cost per Unit | Total Cost |
|------------------|---------------|-------------|
| 2 Ford Escapes | \$18,708 | \$37,416 |
| Replacement Cost | \$2500 | \$5000/year |

The cost of the vehicles would be covered by currently budgeted funds and would require no additional appropriation or budget amendment. Staff recommends that one vehicle be approved in this current budget year and then the second vehicle be purchased in FY 2017. This will require these vehicles to be added to the fleet replacement schedule. Approximately \$2,500 per year per vehicle per year on a 7 year replacement schedule. Staff will present this as part of the budget.

Alternatives:

- A. Approve the Request:** Staff recommends that the City Council approve this request by authorizing staff to purchase these vehicles within existing departmental budgeted funds.
- B. Deny the Request:** The City Council could deny the request and not approve the purchases.
- C. Continue the Item:** The City Council could continue the request until a later date and time.

Recommendation: Staff recommends the approval of the purchase of two Ford Escapes for the total cost of \$37,416, one in FY 2016 and one in FY 2017.



**Site Plan and Conditional Use Permit
Murphy Express
Tuesday, April 19, 2016
Public Hearing**

| | |
|--------------------------|---|
| Report Date: | Wednesday, April 6, 2016 |
| Applicant: | Greenberg Farrow, Murphy Express |
| Owner: | Stations West Saratoga LLC |
| Location: | NE Corner Commerce Drive & Redwood Road |
| Major Street Access: | Redwood Road |
| Parcel Number(s) & Size: | 66:268:0004, 1.033 acres |
| Parcel Zoning: | Regional Commercial (RC) |
| Adjacent Zoning: | RC, Vacant |
| Current Use of Parcel: | Vacant |
| Adjacent Uses: | Commercial, Vacant, Agricultural |
| Previous Meetings: | Planning Commission March 28, 2015 |
| Previous Approvals: | None |
| Type of Action: | Administrative |
| Land Use Authority: | City Council |
| Future Routing: | City Council |
| Author: | Kimber Gabryszak, AICP |

A. Executive Summary:

The applicant is requesting approval of a Site Plan and Conditional Use Permit for a Murphy Express automobile refueling station on Lot 3 of the Saratoga Town Center Plat 2, located across the street from Autozone on Commerce Drive.

The Planning Commission held a public hearing on March 28, 2016 and forwarded a positive recommendation to the City Council with conditions. Draft minutes from that meeting are attached.

Recommendation:

Staff recommends that the City Council review and discuss the Murphy Express Site Plan and Conditional Use Permit, and choose from the options in Section H of this report. Options include approval with or without modification, denial, or continuation.

B. Background: The Saratoga Town Center Plat 2 was approved in 2012 and recorded on April 10, 2013, which created the lot on which the Murphy Express proposal is located. The lot is zoned Regional Commercial, which lists Automobile Refueling Station as a Conditional Use.

- C. **Specific Request:** The proposal is for an automobile refueling station, consisting of a small building with eight refueling pumps. The application does not include a full convenience store, but only includes limited related retail sales in a ~1200 sq.ft. building. An outdoor ice machine is included.
- D. **Process:** Code Sections 19.13 and 19.14 outline the process and criteria for a Site Plan, and Section 19.15 outlines the process for a CUP. The City Council is the land use authority, and will make a decision at a public meeting after a public hearing and recommendation by the Planning Commission. The planning commission held a public hearing and forwarded its recommendation on March 28, 2016.
- E. **Community Review:** The Planning Commission meeting was noticed as a public hearing in the *Daily Herald* and posted on the City website and State public noticing website; and mailed notice sent to all property owners within 300 feet. The City Council meeting is not a public hearing and no notice is required.
- F. **General Plan:** The property is designated Regional Commercial on the Future Land Use Map, which has the goals stated below:

g. **Regional Commercial.** Regional Commercial areas shall be characterized by a variety of retail users including big box retail configured in developments that provide excellent vehicular access to and from major transportation facilities. Developments located in Regional Commercial areas shall be designed so as to create efficient, functional conglomerations of commercial activities.

As Regional Commercial areas are to be located in close proximity to substantial roadways, careful consideration shall be given to the arrangement of structures and other improvements along those corridors. Consideration shall also be given to the existing or potential availability of mass transit facilities as sites in this designation are designed.

Among the many tenants anticipated in these areas are large destination oriented businesses. With that in mind, individual sites shall be designed so as to make automobile access a priority. Even so, specific areas for pedestrian activity shall be designated and appropriately improved. Plazas and other features shall be provided as gathering places which should be incorporated so as to make each site an inviting place to visit.

Developments in these areas shall contain landscaping and recreational features as per the City's Parks, Recreation, Trails, and Open Space Element of the General Plan. In this land use designation, it is estimated that a typical acre of land may contain 5 equivalent residential units (ERU's).

Staff conclusion: consistent. The use is automobile oriented, provides vehicular access to and from Redwood Road, and is located on a lot that was approved for commercial development under the RC zone. Sidewalks and trail connections are included. The lot is also part of an overall development which, in the future, is intended to provide a mixture of office and retail and gathering places, and which will be automobile oriented while including considerations for pedestrians.

- G. **Code Criteria:**
Staff has reviewed the proposed automobile refueling station for compliance with multiple sections of Code. Detailed review and analysis are contained in Exhibit 4, Planning Checklist, and a summary provided below:

- 19.04, Land Use Zones – **complies**
 - Density, height, lot coverage, allowed use, setbacks, landscaping, trash enclosure, buffers - all meet or exceed the minimum
- 19.05, Supplemental Regulations – **complies**
 - Property access meets requirements as recommended by the City Engineer
- 19.06, Landscaping and Fencing – **complies with conditions**
 - Plant types, percentages, numbers, sizes, and sight triangle - comply
 - Verification of low-flow sprinklers and rain sensors - pending
- 19.09, Off Street Parking – **complies**
 - Dimensions, location, striping - comply
 - Required: 12 spaces, provided: 17 spaces
 - ADA space location is appropriate
- Section 19.11, Lighting – **complies with conditions**
 - Pole height, design, and cut-off - comply
 - Hours of operation and any building lighting must be condition of approval
- 19.14, Site Plans – **complies with conditions**
 - Access requirements, interconnection, loading space, architectural standards - complies with conditions. Staff originally recommended a condition to install driveway stub and access easement to the north, in lieu of the proposed rock wall, for future connectivity. The applicant and staff agreed on the use of pavers and an easement to resolve this issue.
- 19.15, Conditional Use Permit – **complies**
 - Typical standards: health, safety, welfare, zone district goals, character, cost impacts to City, and General Plan - complies.
 - Special standards: location, zone, pedestrian connectivity, nuisance, hazards, lot frontage, pump and canopy setbacks, distance from a school/park/playground, and outdoor storage - complies
 - Traffic congestion and driveway spacing have been of concern, and the original application included multiple accesses onto Commerce and Redwood Road. The Commerce accesses did not comply with City minimum spacing requirements, and also for spacing requirements, UDOT denied access onto Redwood. After thorough review, the best solution to minimize traffic impacts and enhance safety has been recommended by the City Engineer and forwarded to the Planning Commission, which consists of a single full-movement access onto Commerce, secondary access onto the adjacent commercial property, and a stub to the northern property line for future connectivity. The Planning Commission recommendation included an additional condition to prohibit truck access from 9pm-6am to minimize vehicular conflict and traffic congestion.
- 19.18, Signs – **complies with condition of approval**
 - Monument sign size, materials, location - complies
 - Canopy signs exceed allowable size – applicant has removed canopy signs and replaced with building signage which appears to meet allowable size
 - Revised submittal with wall signage information is required

H. Recommendation and Alternatives:

Staff recommends that the City Council discuss the application and choose from the following options.

Option 1 – Staff Recommended, Approval

“I move to **approve** the Murphy Express Site Plan and Conditional Use Permit located on parcel 66:268:0004 as outlined in Exhibit 3 with the Findings and Conditions in the Staff Report dated April 19, 2016:

Findings

1. The application is consistent with the General Plan, as articulated in Section F of the staff report, which section is incorporated by reference herein.
2. The application complies with the criteria in Section 19.04, Land Use Zones, of the Development Code, as articulated in Section G of the staff report, which section is incorporated by reference herein.
3. With conditions, the application complies with the criteria in Section 19.05, Supplementary Regulations, of the Development Code, as articulated in Section G of the staff report, which section is incorporated herein.
4. With conditions, the application complies with the criteria in Section 19.06, Landscaping and Fencing, of the Development Code, as articulated in Section G of the staff report, which section is incorporated by reference herein.
5. The application complies with the criteria in Section 19.09, Parking, of the Development Code, as articulated in Section G of the staff report, which section is incorporated by reference herein.
6. With conditions, the application complies with the criteria in Section 19.11, Lighting, of the Development Code, as articulated in Section G of the staff report, which section is incorporated by reference herein.
7. The application complies with the criteria in Section 19.14, Site Plan Review, of the Development Code, as articulated in Section G of the staff report, which section is incorporated by reference herein.
8. The application complies with the criteria in Section 19.15, Conditional Use Permit, of the Development Code, as articulated in Section G of the staff report, which section is incorporated by reference herein.
9. With conditions, the application complies with the criteria in section 19.18, Sign Regulations, of the Development Code, as articulated in Section G of the staff report, which section is incorporated by reference herein.

Conditions:

1. All conditions of the City Engineer shall be met, including but not limited to those in the Staff report in Exhibit 1.
2. The Site Plan and Conditional Use Permit are approved as shown in the attachment to the Staff report in Exhibit 3.
3. All lighting shall comply with design standards, color ranges, and hours of operation as outlined in Section 19.11.
4. Fire flows shall be met for this development as well as future development in the area. All IFC 2012 Edition requirements shall be met.

5. All other conditions of the Fire Department shall be met.
6. An updated signage plan shall be provided to staff prior to building permit issuance and shall be reviewed and approved administratively by staff per Section 19.18 of the Code.
7. Water conserving sprinklers and rain sensors shall be included in the landscaping.
8. A driveway connection shall be preserved with concrete pavers to the north and an access easement recorded, in lieu of the proposed rock wall, to ensure future connectivity.
9. Delivery trucks shall only access the site between 9pm and 6am to minimize potential for vehicular conflict and traffic congestion to comply with the standards in 19.15.05 subsections 2 and 3.
10. The concrete for the sidewalk shall not be stamped.
11. An updated sign plan including wall signage information shall be provided prior to signage approval.
12. All other code requirements shall be met.
13. Any other conditions or changes as articulated by the City Council: _____
_____”

Alternative 1 - Continuance

The City Council may instead choose to continue the applications. “I move to **continue** the Murphy Express Site Plan and Conditional Use Permit to another meeting on [May 3, 2016], with direction to the applicant and Staff on information and / or changes needed to render a decision, as follows:

1. _____
2. _____
3. _____”

Alternative 2 – Denial

The City Council may instead choose to deny the applications. “I move to **deny** the Murphy Express Site Plan and Conditional Use Permit with the Findings below:

1. The applications are not consistent with the General Plan, as articulated by the City Council: _____, and/or
2. The applications are not consistent with Section [19.04, 19.06, 19.09, 19.11, 19.14, 19.15, 19.18] of the Code, as articulated by the City Council: _____.”

I. Exhibits:

- | | |
|-------------------------------|---------------|
| 1. City Engineer’s Report | (pages 6-7) |
| 2. Location & Zone Map | (page 8) |
| 3. Site Plan | (pages 9-15) |
| a. Site Plan | (pages 9-10) |
| b. Truck Radius | (page 11) |
| c. Landscape Plan | (page 12) |
| d. Misc. Items | (page 13) |
| e. Lighting | (page 14) |
| f. Updated Elevations & Signs | (page 15) |
| 4. Planning Checklist | (pages 16-20) |
| 5. Draft PC Minutes 3/24/2015 | (pages 21-22) |

City Council Staff Report

Author: Janelle Wright, EIT
Subject: Murphy Express
Date: March 15, 2016
Type of Item: Site Plan Approval



Description:

A. Topic: The Applicant has submitted a Site Plan application. Staff has reviewed the submittal and provides the following recommendations.

B. Background:

Applicant: Greenberg Farrow, Murphy Express
Request: Site Plan Approval
Location: NE Corner Commerce Drive and Redwood Road
Acreage: 1.033 Acres

C. Recommendation: Staff recommends the approval of Site Plan subject to the following conditions:

D. Conditions:

- A. Meet all engineering conditions and requirements in the construction of the project. Review and inspection fees must be paid and a bond posted as per the City's Development Code prior to any construction being performed on the project. Impact and water fees are due when pulling the building permit.
- B. All review comments and redlines provided by the City Engineer are to be complied with and implemented with the approved construction drawings.
- C. Developer must secure water rights as required by the City Engineer, City Attorney, and development code.
- D. Submit easements for all public utilities not located in the public right-of-way.
- E. Developer is required to ensure that there are no adverse effects to adjacent properties due to the grading practices employed during construction of these plats.
- F. Project must meet the City Ordinance for Storm Water release (0.2 cfs/acre for all developed property) and all UPDES and NPDES project construction requirements.

- G. Final plans shall include an Erosion Control Plan that complies with all City, UPDES and NPDES storm water pollution prevention requirements.
- H. All work to conform to the City of Saratoga Springs Standard Technical Specifications, most recent edition.
- I. Developer may be required by the Saratoga Springs Fire Chief to perform fire flow tests prior to final plat approval and prior to the commencement of the warranty period.
- J. Submittal of a Mylar and electronic version of the as-built drawings in AutoCAD format to the City Engineer is required prior acceptance of site improvements and the commencement of the warranty period.
- K. Developer shall provide an emergency shut-off to the City's storm drain system in case of a spill.
- L. A right-of-way encroachment permit shall be obtained prior to any work being done in the right-of-way.

SITE DEVELOPMENT PLANS

MURPHY EXPRESS

SARATOGA SPRINGS, UT

42 EAST COMMERCE DRIVE

GENERAL NOTES:

- A. CONTRACTOR SHALL BE RESPONSIBLE FOR RAZING AND REMOVAL OF THE EXISTING STRUCTURES, RELATED UTILITIES, PAVING, UNDERGROUND STORAGE TANKS AND ANY OTHER EXISTING IMPROVEMENTS AS NOTED.
- B. CONTRACTOR IS TO REMOVE AND DISPOSE OF ALL DEBRIS, RUBBISH AND OTHER MATERIALS RESULTING FROM PREVIOUS AND CURRENT DEMOLITION OPERATIONS. DISPOSAL WILL BE IN ACCORDANCE WITH ALL LOCAL, STATE AND/OR FEDERAL REGULATIONS GOVERNING SUCH OPERATIONS.
- C. THE GENERAL CONTRACTOR WILL BE HELD SOLELY RESPONSIBLE FOR AND SHALL TAKE ALL PRECAUTIONS NECESSARY TO AVOID PROPERTY DAMAGE TO ADJACENT PROPERTIES DURING THE CONSTRUCTION PHASES OF THIS PROJECT.
- D. **WARRANTY/DISCLAIMER:**
THE DESIGNS REPRESENTED IN THESE PLANS ARE IN ACCORDANCE WITH ESTABLISHED PRACTICES OF CIVIL ENGINEERING FOR THE DESIGN FUNCTIONS AND USES INTENDED BY THE OWNER AT THIS TIME. HOWEVER, NEITHER THE ENGINEER NOR ITS PERSONNEL CAN OR DO WARRANT THESE DESIGNS OR PLANS AS CONSTRUCTED EXCEPT IN THE SPECIFIC CASES WHERE THE ENGINEER INSPECTS AND CONTROLS THE PHYSICAL CONSTRUCTION ON A CONTEMPORARY BASIS AT THE SITE.
- E. **SAFETY NOTICE TO CONTRACTOR:**
IN ACCORDANCE WITH GENERALLY ACCEPTED CONSTRUCTION PRACTICES, THE CONTRACTOR SHALL BE SOLELY AND COMPLETELY RESPONSIBLE FOR CONDITIONS OF THE JOB SITE, INCLUDING SAFETY OF ALL PERSONS AND PROPERTY DURING PERFORMANCE OF THE WORK. THIS REQUIREMENT WILL APPLY CONTINUOUSLY AND NOT BE LIMITED TO NORMAL WORKING HOURS. ANY CONSTRUCTION OBSERVATION BY THE ENGINEER OF THE CONTRACTOR'S PERFORMANCE IS NOT INTENDED TO INCLUDE REVIEW OF THE ADEQUACY OF THE CONTRACTOR'S SAFETY MEASURES, IN, ON OR NEAR THE CONSTRUCTION SITE.
- F. ALL CONSTRUCTION WITHIN STATE HIGHWAY DEPARTMENT RIGHT-OF-WAY SHALL BE COORDINATED WITH THE HIGHWAY DEPARTMENT RESIDENT MAINTENANCE ENGINEER.
- G. ALL SITE WORK FOR THIS PROJECT SHALL MEET OR EXCEED THE SPECIFICATIONS OF THE RELEVANT UTILITY COMPANY OR REGULATORY AUTHORITY, AND THE SPECIFICATIONS FOR THE CONSTRUCTION OF THE EXISTING IMPROVEMENTS WHICH ARE BEING ALTERED OR REPLACED. CONTRACTOR SHALL CONTACT THE ENGINEER FOR SPECIFICATION SECTIONS FOR ITEMS SUCH AS LANDSCAPING AND IRRIGATION THAT ARE AFFECTED BY THE WORK BUT NOT COMPLETELY DETAILED OR SPECIFIED ON THESE PLANS.
- H. CONSTRUCTION AND INSTALLATION OF A 1200 S.F. C-STORE, ALL UTILITY ENTRANCES, (1)25,000 GAL-REGULAR, (1)8,000 GAL-PREMIUM, (1)10,000 GAL-DIESEL, AND (1)8,000 GAL-E-85 UNDERGROUND TANKS SHALL BE IN ACCORDANCE WITH ASSOCIATED PLANS.
- I. THE GENERAL CONTRACTOR TO FIELD COORDINATE THE CANOPY SIGN LOCATION WITH MURPHY'S CONSTRUCTION SUPERVISOR.
- J. STAGE II VAPOR RECOVERY SYSTEM IS NOT REQUIRED.
- K. CONTRACTOR REQUIRED TO PROVIDE REDLINE AS-BUILTS AND PROVIDE THOSE TO MURPHY UPON COMPLETION.
- L. CONTRACTOR IS RESPONSIBLE FOR CONSTRUCTION STAKING AND LAYOUT

NOTES TO CONTRACTOR

- A. THE CONTRACTOR SHALL PROVIDE THE ENGINEER OF RECORD WITH THE DATE WHEN CONSTRUCTION IS TO BEGIN.
- B. THE CONTRACTOR IS RESPONSIBLE FOR CONSTRUCTION STAKING AND LAYOUT
- C. THE CONTRACTOR IS RESPONSIBLE FOR KEEPING THE ENGINEER OF RECORD INFORMED OF ANY DEVIATIONS DURING CONSTRUCTION AND SHALL REPORT THEM IMMEDIATELY
- D. CONTRACTOR IS REQUIRED TO KEEP REDLINE AS-BUILTS AND TO PROVIDE THOSE TO MURPHY UPON COMPLETION.
- E. CONTRACTOR IS RESPONSIBLE FOR UNDERSTANDING THE AS-BUILT AND CERTIFICATE OF OCCUPANCY (C.O.) REQUIREMENTS FROM THE ISSUING AUTHORITY.
- F. IF AN AS-BUILT SURVEY IS REQUIRED BY THE ISSUING AUTHORITY, THE CONTRACTOR SHALL BE RESPONSIBLE OBTAINING THE AS-BUILT SURVEY, PREPARED BY A LICENSED SURVEYOR, AND SUBMITTING THE AS-BUILT SURVEY TO ISSUING AUTHORITY AND THE ENGINEER OF RECORD

WETLANDS NOTE:

ANY DEVELOPMENT, EXCAVATION, CONSTRUCTION, OR FILLING IN A U.S. ARMY CORPS OF ENGINEERS DESIGNATED WETLAND IS SUBJECT TO LOCAL, STATE AND FEDERAL APPROVALS. THE CONTRACTOR SHALL COMPLY WITH ALL PERMIT REQUIREMENTS AND/OR RESTRICTIONS AND ANY VIOLATION WILL BE SUBJECT TO FEDERAL PENALTY. THE CONTRACTOR SHALL HOLD THE OWNER/DEVELOPER, THE ENGINEER AND THE LOCAL GOVERNING AGENCIES HARMLESS AGAINST SUCH VIOLATION.

FLOOD CERTIFICATION:

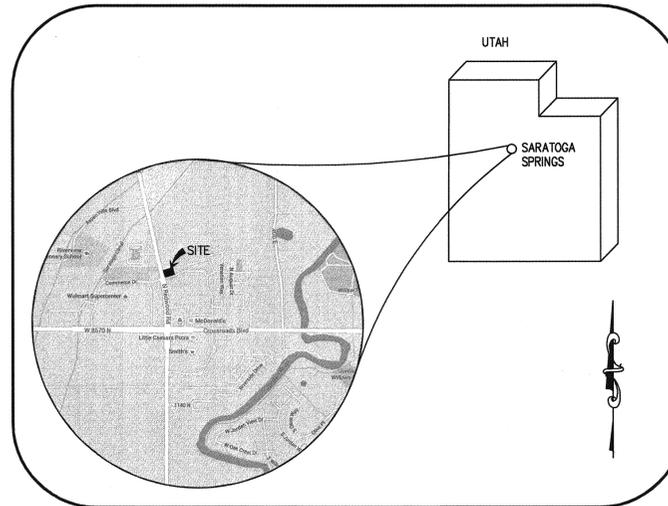
THIS PROPERTY IS NOT LOCATED WITHIN ANY PRESENTLY ESTABLISHED 100-YEAR FLOOD PLAIN, AS SHOWN BY THE FEDERAL EMERGENCY MANAGEMENT AGENCY, FLOOD INSURANCE RATE MAP FOR THE CITY OF LEHI, COMMUNITY PANEL NUMBER 4902090115 DATED JULY 17, 2002.

NOTICE TO BIDDERS:

ALL QUESTIONS REGARDING THE PREPARATION OF THE GENERAL CONTRACTOR'S BID SHALL BE DIRECTED TO THE OWNER'S CONSTRUCTION DEPARTMENT AT (870) 862-6411 SUBCONTRACTORS MUST DIRECT THEIR QUESTIONS THROUGH THE GENERAL CONTRACTOR. THE CONSULTING ARCHITECT AND/OR THE CONSULTING ENGINEER SHALL NOT BE CONTACTED DIRECTLY WITHOUT PRIOR AUTHORIZATION FROM THE OWNER/DEVELOPER.

CITY STANDARD NOTES:

- A. CONTRACTOR SHALL FIELD VERIFY LOCATIONS AND INVERT ELEVATIONS OF EXISTING MANHOLES AND OTHER UTILITIES BEFORE STAKING OR CONSTRUCTING ANY NEW SEWER LINES.
- B. CONTRACTOR SHALL FIELD VERIFY LOCATIONS AND INVERT ELEVATIONS OF EXISTING STORM DRAIN STRUCTURES AND OTHER UTILITIES BEFORE STAKING OR CONSTRUCTION ANY NEW STORM DRAIN LINES.
- C. ALL CONSTRUCTION SHALL COMPLY TO THE STANDARD TECHNICAL SPECIFICATIONS AND DRAWINGS FOR THE CITY OF SARATOGA SPRINGS, UTAH.
- D. EXISTING UTILITIES HAVE BEEN NOTED TO THE BEST OF THE ENGINEERS KNOWLEDGE, IT IS THE OWNERS AND CONTRACTORS RESPONSIBILITY TO LOCATE UTILITIES IN THE FIELD AND NOTIFY ENGINEER AND CITY IF DISCREPANCIES EXIST.
- E. POST-APPROVAL ALTERATIONS TO LIGHTING PLANS OR INTENDED SUBSTITUTIONS FOR APPROVED LIGHTING EQUIPMENT SHALL BE SUBMITTED TO THE CITY FOR REVIEW AND APPROVAL.
- F. THE CITY RESERVES THE RIGHT TO CONDUCT POST-INSTALLATION INSPECTIONS TO VERIFY COMPLIANCE WITH THE CITY'S REQUIREMENTS AND APPROVED LIGHTING PLAN COMMITMENTS, AND IF DEEMED APPROPRIATE BY THE CITY, TO REQUIRE REMEDIAL ACTION AT NO EXPENSE TO THE CITY.
- G. ALL EXTERIOR LIGHTING SHALL MEET IESNA FULL-CUTOFF CRITERIA UNLESS OTHERWISE APPROVED BY THE CITY.



Vicinity Map
NOT TO SCALE

PLAN INDEX:

ENGINEER (CIVIL)

- C-0 COVER SHEET
- C-1 SITE PLAN
- C-3 GRADING PLAN
- C-3.1 STORM SEWER PLAN
- C-3.2 TRENCH DRAIN PLAN
- C-3.3 STORM SEWER PROFILES
- C-3.4 STORM SEWER PROFILES
- C-4.0 EROSION CONTROL PLAN PHASE 1
- C-4.1 EROSION CONTROL PLAN PHASE 2
- C-4.2 E&S CONTROL DETAILS
- C-4.3 E&S CONTROL DETAILS
- C-5 DEMOLITION PLAN
- C-6 UTILITY PLAN
- C-6.1 UTILITY PROFILES
- C-7 PAVING PLAN
- C-8 JOINT LAYOUT PLAN
- C-9 TRUCK ROUTE PLAN
- C-10 LANDSCAPE PLAN
- C-11 IRRIGATION PLAN
- C-12 DETAIL SHEET
- C-13 DETAIL SHEET
- C-14 DETAIL SHEET
- C-15 DETAIL SHEET
- C-16 DETAIL SHEET
- C-17 DETAIL SHEET
- C-18 DETAIL SHEET
- C-19 DETAIL SHEET
- RW-1 RETAINING WALL PLAN
- L-1.0 PHOTOMETRIC PLAN
- L-1.1 PHOTOMETRIC DETAILS

GALLOWAY (TANK/PIPING)

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- FS-1 SPECIFICATIONS
- FS-2 SPECIFICATIONS
- FS-3 SPECIFICATIONS
- F-1 NOTES AND PART LIST
- F-1.1 NOTES AND PART LIST
- F-2 TANK INSTALLATION AND RISER DETAILS
- F-3 TANK SUMP AND VENTING DETAILS
- F-4 TANK RISER, OBSERVATION WELL AND VENTING DETAILS
- F-5 PRODUCT PIPING PLAN
- F-6 DUALOY PIPING SOLUTION
- F-7 STANDARD YARD AND DRIVE DETAILS
- F-8 PARTIAL PAVING PLAN
- FD-1 DISPENSER DETAILS
- FE-1 CONDUIT PLAN, PUMPS AND DISPENSER WIRING DIAGRAM
- FE-2 PUMPS AND DISPENSER CONTROL WIRING
- FE-3 CANOPY WIRING LAYOUT, ELEVATIONS AND DETAILS
- FE-4 SITE MONITORING DIAGRAM
- FL-1 LABELING PLACEMENT STANDARDS
- FL-2 STANDARD LABELING DETAILS

GREENBERGFARROW (BUILDING)

- CS1 COVER SHEET
- A1 ACCESSIBILITY STANDARDS NOTES & DETAILS
- A2 EGRESS/ACCESSIBILITY FLOOR PLAN
- S1 STRUCTURAL GENERAL NOTES
- E1 EXTERIOR ELEVATIONS
- E2 EXTERIOR ELEVATIONS
- E3 FLOOR PLAN
- E4 FLOOR FRAMING PLAN
- E5 ROOF FRAMING PLAN
- E6 SECTION
- E7 SECTION
- E8 INTERIOR ELEVATIONS
- E9 INTERIOR ELEVATIONS
- E10 FLOOR FINISH PLAN
- EL1 ELECTRICAL PLAN
- EL2 LIGHTING PLAN
- EL3 ELECTRICAL DETAILS
- EL4 ELECTRICAL PANEL SCHEDULE
- P1 PLUMBING PLAN
- P2 PLUMBING & WATER RISER
- M1 MECHANICAL PLAN
- M2 MECHANICAL ROOF PLAN
- F1 FOUNDATION PLAN
- F2 FOUNDATION DETAILS
- GC1 GC SCOPE OF WORK FLOOR PLAN

GREENBERGFARROW (CANOPY)

- CS1 COVER SHEET
- S1 STRUCTURAL GENERAL NOTES
- E1 FRAMING PLAN
- E2 ELEVATIONS
- E3 LIGHTING AND SOFFIT PLAN
- E4 SECTION
- E5 SECTION
- E6 SECTION
- F1 FOUNDATION PLAN

| SITE SUMMARY TABLE | | | |
|-------------------------|--------|-------|------------|
| | S.F. | ACRES | % OF TOTAL |
| TOTAL SITE AREA | 45,003 | 1.03 | 100.00 |
| - TOTAL IMPERVIOUS AREA | 28,496 | 0.65 | 63.32 |
| - TOTAL LANDSCAPE AREA | 16,507 | 0.38 | 36.68 |
| TOTAL DISTURBED AREA | 47,690 | 1.09 | 100.00 |
| - ON-SITE DISTURBANCE | 44,918 | 1.03 | 94.19 |
| - ROW DISTURBANCE | 2,772 | 0.06 | 5.81 |

| SITE DATA TABLE | |
|-----------------------------|-------------|
| TOTAL SITE AREA | 1.03 ACRES |
| NUMBER OF BUILDINGS | 1 |
| BUILDING AREA | 208 S.F. |
| # OF SURFACE PARKING SPACES | 9 |
| SENSATIVE LANDS AREA | 0 |
| LANDSCAPE AREA | 16,507 S.F. |

RESOURCE LIST:

- | | | |
|---|---|---|
| ZONING CITY OF SARATOGA SPRINGS 1307 N. COMMERCE DR. SUITE 200 SARATOGA SPRINGS, UT 84045 CONTACT: SARAH CARROLL PHONE: (801) 766-9793 EXT. 106 | BUILDING CITY OF SARATOGA SPRINGS 1307 N. COMMERCE DR. SUITE 200 SARATOGA SPRINGS, UT 84045 CONTACT: MARK CHELSEY PHONE: (801) 766-9793 EXT. 102 FAX: (770) 582-2900 | GEOTECH UNITED CONSULTANTS INC. 625 HOLCOMB BRIDGE ROAD NORCROSS, GA 30071 CONTACT: CHRIS ROBERTS PHONE: (770) 209-0029 |
| STORMWATER CITY OF SARATOGA SPRINGS 1307 N. COMMERCE DR. SUITE 200 SARATOGA SPRINGS, UT 84045 CONTACT: JEREMY LAPIN PHONE: (801) 766-9793 EXT. 137 | FIRE PREVENTION SARATOGA SPRINGS FIRE DEPT. 995 WEST 1200 NORTH SARATOGA SPRINGS, UT 84045 PHONE: (801) 766-6505 | SEWER TIMPANOGOS SPECIAL SERVICE DISTRICT CONTACT: DAVID BARLOW 6400 NORTH 5050 WEST UTAH COUNTY, UT PHONE: (801) 756-5231 FAX: (801) 756-1472 |
| WATER CITY OF SARATOGA SPRINGS 1307 N. COMMERCE DR. SUITE 200 SARATOGA SPRINGS, UT 84045 CONTACT: JEREMY LAPIN PHONE: (801) 766-9793 EXT. 137 | ELECTRIC ROCKY MOUNTAIN POWER 70 NORTH 200 EAST AMERICAN FORK, UT 84003 CONTACT: MARK STEELE PHONE: (801) 756-1220 | |
| TELEPHONE CENTURYLINK 75 E 100 NORTH PROVO, UT 84606 CONTACT: RYAN ALLRED PHONE: (385) 223-0084 | MURPHY CONTACT: GAVEN BALLINGER 422 N. WASHINGTON EL DORADO, AR 71780 PHONE: (870) 866-7176 | |

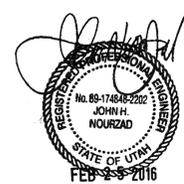
AGENCY

DATE

| | |
|--------------------------------------|-------|
| PLANNING & ZONING (SARATOGA SPRINGS) | _____ |
| STORMWATER (SARATOGA SPRINGS) | _____ |
| BUILDING (SARATOGA SPRINGS) | _____ |
| NPDES | _____ |
| ROCKY MOUNTAIN POWER | _____ |

BASED ON A SURVEY BY:
PEPG CONSULTING, LLC
8805 S. SANDY PARKWAY
SANDY, UT 84070
PHONE: (801) 562-2521
FAX: (801) 562-2551
OCTOBER 29, 2015

| REVISION | DATE | DESCRIPTION |
|----------|----------|------------------------|
| REV-0 | 11-06-15 | REVIEW SET |
| REV-1 | 11-24-15 | INITIAL CITY SUBMITTAL |
| REV-2 | 02-25-16 | CITY RESUBMITTAL |
| | | |
| | | |



GreenbergFarrow
CONTACT: GRANT DENNIS
1430 W. PEACHTREE ST., STE. 200
ATLANTA, GA 30309
(404) 601-3928

ZONING:
RC (REGIONAL COMMERCIAL)

1200SF-8(S)-2015v2

SHEET NO.
C-1

FEB 25 2016

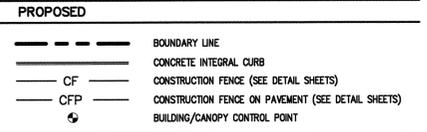
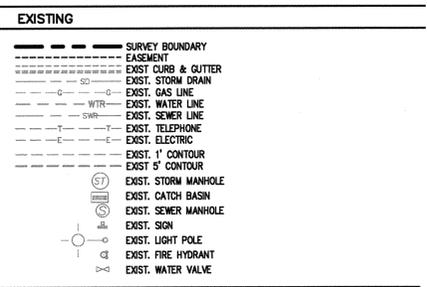
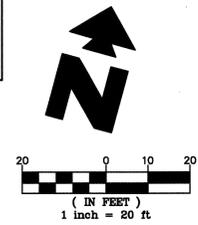
REV-2
DATE 02-25-16
PRN HW
PM CD
DES CB
DRW CB

SITE PLAN
MURPHY EXPRESS
42 EAST COMMERCE DRIVE
SARATOGA SPRINGS UT

Greenbergfarrow
1450 W. PEACHTREE, SUITE 200
ATLANTA, GA 30309
PHONE: (404) 601 4000
FAX: (404) 601 3970
JOB NO.: 20150400

MURPHY OIL USA, INC.
422 NORTH WASHINGTON
EL DORADO, AR 71730

MURPHY USA



GENERAL SITE NOTES

- A. ALL DIMENSIONS SHOWN ARE TO THE FACE OF CURB UNLESS OTHERWISE NOTED.
- B. ALL CURB RETURN RADI SHALL BE 2', AS SHOWN TYPICAL ON THIS PLAN, UNLESS OTHERWISE NOTED.
- C. UNLESS OTHERWISE SHOWN, CALLED OUT OR SPECIFIED HEREON:
 - ALL CURB ADJACENT TO CONCRETE PAVING SHALL BE INSTALLED PER DETAIL 1A.
 - PAVEMENT SHALL BE INSTALLED IN ACCORDANCE WITH THE PAVING PLAN OVER THE ENTIRE PARKING LOT AREA AND ALL APPROACH DRIVES.
 - SEE ASSOCIATED PLANS FOR CANOPY, COLUMN, PUMP ISLAND DETAILS AND LAYOUT.
- D. CONTRACTOR SHALL BEGIN CONSTRUCTION OF ANY LIGHT POLE BASES FOR RELOCATED LIGHT FIXTURES AND RELOCATION OF ELECTRICAL SYSTEM AS SOON AS DEMOLITION BEGINS. CONTRACTOR SHALL BE AWARE THAT INTERRUPTION OF POWER TO ANY LIGHT POLES OR SIGNS SHALL NOT EXCEED 24 HOURS.
- E. THE LOCATION OF THE CONSTRUCTION FENCE ON THE DRAWINGS IS FOR GRAPHICAL REPRESENTATION ONLY. THE CONTRACTOR IS TO ENSURE THAT THE CONSTRUCTION FENCE ENCOMPASSES THE ENTIRE WORK AREA.
- F. ALL SLOPES AND AREAS DISTURBED BY CONSTRUCTION SHALL BE GRADED SMOOTH AND FOUR INCHES OF TOPSOIL APPLIED. IF ADEQUATE TOPSOIL IS NOT AVAILABLE ON SITE, THE CONTRACTOR SHALL PROVIDE TOPSOIL, APPROVED BY THE OWNER, AS NEEDED. THE AREA SHALL THEN BE SEED/SOODED, FERTILIZED, MULCHED, WATERED AND MAINTAINED UNTIL HARDY GRASS GROWTH IS ESTABLISHED IN ALL AREAS. ANY AREAS DISTURBED FOR ANY REASON PRIOR TO FINAL ACCEPTANCE OF THE PROJECT SHALL BE CORRECTED BY THE CONTRACTOR AT NO ADDITIONAL COST TO THE OWNER.
- G. CONTRACTOR SHALL PURCHASE AND INSTALL A MAILBOX, AND SHALL COORDINATE LOCATION OF MAILBOX WITH MURPHY CONSTRUCTION MANAGER AND/OR ON-SITE REPRESENTATIVE AND LOCAL POSTMASTER.
- H. ALL PROPOSED PAVEMENT STRIPING OR MARKINGS SHALL FOLLOW THE SPECIFICATIONS FOR PAINT INCLUDED IN DETAIL 10A.
- I. BUSINESS OPEN FOR 24 HOURS MUST TURN OFF 50% OF THEIR OUTDOOR AND PARKING LOT LIGHTING BY 11:00PM AND MUST KEEP THEM OFF UNTIL ONE HALF HOUR BEFORE SUNRISE. HOWEVER, THOSE LIGHTING FIXTURES TURNED OFF MAY BE SET TO FUNCTION UTILIZING A MOTION DETECTOR SYSTEM.

SITE NOTES

- 2F DRILL (2) 3/4" X 5/8" DIA. HOLES (1) EACH FOR OPEN POSITION & CLOSED POSITION OF GATES. TO BE USED ON BOTH SIDES OF GATE. SEE DUMPSTER DETAIL.
- 6A CONCRETE RETAINING WALL (SEE WALL PLANS)
- 8B OVERHEAD CANOPY - (1)P-PER CANOPY PLANS)
- 12D 4" WIDE PAINTED STRIPES. 2.0' O.C. @ 45' (SEE SIZE COLOR INDICATED AT SYMBOL).
- 12F PEDESTRIAN CROSSING-4" WIDE PAINTED YELLOW STRIPES 2.0' O.C. @ 45' (SEE SIZE INDICATED AT SYMBOL).
- 12H 4" DOUBLE TRAFFIC YELLOW LANE STRIPE (SEE LENGTH INDICATED AT SYMBOL).
- 12M CONTRACTOR TO ENSURE THAT ANY LIGHT POLES OR HANDICAP PARKING SIGNS ARE AT LEAST 2' FROM THE BACK OF CURB TO PREVENT VEHICLES FROM STRIKING THESE ITEMS.
- 14J GC TO INSTALL (1) 4" PVC SLEEVE FOR IRRIGATION LINE. SEE UTILITY PLAN FOR INSTALLATION REQUIREMENTS.
- 14K GC TO INSTALL (2) 4" PVC SLEEVES FOR FUTURE USE. SEE UTILITY PLAN FOR INSTALLATION REQUIREMENTS.
- 16B MURPHY OIL MONUMENT SIGN. PER APPROVED ELEVATION.
- 21A TAPER CURB TO MATCH EXISTING CURB
- 21B 5" TAPER OF CURB FROM EXISTING CURB AND GUTTER (TYPE B1-A) TO PROPOSED CURB AND GUTTER (TYPE M1-A)
- 21C 5" TAPER OF CURB FROM PROPOSED CURB (DETAIL 1A) TO PROPOSED CURB AND GUTTER (TYPE M1-A)
- 21D EDGE OF CONCRETE SLAB. PER TANK/PIPING PLANS.
- 21E UNDERGROUND STORAGE TANKS (1) 25,000 GAL-REGULAR, (1) 8,000 GAL-PREMIUM, (1) 10,000 GAL-DIESEL, (1) 8,000 GAL-E-85.
- 21G AIR VACUUM UNIT WITH 4' X 7" CONCRETE SLAB
- 21K MURPHY EXPRESS ID SIGN. PER APPROVED ELEVATION.
- 21P 5' X 10' CONCRETE PAD FOR PROPANE TANKS.
- 21U 5' X 7" CONCRETE SLAB FOR ICE UNIT. SEE NUMBER INDICATED AT SYMBOL.
- 21V CONCRETE PAD FOR VENT RISERS. PER TANK & PIPING PLANS.

SITE DETAILS -- SEE DETAIL SHEETS

- 1A INTEGRAL CONCRETE CURB.
- 1D UTAH DOT CONCRETE CURB AND GUTTER (TYPE M1)
- 2E DUMPSTER ENCLOSURE
- 2F CONSTRUCTION SAFETY FENCE
- 3D CONCRETE SIDEWALK (CITY OF SARATOGA SPRINGS STANDARD ST-1)
- 3M PERPENDICULAR PEDESTRIAN RAMP
- 3N CORNER PEDESTRIAN RAMP
- 5A GUARD POST (SINGLE)
- 5B TRAFFIC SIGN IN BOLLARD
- 9S ACCESSIBLE / VAN ACCESSIBLE PARKING SIGN (1P.)
- 9U ACCESSIBLE PARKING SYMBOL. (SEE PAINT COLOR INDICATED AT SYMBOL)
- 10A TRAFFIC FLOW ARROW (1P.)
- 10B STOP BAR (1P.)
- 12G "STOP" SIGN
- 13A SITE LIGHT POLE. SEE PHOTOMETRIC PLANS FOR POLE BASE DETAIL, FIXTURE TYPE, AND MOUNTING DETAILS.

PARKING INFORMATION: MURPHY

| DESCRIPTION | BUILDING AREA (S.F.) | REQUIRED: | | | | |
|--------------------------|----------------------|------------------|---------|------------|----------------|-------|
| | | RATIO /1000 S.F. | REGULAR | ACCESSIBLE | VAN ACCESSIBLE | TOTAL |
| MURPHY EXPRESS | 1200 | 5 | 5 | 1 | 6 | |
| STALL DIMENSIONS: 9'x18' | | PROVIDED: | | | | |
| | | RATIO /1000 S.F. | REGULAR | ACCESSIBLE | VAN ACCESSIBLE | TOTAL |
| | | 7.5 | 8 | 1 | 9 | |

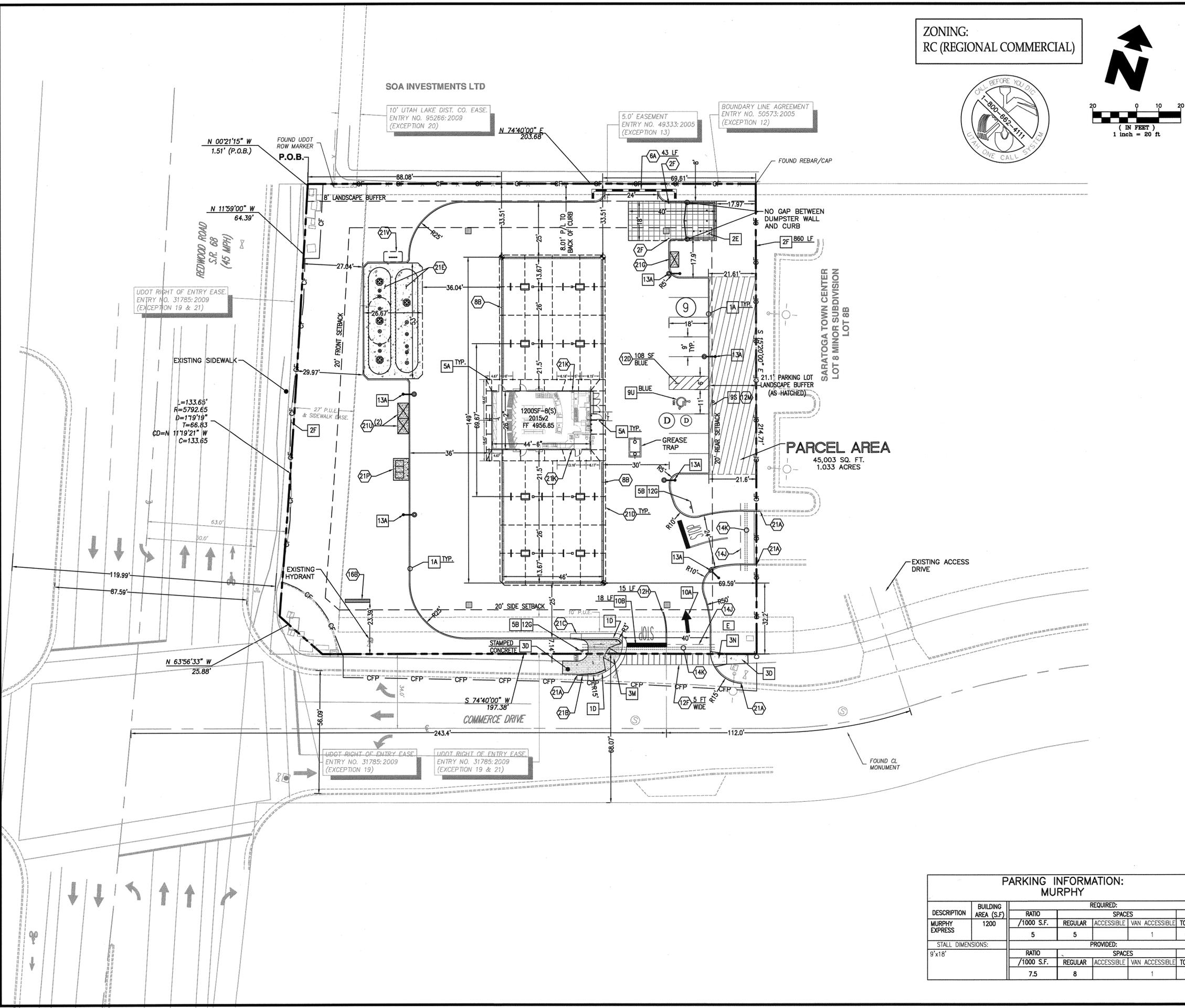
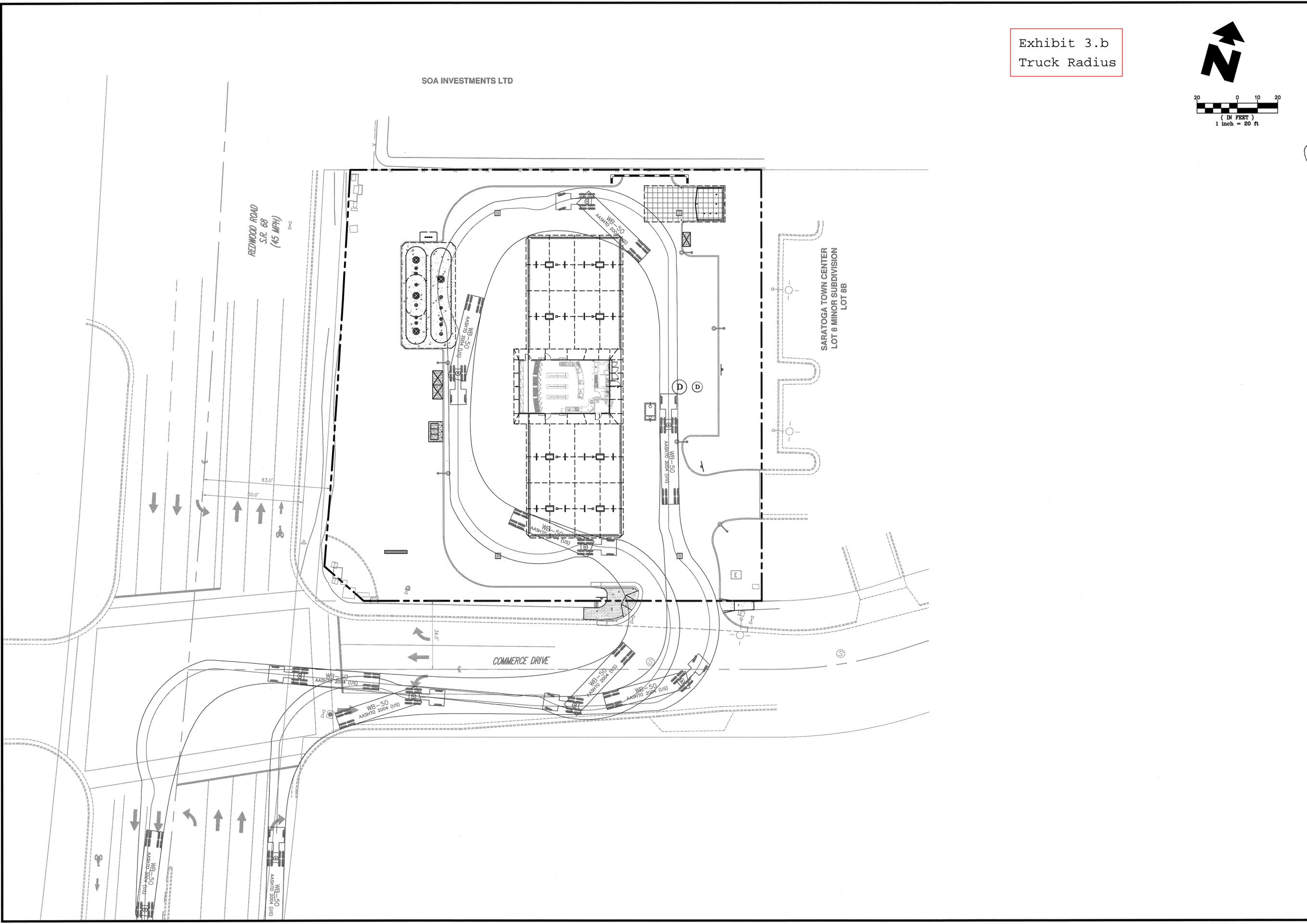
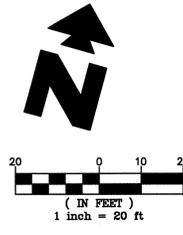
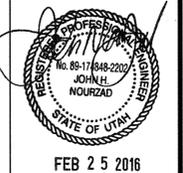


Exhibit 3.b
Truck Radius



SHEET NO.
C-9

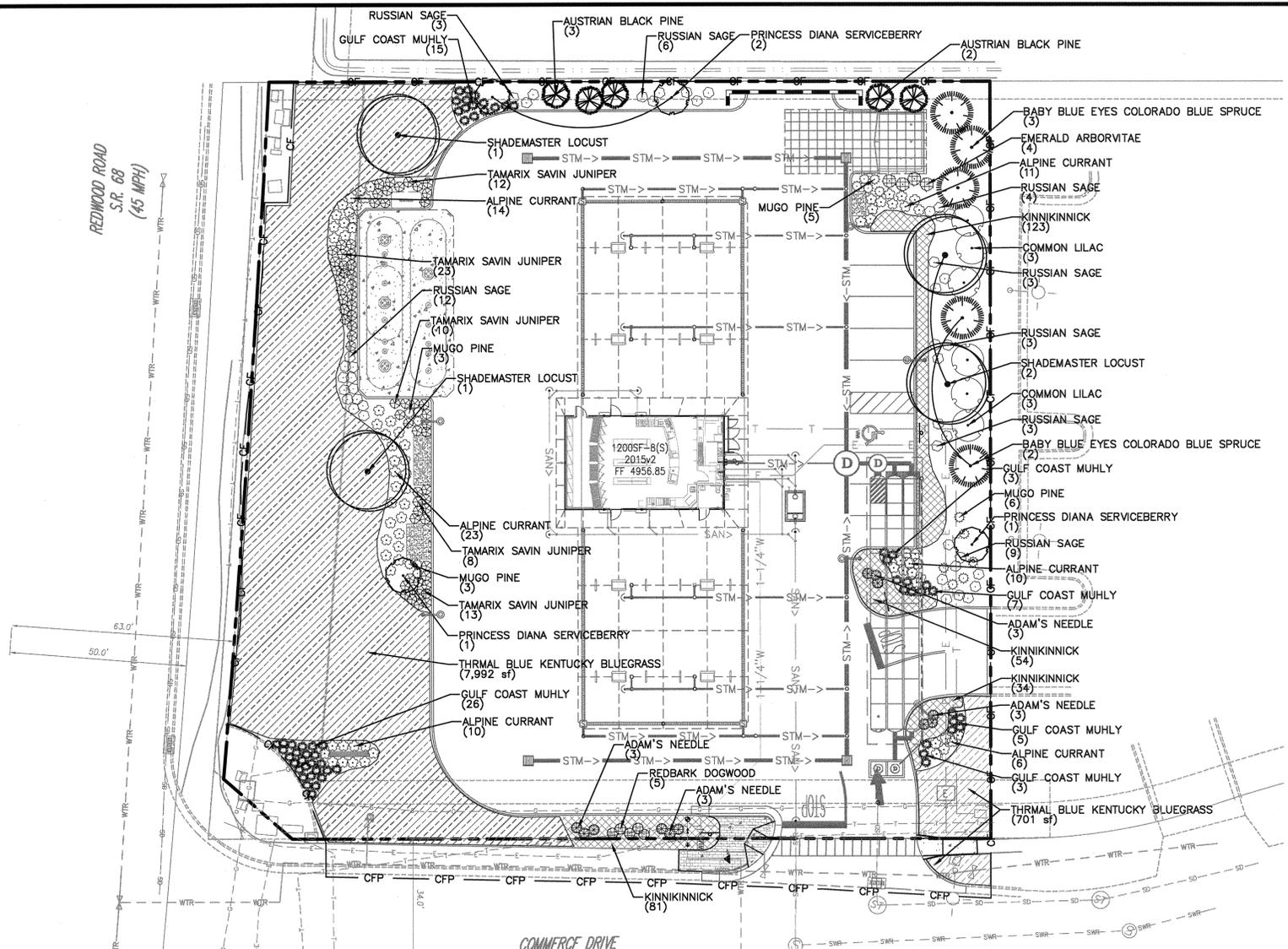


FEB 25 2016

REV-2 02-25-16 HW GD CB CB CB DRW
DATE PRN PM DES DRW
TRUCK ROUTE PLAN
MURPHY EXPRESS
42 EAST COMMERCE DRIVE
SARATOGA SPRINGS UT

GreenbergFarrow
1430 W. PEACHTREE ST., NW SUITE 200
ATLANTA, GA 30340
PHONE: (404) 601-4000
FAX: (404) 601-3970
DWG NAME: SARATOGA SPRINGS, UT
JOB NO.: 20150400

MURPHY OIL USA, INC.
MURPHY USA
422 NORTH WASHINGTON
EL DORADO, AR 71730



PLANT SCHEDULE

| TREES | CODE | QTY | BOTANICAL NAME / COMMON NAME | CONT | CAL | SIZE | REMARKS |
|-------|------|--|------------------------------|--------|-----------|-----------------------------|---------|
| AP | 4 | Amelanchier x grandiflora 'Princess Diana' / Princess Diana Serviceberry | B & B | 2" Cal | 8'-10' HT | Full, Well Rooted, Matching | |
| GS | 4 | Gleditsia triacanthos inermis 'Shademaster' TM / Shademaster Locust | B & B | 2" Cal | | Full, Well Rooted, Matched | |
| PB | 5 | Picea pungens glauca 'Baby Blue Eyes' TM / Baby Blue Eyes Colorado Blue Spruce | B & B | | 6'-8' HT | Full to Ground, Well Rooted | |
| PN | 5 | Pinus nigra / Austrian Black Pine | B & B | | 6'-8' HT | Full to Ground, Well Rooted | |

PLANT SCHEDULE

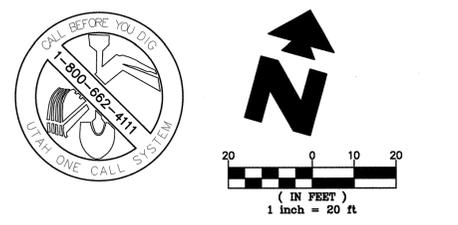
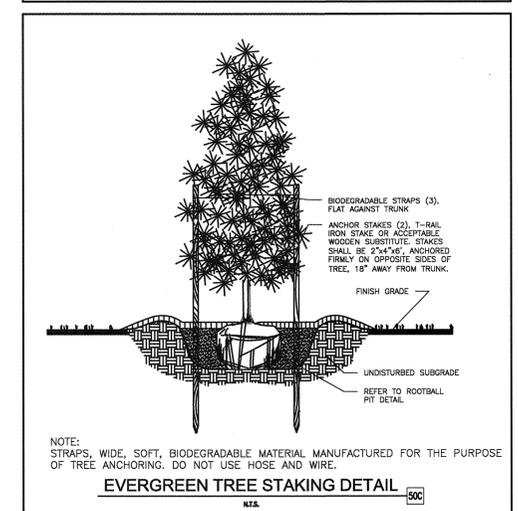
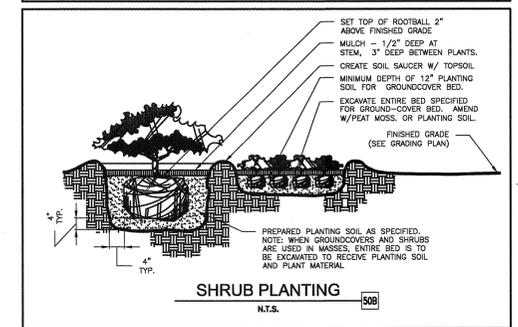
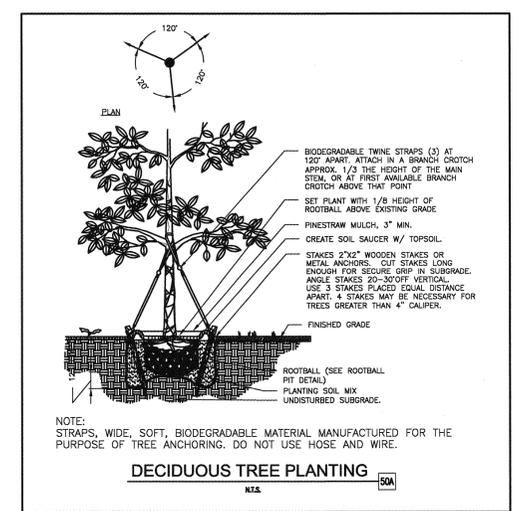
| SHRUBS | CODE | QTY | BOTANICAL NAME / COMMON NAME | SIZE | HEIGHT | REMARKS |
|--------|------|---|------------------------------|----------|------------------------------------|---------|
| CS | 5 | Cornus alba 'Sibirica' / Redbark Dogwood | 5 gal | | | |
| JT | 66 | Juniperus sabina 'Tamariscifolia' / Tamarix Savin Juniper | 5 gal | | | |
| MG | 59 | Muhlenbergia capillaris 'Gulf Coast' / Gulf Coast Muhly | 3 gal | 24" MIN. | Full Well Rooted | |
| PA | 43 | Perovskia atriplicifolia / Russian Sage | 5 gal | | | |
| PP3 | 17 | Pinus mugo 'Pumilio' / Mugo Pine | 5 gal | 30" MIN. | | |
| RA | 74 | Ribes alpinum / Alpine Currant | 5 gal | | | |
| SV | 6 | Syringa vulgaris / Common Lilac | 5 gal | | | |
| TE | 4 | Thuja occidentalis 'Emerald' / Emerald Arborvitae | 15 gal | 8' MIN. | Full to Ground, Well Rooted in Pot | |
| YC | 12 | Yucca filamentosa 'Color Guard' / Adam's Needle | 5 gal | 24" MIN. | | |

PLANT SCHEDULE

| GROUND COVERS | CODE | QTY | BOTANICAL NAME / COMMON NAME | CONT | REMARKS |
|---------------|----------|---|------------------------------|------|---------------------|
| AU | 292 | Arctostaphylos uva-ursi / Kinnikinnick | 4" pot | | |
| SOD/SEED | CODE | QTY | BOTANICAL NAME / COMMON NAME | CONT | REMARKS |
| KB | 8,693 sf | Thermal Blue Hybrid Blend / Thermal Blue Kentucky Bluegrass | sod | | Certified Weed Free |

LANDSCAPE CALCULATIONS

| | REQUIRED | PROVIDED |
|--|-------------------|----------|
| LANDSCAPE AREA PROVIDED = 15,976 SF | | |
| MIN DECIDUOUS TREES | 8 | 8 |
| MIN EVERGREEN TREES | 6 | 10 |
| MIN MINIMUM SHRUBS | 26 | 292 |
| MIN PERCENTAGE OF REQUIRED TURF | 25% | 39% |
| PERCENTAGE OF REQUIRED PLANTING AND SHRUB BEDS | NOT MORE THAN 75% | 41% |



EXISTING

- SURVEY BOUNDARY
- EASEMENT
- EXIST. CURB & GUTTER
- EXIST. STORM DRAIN
- EXIST. GAS LINE
- EXIST. WATER LINE
- EXIST. SEWER LINE
- EXIST. TELEPHONE
- EXIST. ELECTRIC
- EXIST. 1' CONTOUR
- EXIST. 5' CONTOUR
- EXIST. STORM MANHOLE
- EXIST. CATCH BASIN
- EXIST. SEWER MANHOLE
- EXIST. SIGN
- EXIST. LIGHT POLE
- EXIST. FIRE HYDRANT
- EXIST. WATER VALVE

PROPOSED

- BOUNDARY LINE
- TYPICAL PLANTING WITH QUANTITY AND KEY (SEE PLANT LIST)
- CONSTRUCTION FENCE (SEE CIVIL DETAILS)

- GENERAL LANDSCAPE NOTES**
- LOCATE ALL UTILITIES AND SITE LIGHTING CONDUITS BEFORE LANDSCAPE CONSTRUCTION BEGINS.
 - NOTIFY LANDSCAPE ARCHITECT OR DESIGNATED REPRESENTATIVE OF ANY LAYOUT DISCREPANCIES PRIOR TO ANY PLANTING.
 - ALL LANDSCAPE MATERIALS SHALL BE IN COMPLIANCE WITH THE AMERICAN STANDARD FOR NURSERY STOCK. (ANSI-Z60.1-1996)
 - ALL SLOPES AND AREAS DISTURBED BY CONSTRUCTION SHALL BE GRADED SMOOTH AND FOUR INCHES OF TOPSOIL APPLIED. IF ADEQUATE TOPSOIL IS NOT AVAILABLE ON SITE, THE CONTRACTOR SHALL PROVIDE TOPSOIL. APPROVED BY THE OWNER, AS NEEDED. THE AREA SHALL THEN BE SEED/SODDED, FERTILIZED, MULCHED, WATERED AND MAINTAINED UNTIL HARDY GRASS GROWTH IS ESTABLISHED IN ALL AREAS. ANY RELOCATED TREES SHALL BE MAINTAINED UNTIL SUCH POINT AS TREE IS RE-ESTABLISHED. ANY AREAS DISTURBED SHALL BE CORRECTED PRIOR TO FINAL ACCEPTANCE OF THE PROJECT. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE CORRECTION AT NO ADDITIONAL COST TO THE OWNER.
 - THE MURPHY STATION WILL NOT DROP MASTER DEVELOPMENT'S GREEN SPACE BELOW CITY'S REQUIREMENTS.
 - CONTRACTOR IS TO VERIFY LOCATION OF MASTER DEVELOPMENT IRRIGATION SYSTEM, VALVE BOXES, CONTROL BOXES, BACKFLOW PREVENTION DEVICES AND OTHER ITEMS WHICH ARE PART OF THE SYSTEM. IF DAMAGED THEY MUST BE REPAIRED AT CONTRACTOR'S COST.
 - CONTRACTOR IS TO PROTECT EXISTING LANDSCAPING/IRRIGATION MATERIALS.
 - ACCEPTANCE OF GRADING AND SEEDING SHALL BE BY LANDSCAPE ARCHITECT AND/OR OWNER. THE CONTRACTOR SHALL ASSUME MAINTENANCE RESPONSIBILITIES FOR A MINIMUM OF ONE (1) YEAR OR UNTIL SECOND CUTTING, WHICHEVER IS LONGER. MAINTENANCE SHALL INCLUDE WATERING, WEEDING, RESEEDING, AND OTHER OPERATIONS NECESSARY TO KEEP ALL LAWN AREAS IN A THRIVING CONDITIONS. UPON FINAL ACCEPTANCE, OWNER SHALL ASSUME ALL MAINTENANCE RESPONSIBILITIES. AFTER LAWN AREA HAVE GERMINATED, AREAS WHICH FAIL TO SHOW A UNIFORM STAND OF GRASS FOR ANY REASON WHATSOEVER SHALL BE RE-SEEDING REPEATEDLY UNTIL ALL AREAS ARE COVERED WITH A SATISFACTORY STAND OF GRASS. MINIMUM ACCEPTANCE OF SEEDED LAWN AREAS MAY INCLUDE SCATTERED BARE SPOTS, NONE OF WHICH ARE LARGER THAN 1 SQUARE FOOT, AND WHEN COMBINED DO NOT EXCEED 2% OF TOTAL SEEDED LAWN AREA.
 - THE LANDSCAPE CONTRACTOR SHALL VERIFY ALL QUANTITIES SHOWN ON THESE PLANS, BEFORE PRICING THE WORK.
 - QUANTITIES ON THE PLANT SCHEDULE ARE PROVIDED FOR CONVENIENCE. THE CONTRACTOR SHALL BE RESPONSIBLE FOR HIS/HER OWN QUANTITY CALCULATIONS. IN THE EVENT OF A DISCREPANCY BETWEEN THE LANDSCAPE PLANS AND THE PLANT SCHEDULE, THE LANDSCAPE PLAN WILL TAKE PRECEDENCE. THE CONTRACTOR SHALL INFORM THE LANDSCAPE ARCHITECT IMMEDIATELY UPON DISCOVERING ANY QUANTITY DISCREPANCIES.

SHEET NO. C-10

LANDSCAPE PLAN

MURPHY EXPRESS DRIVE

42 EAST COMMERCE DRIVE

SARATOGA SPRINGS, UT

GREENBERGFARROW

1480 W. PEACHTREE ST. SUITE 200
SARASOTA, FL 34236
PHONE: (941) 601-4000
FAX: (941) 601-3970
DWG NAME: SARATOGA_SPRINGS_UT
JOB NO.: 2050040

MURPHY OIL USA, INC.

MURPHY OIL USA

422 NORTH WASHINGTON

EL DORADO, AR 71730

STATE OF UTAH

NO. 89-174848-2002

JOHN H. NOURZAD

FEB 25 2016

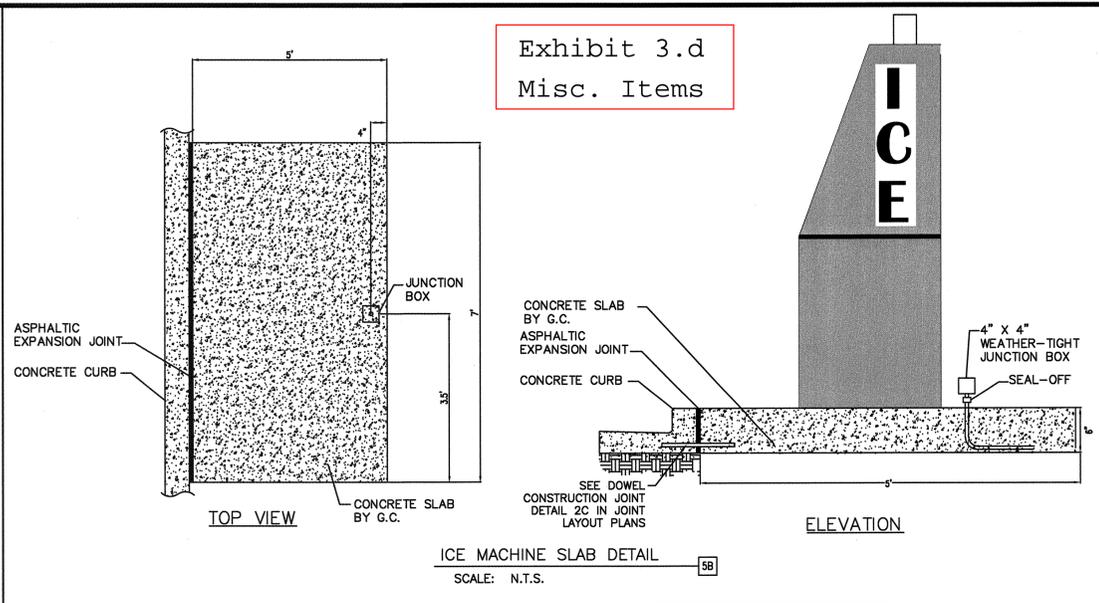
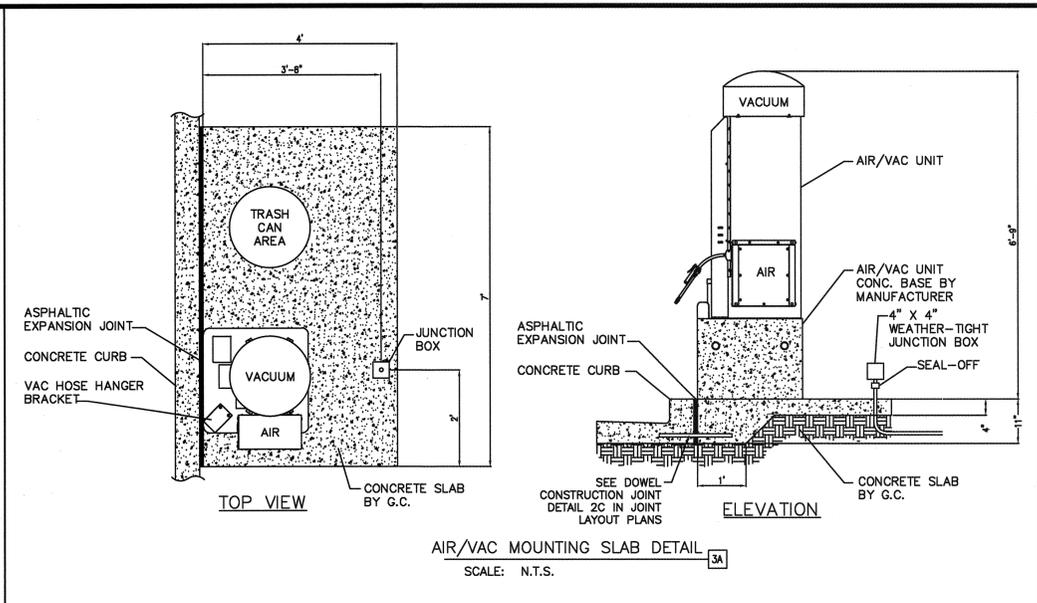
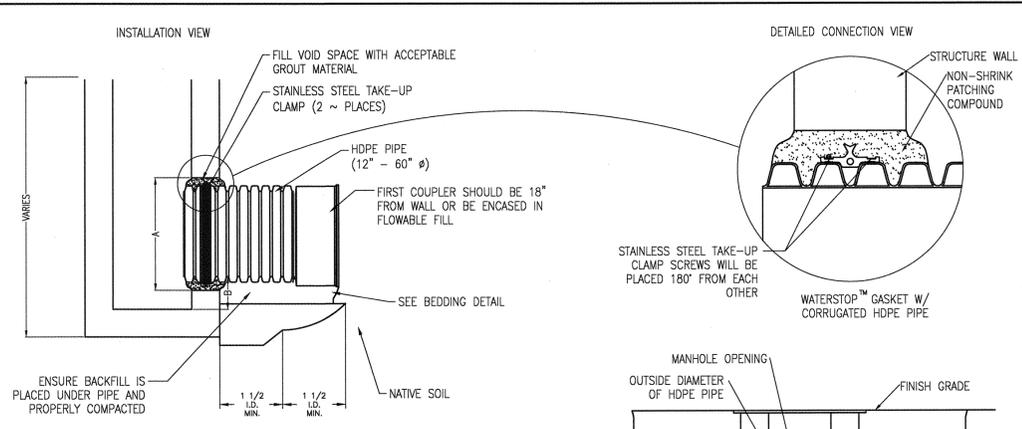
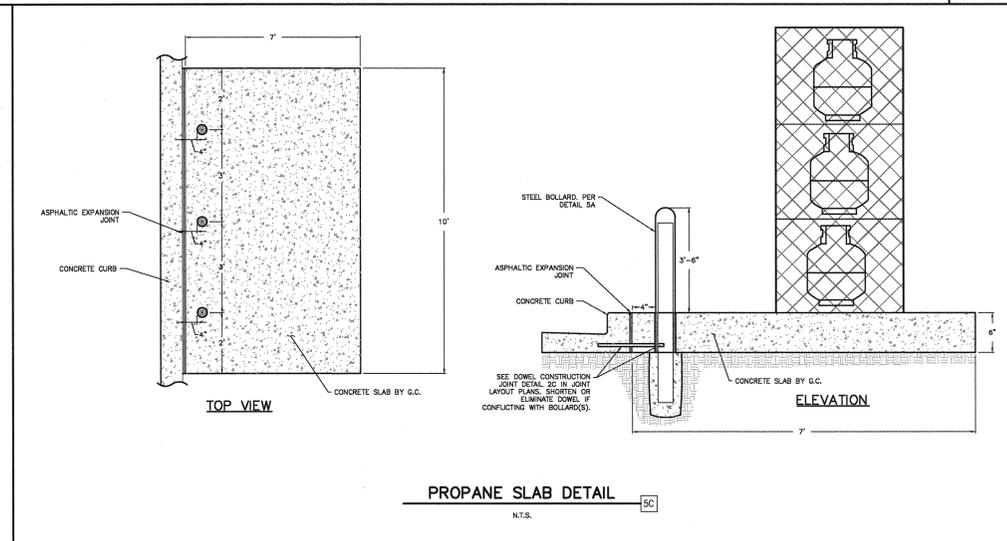


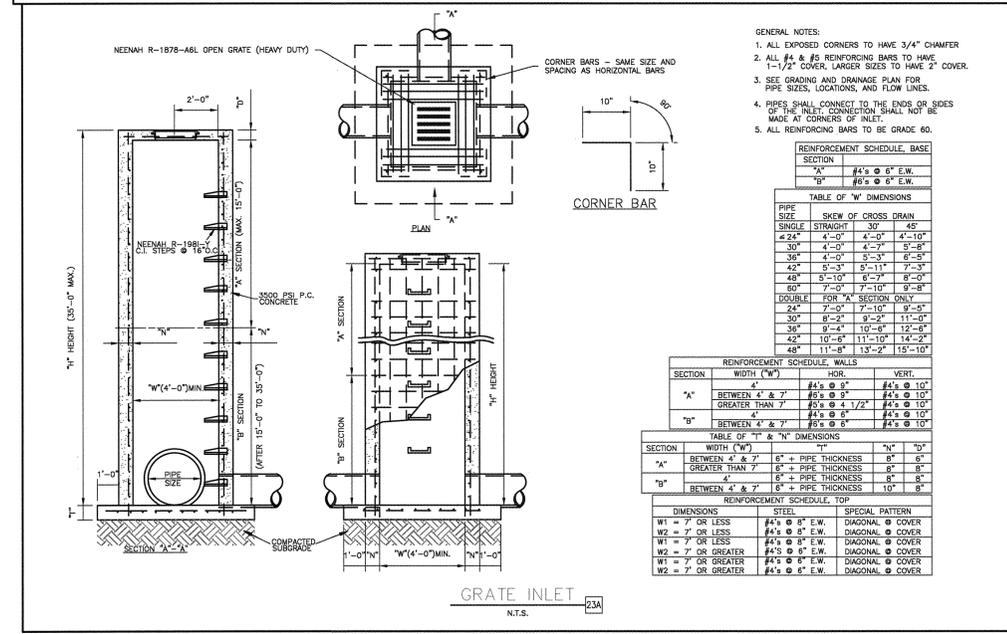
Exhibit 3.d
Misc. Items

SHEET NO. **C-14**
FEB 25 2016

REV-2
DATE 02-25-16
HW PRN PM
CD DES
CB DRW
DETAILS
MURPHY EXPRESS
42 EAST COMMERCE DRIVE
SARATOGA SPRINGS UT

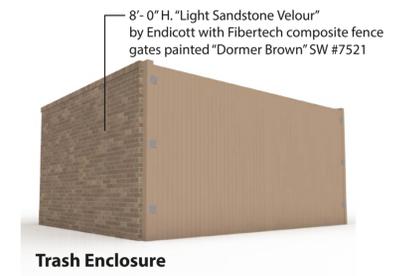
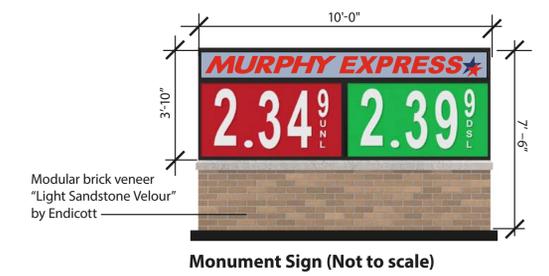
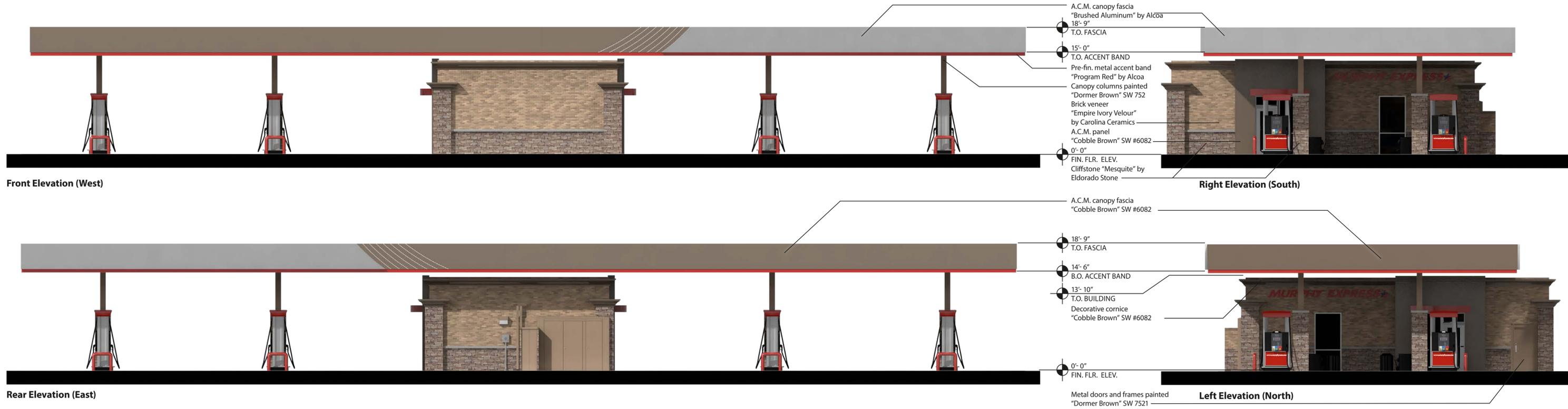


| PIPE SIZE (IN) | PIPE OD (IN) | "A" MIN. HOLE ϕ (IN) | "B" MIN. DISTANCE PIPE INVERT TO STRUCTURE INVERT (IN) |
|----------------|--------------|---------------------------|--|
| 6 | 6.9 | 11.90 | 4.0 |
| 8 | 9.1 | 13.10 | 4.0 |
| 10 | 11.4 | 16.40 | 4.0 |
| 12 | 14.5 | 19.50 | 4.0 |
| 15 | 18.0 | 23.00 | 4.0 |
| 18 | 22.0 | 27.00 | 4.2 |
| 24 | 28.0 | 33.00 | 4.5 |
| 30 | 36.0 | 41.00 | 5.2 |
| 36 | 42.0 | 47.00 | 5.7 |
| 42 | 48.0 | 53.00 | 5.7 |
| 48 | 54.0 | 59.00 | 5.7 |
| 60 | 67.0 | 72.00 | 6.4 |



Greenbergfarrow
1430 W. PRAIRIE BLVD. SUITE 200
KATY, TX 77450
PHONE: (409) 601-4000
FAX: (409) 601-3970
DWG NAME: SARATOGA SPRINGS, UT
JOB NO.: 20150400

MURPHY OIL USA, INC.
422 NORTH WASHINGTON
EL DORADO, AR 71730
MURPHY USA



| Sign | Qty. | Height | Width | Area | Total S.F. |
|---------------------------------|------|--------------|---------|-------|--------------|
| Murphy Express canopy logo sign | 2 | Graphic Area | | 24.00 | 48.00 |
| Monument Sign | 1 | 46.00" | 120.00" | 38.33 | 38.33 |
| Total Signage | | | | | 86.33 |

APPLICATION REVIEW CHECKLIST

Application Information

| | |
|-----------------------------------|---|
| Date Received: | Original: December 10, 2015 Concept plan: February 2016 Complete Resubmittal: February 29, 2016 |
| Project Name: | Murphy Express |
| Project Request / Type: | Concept Plan, Site Plan, Conditional Use |
| Body: | Planning Commission; City Council |
| Meeting Type: | Public Hearing |
| Applicant: | GreenbergFarrow, Murphy Express |
| Owner (if different): | Stations West Saratoga LLC |
| Location: | NE Corner of Commerce Drive and Redwood (North of Autozone) |
| Major Street Access: | Redwood Road |
| Parcel Number(s) and size: | 66:268:0004, 1.033 acres |
| General Plan Designation: | Regional Commercial |
| Zone: | Regional Commercial (RC) |
| Adjacent Zoning: | RC, Lehi |
| Current Use: | Vacant |
| Adjacent Uses: | Commercial, Vacant, Agricultural |
| Previous Meetings: | None |
| Land Use Authority: | City Council |
| Future Routing: | City Council |
| Planner: | Kimber Gabryszak, AICP |

Section 19.13 – Application Submittal

- Application Complete: **yes**
 - Missing: Concept plan application was missing originally; provided February 2016
- Rezone Required: **no**
- General Plan Amendment required: **no**
- Additional Related Application(s) required: **none**

Section 19.13.04 – Process

- DRC:
 - 1/11/2016 and 2/1/2016
- Neighborhood Meeting: not required
- PC: 3/24/2016
- CC: Tentatively 4/19/2016

General Review

Fire Department

- Second access and turning radius concerns – resolved through modification to entrance
- Fire flows shall be met for this development as well as future development in the area. All IFC 2012 Edition requirements shall be met.

Architectural and Urban Design – 19.14.04, Complies

- Mechanical Equipment – screened
- Windows – n/a
- Building Lighting – minimal and appropriate
- Trash Enclosures, Storage Areas, and External Structures – provided and screened appropriately
- Exterior Materials – provides a mixture of materials and colors
- Landscape Requirements – minimum 20% required
- Parking Lot and Street Lighting – Parking located both in front of and behind structure
- Design Standards – see 19.14 below

Additional Recommendations:

- Staff supports applicant's suggestion to comply with 40' access width, while providing mountable curb for delivery trucks with additional width. Staff suggests contrasting color and / or stamping to ensure automobiles remain inside the primary access.

Code Review

- 19.04, Land Use Zones – **complies**
 - Zone – RC, 19.04.22.
 - Use – Automobile Refueling Station, CUP required
 - Density – n/a
 - Setbacks – **complies**
 - Front: 20'
 - Rear: 20' (30' against ag or residential zone)
 - Side: 20' (30' against ag or residential zone)
 - One 10' exception may be granted – none requested
 - Building must be 5' from any road, driveway, or parking space
 - Lot width, depth, size, coverage – **complies**
 - Minimum size 20,000 sq.ft. Lot is 45,003 sq.ft. (1.033 acres)
 - Dwelling/Building size
 - Minimum 1000 sq.ft.
 - Proposed 1200 sq.ft.
 - Lot Coverage – 50%, complies
 - Height – max 50', complies
 - Open Space / Landscaping – **complies**
 - $20\% \text{ of } 45,003 * 0.2 = 9000.6 \text{ sq.ft.}$; provided: 16,507 sq.ft.
 - Front yard area 20' – provided
 - 10' between parking areas and side or rear property lines adjacent to ag or residential, provided
 - Sensitive Lands – n/a
 - Trash – provided
 - Wall or fence to screen boundary against ag or residential – n/a
- 19.05, Supplemental Regulations

- Property access – **complies**, property has required frontage and access
- 19.06, Landscaping and Fencing
 - General Provisions – low-flow sprinklers and water conserving devices required – rain sensor provided, low-flow to be verified, **condition of approval**
 - Landscaping Plan – provided
 - Planting Standards & Design
 - Caliper (deciduous 2", evergreen 6' height) – **complies**
 - Tree base clearance – **complies**
 - Shrubs, 255 at 5 gal, remainder at 1gal – **complies**, all 5 gallon
 - Amount – **complies**
 - Deciduous required: 6, provided: 8
 - Evergreen required: 3, provided: 10
 - Shrubs required: 17, provided: 292
 - Turf minimum 35%, maximum 65%, provided 39%
 - Shrub bed maximum: 65%, provided: 41%
 - Clear Sight Triangle – **complies**
- 19.09, Off Street Parking – **complies**
 - Parking Requirements / Design – materials, striping, and access complies
 - Dimensions – 9'x18', complies
 - Accessible – provided 1 van accessible
 - Landscaping – **complies** (not enough stalls to require islands)
 - Minimum Requirements:
 - Required: 1:100 = 12 spaces
 - Provided: 7.5:1000 = 9 spaces, plus 8 fueling spaces, exceeds requirement
- Section 19.11, Lighting – **complies with conditions**
 - Pole height: 20' max, complies
 - Design: metal, black, decorative base, arm and bell shade, complies
 - Dark sky: downward directed and fully shielded, complies
 - No building lighting proposed
 - Color unclear; cannot exceed 4000, condition of approval
 - Hours of operation: 50% turned off by 11pm, may use motion sensor, condition of approval
- Section 19.13, Process
 - Notice / Land Use Authority – PC hearing, CC decision
- 19.14, Site Plans – **complies with conditions**
 - Site plan contents: provided
 - Screening: n/a
 - Access requirements:
 - Maximum width of 40' – complies
 - Interconnection – required to provide an access easement and stub to the north, and connect to existing development to the east, complies with condition to replace rock wall with stub & easement
 - Truck loading – complies; utilization of a fueling space
 - Architectural standards
 - Mechanical equipment shielded: complies

- Building lighting: shielded and downward directed
- Trash enclosure: treated to match the main building, and 3' landscaped buffer provided
- Canopies and islands must be compatible with main structure: complies
- All building elevations treated to avoid appearance of "back of building": complies
- Canopy light fixtures fully recessed or fully shielded by soffit to avoid light spill: complies

- 19.15, Conditional Use Permit

19.15.05.

4. The Conditional Use shall meet the following standards:

- a. the use will not, under the circumstances of the particular case, be detrimental to the health, safety, or general welfare of persons residing or working in the vicinity, or injurious to property or improvements in the vicinity;
Complies – traffic flow and accesses have been limited to minimize potential conflicts
- b. the use will be consistent with the intent of the land use ordinance and comply with the regulations and conditions specified in the land use ordinance for such use;
Complies – see special standards, and General Plan analysis in staff report
- c. the use will be consistent with the character and purposes stated for the land use zone involved and with the adopted Land Use Element of the General Plan;
Complies – see General Plan analysis in staff report
- d. the use will not result in a situation which is cost ineffective, administratively infeasible, or unduly difficult to provide essential services by the City, including roads and access for emergency vehicles and residents, fire protection, police protection, schools and busing, water, sewer, storm drainage, and garbage removal; and
Complies – applicants are responsible for installation and maintenance of mountable curb for delivery truck access, and repair of damage from truck traffic
- e. the proposed use will conform to the intent of the City of Saratoga Springs General Plan.
Complies – see General Plan analysis in staff report

19.05.06 – Special Standards and Considerations Governing Particular Uses

1. Automobile refueling stations and car wash operations. As Conditional Uses, automobile refueling stations and car wash (self-serve) operations may be permitted under the following conditions:

- a. The proposed location of the Conditional Use is in accord with the Land Use Ordinance and land use zone in which the site is located. – **complies**; the property is zoned RC
- b. They do not break up contiguity for pedestrians of retail store frontage. – **complies**; no retail store frontage exists in this location and pedestrian connectivity is provided
- c. They will not be a nuisance to residences and other surrounding uses. – **complies with conditions**; conditions to comply with light, traffic, and architectural standards will ensure that the use will not be a nuisance
- d. They will not cause traffic hazards or undue traffic congestion. – **complies with conditions**; the City Engineer has recommended modifications to minimize congestion and ensure adequate traffic flow.
- e. For automobile refueling stations or free standing car washes, the lot frontage, if located on a major street, shall not be less than 125 feet. – **complies**; both lot frontages are over 200', thus exceeding 125'

- f. For automobile refueling stations or car wash operations with gasoline, diesel, or natural gas pumps shall have buildings of the type of construction as required in applicable building codes, and are to be located at a distance of not less than twenty-five feet from property or building setback lines, whichever is greater. – **complies**; the pump setbacks are a minimum of 25’
- g. Gasoline pumps and pump islands for car wash operations or automobile refueling stations shall have a canopy and the setback, measured from the edge of the canopy, shall be not less than twenty-five feet from any property lines or shall be in conformity with the building setback lines of the zone, whichever is greater. – **complies**; the canopy setback is a minimum of 25’
- h. Driveway design and spacing for automobile refueling stations or car wash operations shall be reviewed by the City Engineer, whose recommendation will be forwarded to the Planning Commission. – **complies**; the site has been reviewed, and the driveway design and spacing modified to meet Engineering requirements
- i. The minimum closest distance from the automobile refueling stations or car wash with gas pumps site to an existing school, park, playground, museum, or place of public assembly shall not be less than 500 feet. – **complies**; the nearest park, school, or public assembly is more than 500’ from the site
- j. No outdoor storage of rental trucks or trailers, stacks of tires, or other merchandise will be provided by the automobile refueling stations or car wash operation except when such equipment or merchandise is screened by an approved fence not less than six feet in height. – **complies**; no outdoor storage is proposed

- 19.18, Signs – **can comply – condition of approval**

- Canopy signs exceeded allowable size and have been removed, complies
- Wall signage: permitted up to 15% of façade area
 - Need revised submittal to determine proposed size, design, and code compliance
- 1 Monument sign, 38.33 sq.ft., height 7’6”, base exceeds 2’ & extends full width: **complies**

David Funk had a concern about wording “if at maturity” and how is that defined. They may want to reference to that definition in the code.

Kara Knighton noted that maturity was defined in 19.06. She added a change in 19.06.11 “**maturity as defined in section 19.06.16.**”

Sandra Steele asked how it affected residential areas where people walking on the sidewalk hit branches.

Sarah Carroll said this amendment is addressing the Clear Site Triangle and not the entire right-of-way.

Mark Christensen noted it was a good point Commissioner Steele brought up, they could look at that in the future.

Motion made by Ken Kilgore that Based upon the evidence and explanations received today, I move to forward a positive recommendation to the City Council for the proposed amendments to Sections [19.08] with the Findings and Conditions in the staff report. Seconded by David Funk.

Hayden Williamson thought it was sections 19.06 and 19.09.

Ken Kilgore **amended the motion to be sections 19.06 and 19.09.** not 19.08.

Sandra Steele thought we had changed some wording about maturity.

Ken Kilgore amended the motion to say **including the edits made by Planning Commission.**

David Funk accepted all motion amendments.

Aye: Sandra Steele, David Funk, Hayden Williamson, Kirk Wilkins, Ken Kilgore, Brandon MacKay. Motion passed 6 - 0.

6. Public Hearing: Site Plan and Conditional Use Permit for Murphy Express located at 42 E. Commerce Dr. (North of AutoZone), Greenberg Farrow, applicant.

Sarah Carroll presented the item. The proposal is for an automobile refueling station, consisting of a small building with eight refueling pumps. The application does not include a full convenience store, but only includes limited related retail sales in a ~1200 sq. ft. building. An outdoor ice machine is included. The code requires interconnection between sites to move between without going out to the arterials. But based on the way they have to slope the site they are proposing a retaining wall. Staff has visited the site and noted very little wiggle room as far as changing the grading so instead of a retaining wall staff suggests concrete pavers that marks the location and when the site to the north develops they would have to adjust the grade and modify accordingly. They still request recording the cross access easement. They still have two accesses to the site but showed a turning radius for a tanker to enter, refuel and exit an area where the driveway would be mountable by the trucks. They have suggested stamped concrete which is not accessible so they are recommending that it stays smooth and that the sidewalk taper up along the curb. They could still stamp the concrete that is not part of the pedestrian sidewalk.

Brian Dennis with Greenberg Farrow and Rob Walker with Kirk and McConkie, representing applicants were present to answer questions.

Public Hearing Open by Chairman Kirk Wilkins

No Comment was given.

Public Hearing Closed by Chairman Kirk Wilkins

Sandra Steele asked if it would be a condition that the sidewalk be accessible.

Sarah Carroll said the final review would be by both planning and engineering. She noted they could add that condition.

Sandra Steele asked the applicants if they would stamp the sidewalk.

Brian Dennis thought it would be problematic; they discussed maybe doing it a different color. It’s difficult to get contractors to understand what to do.

Sandra Steele feels stamped is a maintenance problem, just coloring it sounds better. She is concerned about the turning radius and traffic. She noted condition 9, she doesn’t like “peak traffic periods” and would like to tie it to hours. We have traffic starting quite early here.

Sarah Carroll said because it’s a Conditional Use permit they can require conditions to mitigate that.

Kevin Thurman noted that the Code says if there is any anticipated detrimental impacts by this use then Planning Commission can impose reasonable conditions based on local standards. You have to go to the City Code to find those conditions.

Kirk Wilkins would like to know the applicants thoughts on what hours those would be.

Rob Walker said early morning hours seem better.

Sandra Steele said eventually Commerce drive will be a circular street. The steady stream of traffic on Redwood Road is also her concern.

Ken Kilgore thought most of the traffic on Commerce drive would be during regular business hours.

Rob Walker mentioned that based on other sites they have the 9p.m. to 5a.m. they view as off peak hours.

Brian Dennis noted that typically with Murphy stations it's one truck per day.

Hayden Williamson thought they could move the tank around it may help.

Brian Dennis noted the City asked them to move it to where it was now.

Sarah Carroll commented that it was too close to the intersection to meet Engineering Standards.

Brian Dennis noted moving the tank may solve one issue but you still have to get the truck around the canopy.

It would necessitate a complete redesign. At this point this is probably the best compromise of a design.

He said that Murphy is one of the best clients he has had and if they have a complaint it's a matter of calling the head office and they handle it.

Brandon MacKay thought maybe they could split the difference in the time. Between 11p.m. and 5a.m. would be fair.

Sandra Steele would agree to that.

Sarah Carroll said there were other options. You could pick some hours to allow or hours to restrict. The type of traffic they see presently on Commerce drive is two or three cars line up to turn at the light. In the future there will be more commercial development around this site. It's a common occurrence for truck drivers to deal with this type of thing.

Kirk Wilkins asked what hours we were concerned with.

Sandra Steele was concerned about times from 6a.m. to 9p.m. They need to mitigate problems not just for today but for the future. Once they get this permit with any conditions that is what stays and it may become a problem. If they agree to daytime hours and it becomes a problem, it is our problem because we've allowed it.

Hayden Williamson appreciates the concern and thinks we need to look to the future, but having driven trucks before, he would adjust his patterns based on traffic. There will be an aspect of drivers adjusting to traffic for their own convenience. He would be in favor of opening up the window but would be hesitant in blocking off a full day that would cause problems for the vendor.

Mark Christensen commented that the peak hours of traffic are already their peak hours of sales so most likely they won't schedule trucks during those hours anyway. Fundamentally the market will drive when their deliveries will be coming.

Hayden Williamson likes the idea of identifying peak hours instead of limiting allowed times.

Brian Dennis said this isn't something he has discussed with Murphy. To give them the biggest window possible and avoid changing the plans, if they could do from 9pm to 6am feels fair and easy to understand.

Kevin Thurman reminded them that any conditions they make have to be based on City standards. In Section 19.15.05.2 it gives provisions for vehicular access and safety. You would have to reference the Code in the condition.

Motion made by Hayden Williamson to forward a positive recommendation to the City Council for the Murphy Express Site Plan and Conditional Use Permit located on parcel 66:268:0004 as outlined in Exhibit 3 with the Findings and Conditions in the Staff Report dated March 24, 2016. With the additional condition that the concrete for the sidewalk will not be stamped and that delivery times be limited to 9p.m. to 6a.m. as per Code in 19.15.05.2 and .3. Seconded by Brandon MacKay. Aye: Sandra Steele, David Funk, Hayden Williamson, Kirk Wilkins, Ken Kilgore, Brandon MacKay. Motion passed 6 - 0.

A 5 min. break was taken at this time. Meeting resumed at 7:45 p.m.



City Council Staff Report

Site Plan

Denny's

Tuesday, April 19, 2016

Public meeting

| | |
|--------------------------|---|
| Report Date: | Tuesday, April 11, 2016 |
| Applicant: | Food Service Concepts, Inc |
| Owner: | Phillips Edison Company |
| Location: | 1516 N Redwood Road |
| Major Street Access: | Redwood Road |
| Parcel Number(s) & Size: | 66:387:0004; 0.787 acres and 66:387:0008; 0.157 acres (total .944 acres) |
| Parcel Zoning: | Regional Commercial (RC) |
| Adjacent Zoning: | Regional Commercial (RC) |
| Current Use of Parcel: | Vacant, undeveloped |
| Adjacent Uses: | Commercial |
| Previous Meetings: | (3-14-2016) PC public hearing |
| Previous Approvals: | 7-19-2012 (CC approved Saratoga Towne Center Master Plan) |
| Type of Action: | Administrative |
| Land Use Authority: | City Council |
| Future Routing: | N/A |
| Author: | Kara Knighton, Planner I |

A. Executive Summary:

The applicant, on behalf of the owner, is requesting approval of a Site Plan for a 4,503 sq. ft. sit-down restaurant on a 0.944 acre parcel at 1516 North Redwood Road. A Concept Plan for the proposed use was reviewed by Staff on February 4, 2016.

Recommendation:

Staff recommends that the City Council conduct a public meeting on the Denny's site plan, review and discuss the proposal, and vote to approve the site plan as outlined in Section "H". Alternatives include continuation of the item, or denial.

B. Background:

On July 19, 2012 the City Council approved a master concept plan (Saratoga Springs Towne Center) which included the subject site (see attached). The proposed site plan for Denny's substantially conforms to the overall master plan.

A property line adjustment was recorded with Utah County on July 27, 2015. When the lot line adjustment was done the Code did not require a Plat Amendment with the lot line adjustment (the Code has since been changed). This resulted in Denny's site plan consisting of two parcels rather than one larger parcel. A plat amendment is required by the County to correct this issue, and a condition of approval has been added.

Architectural Design Standards

The DRC (Development Review Committee) reviewed the site plan and elevations on February 1, 2016. Their comments are below:

1. Coordinate parking to align with AutoZone's current pavement.
2. Ensure the sidewalk along the east side of Kneaders continues.
3. It is recommended that a connection from the site to the sidewalk along Redwood Road be provided.
4. A materials board is required (a photo of the brick is not sufficient for review).
5. Clarify what the yellow hexagons along the southern elevation are; be they signs or metal cut outs.
 - It is suggested that the yellow hexagons be reduced in number or removed completely.
6. The old "diner" look is appealing.
7. The signage on the north elevation appears to be too big under the sign code.
8. Accessible parking needs to be moved as close to the main entrance as possible.

A resubmittal was received on February 25, 2016 addressing the DRC's comments. The applicant clarified that the yellow hexagons are metal cutouts and that the accessible parking stalls were moved one stall closer to the main entrance. The accessible parking stalls are located as close as possible to the main entrance due to the location of the outdoor sitting area.

Planning Commission Hearing

The Planning Commission held a public hearing on March 24, 2016, and voted to forward a positive recommendation with conditions. They included a recommendation to move the accessible stalls two stalls to the west, and as close as possible to the front door. Draft minutes from that meeting are attached, and the recommended conditions of approval for the Council reflect their recommendation.

C. Specific Request:

The Site Plan proposal is for a 4,503 sq. ft. sit down restaurant in the RC zone on a 0.994 acre parcel. The proposal consists of 56 parking stalls including 3 accessible stalls, 9,815 sq. ft. of landscaping, and a small outdoor seating area where people may wait to be seated.

"Restaurant, Sit Down" is a permitted use in the Regional Commercial Zone.

D. Process:

Section 19.13 summarizes the processes for site plans, and 19.14 outlines the requirements for site plans. The development review process for site plan approval involves a formal review of the request by the Planning Commission in a public hearing, with a recommendation forwarded to the City Council. The City Council is then the deciding body and formally approves or denies the site plan request in a public meeting.

E. Community Review:

This item was noticed as a public hearing in the *Daily Herald*; and mailed notice sent to all property owners within 300 feet of the subject property prior to the March 24, 2016 Planning Commission meeting. No public input was received prior to or during the meeting.

F. General Plan:

The site is designated as Regional Commercial on the Future Land Use Map. The goal and intent of this designation is below:

g. Regional Commercial. Regional Commercial areas shall be characterized by a variety of retail users including big box retail configured in developments that provide excellent vehicular access to and from major transportation facilities. Developments located in Regional Commercial areas shall be designed so as to create efficient, functional conglomerations of commercial activities.

As Regional Commercial areas are to be located in close proximity to substantial roadways, careful consideration shall be given to the arrangement of structures and other improvements along those corridors. Consideration shall also be given to the existing or potential availability of mass transit facilities as sites in this designation are designed.

Among the many tenants anticipated in these areas are large destination oriented businesses. With that in mind, individual sites shall be designed so as to make automobile access a priority. Even so, specific areas for pedestrian activity shall be designated and appropriately improved. Plazas and other features shall be provided as gathering places which should be incorporated so as to make each site an inviting place to visit.

Developments in these areas shall contain landscaping and recreational features as per the City's Parks, Recreation, Trails, and Open Space Element of the General Plan. In this land use designation, it is estimated that a typical acre of land may contain 5 equivalent residential units (ERU's).

Staff conclusion: Consistent. The proposed sit down restaurant uses are considered destination oriented and as such the automobile is a priority; the main connection is with a private road leading to Commerce Drive, and Redwood Road. Sidewalks and pathways are provided for pedestrian access.

G. Code Criteria: For full analysis please see the attached Planning Review Checklist, Exhibit "8".

- 19.04, Land Use Zones: **Complies.**
- 19.05, Supplemental Regulations: **Complies.**
- 19.06, Landscaping and Fencing: **Can comply.**

- Clear Sight Triangle: A Code amendment is required. The site plan cannot comply with the clear sight triangle ordinance and the double row parking island ordinance in 19.09. Two trees are required per double row parking island. Two trees are provided and while the trunks of the trees are not within the clear sight triangle the canopies are, thus the need for the code amendment. Condition 8 addresses this concern and a code amendment will be presented at the May 3, 2016 Council meeting.
- 19.09, Off Street Parking: **Can comply.**
 - Landscaping: Can comply.
 - Clear sight: Code amendment required; see analysis above.
- 19.11, Lighting: **Complies.**
- 19.13, Process: **Complies.**
- 19.14, Site Plans: **Complies.**
- 19.18, Signs: **Can comply.**
 - Building Signs in the RC zone: Can comply.
 - Size of Primary sign: Can comply. The primary sign shall not exceed 8% of the façade or 30 sq. ft., whichever is larger. The allowed squared footage of the primary sign is as follows: $19'10" \times 87'10" = 1742 \text{ sq. ft.} \times .08 = 139.3 \text{ sq. ft.}$ The proposed sign area is 138.75 sq. ft. The square footage of the primary sign complies.
 - The gap between the Denny's sign and the America's Diner sign may only be 12". The 12" gap needs to be measured from the bottom of the Denny's hexagon to the top of the America's Diner letters. The distance is more than 12". The text will need to be adjusted to comply.
 - Size of secondary sign: Complies. Shall not be mounted on the same façade as the primary sign and shall not exceed 50% of the primary sign. Two secondary signs are proposed on different elevations from the primary sign; both are 57.2 sq. ft. The primary sign is 138.75 sq. ft.; 50% of the primary sign is 69.38 sq. ft.

H. Recommendation and Alternatives:

Staff recommends that the City Council discuss the application, and choose from the following options.

Recommended Motion – Positive Recommendation

"I move to **approve** the Denny's Site Plan, located on parcel 66:387:0004 and 66:387:0008 and as shown in the exhibits, with the Findings and Conditions in the Staff Report."

Findings

1. The application is consistent with the General Plan, as articulated in Section "F" of the staff report, which section is incorporated by reference herein.

2. The application complies with the criteria in Section 19.04 of the Development Code, as articulated in Section “G” of the staff report, which section is incorporated by reference herein.
3. The application complies with the criteria in section 19.05 of the Development Code, as articulated in Section “G” of the staff report, which section is incorporated by reference herein.
4. With modifications as conditions of approval, the application complies with the criteria in section 19.06 of the Development Code, as articulated in Section “G” of the staff report, which section is incorporated by reference herein.
5. With modifications as conditions of approval, the application complies with the criteria in section 19.09 of the Development Code, as articulated in Section “G” of the staff report, which section is incorporated by reference herein.
6. The application complies with the criteria in section 19.11 of the Development Code, as articulated in Section “G” of the staff report, which section is incorporated by reference herein.
7. The application complies with the criteria in 19.13 of the Development Code, as articulated in Section “G” of the staff report, which section is incorporated by reference herein.
8. The application complies with the criteria in section 19.14 of the Development Code, as articulated in Section “G” of the staff report, which section is incorporated by reference herein.
9. With modifications as conditions of approval, the application complies with the criteria in section 19.18 of the Development Code, as articulated in Section “G” of the staff report, which section is incorporated by reference herein.

Conditions:

1. All conditions of the City Engineer shall be met, including but not limited to those in the Staff report in Exhibit 1.
 2. All requirements of the Fire Chief shall be met.
 3. The Denny’s site plan is a positive recommendation as shown in the attachment to the Staff report in Exhibit 3.
 4. The deciduous tree canopies located in the single and double row planter islands within the clear sight triangle of the privately owned and maintained street shall at maturity, as defined in Section 19.06.06, have a distance between the ground and the base of the canopy maintained at no less than eight feet.
 5. The primary sign shall comply with Section 19.18.
 6. A plat amendment correcting the lot line adjustment issues shall be recorded prior to building permit issuance.
 7. All other Code requirements shall be met.
 8. Conditions or changes as recommended by the Planning Commission:
 - a. The accessible parking shall be moved two stalls to the west, and as close as possible to the front door.
 9. Any other conditions or changes as articulated by the City Council:
-

Alternative 1 - Continuance

The City Council may also choose to continue the item. “I move to **continue** the Denny’s site plan to the May 3, 2016 meeting with direction to the applicant and Staff on information and / or changes needed to render a decision, as follows:

- 1. _____
- 2. _____
- 3. _____

Alternative 2 – Denial

The City Council may also choose to deny the Denny’s Site Plan. “I move to deny the Denny’s Site Plan with the Findings below:

- 1. The Denny’s Site Plan is not consistent with the General Plan, as articulated by the City Council:
_____, and/or,
- 2. The Denny’s Site Plan is not consistent with Section [19.04, 19.05, 19.06, 19.09, 19.11, 19.13, 19.14, 19.18] of the Code, as articulated by the City Council:
_____, and/or

I. Attachments:

- 1. City Engineer’s Report (Page 7-8)
- 2. Location & Zone Map (Page 9)
- 3. Site Plan (Page 10)
- 4. Landscape Plan (Page 11)
- 5. Elevations (Page 12-13)
- 6. Sign packet (Page 14-18)
- 7. Lighting Plans (Page 19-23)
- 8. Planning Review Checklist (Page 24-32)
- 9. Planning Commission Draft minutes (Page 33-34)
- 10. Proposed Code Amendments as recommended by the Planning Commission (Page 35)

City Council Staff Report

Author: Daniel McRae, PE
Subject: Denny's
Date: April 19, 2016
Type of Item: Site Plan Approval



Description:

A. Topic: The Applicant has submitted a Site Plan application. Staff has reviewed the submittal and provides the following recommendations.

B. Background:

Applicant: Food Service Concepts, Inc
Request: Site Plan Approval
Location: 1516 N. Redwood Road
Acreage: 0.944 Acres

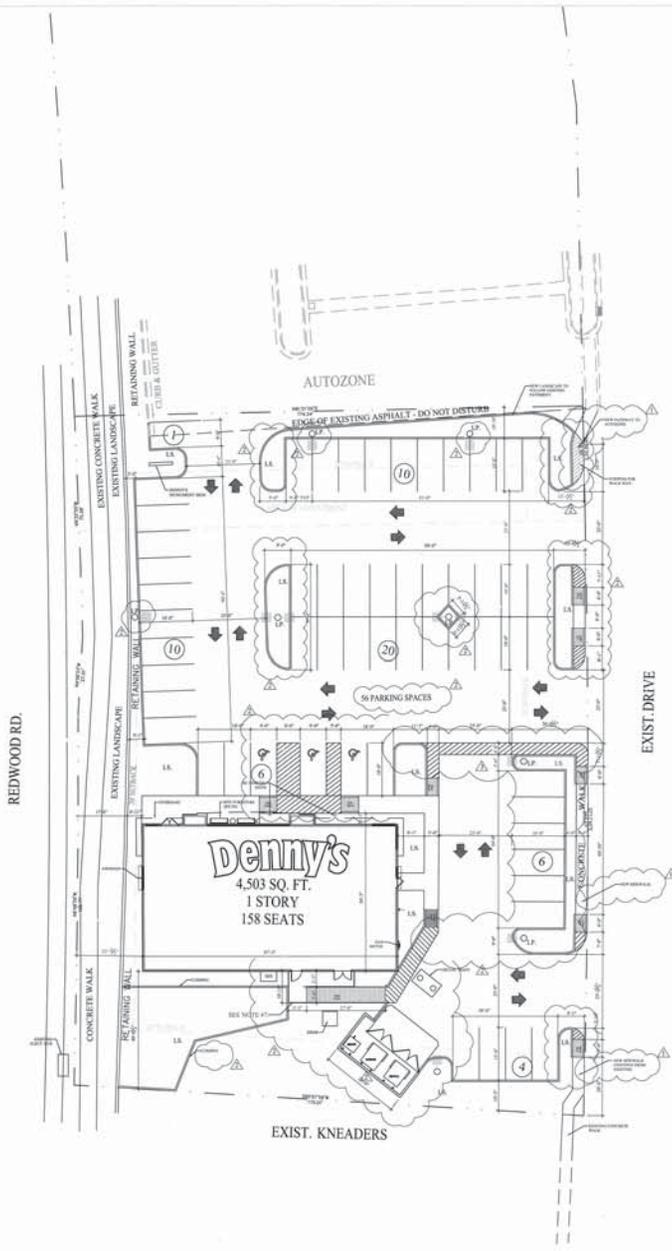
C. Recommendation: Staff recommends the approval of Site Plan subject to the following conditions:

D. Conditions:

- A. Meet all engineering conditions and requirements in the construction of the project. Review and inspection fees must be paid and a bond posted as per the City's Development Code prior to any construction being performed on the project. Impact and water fees are due when pulling the building permit.
- B. All review comments and redlines provided by the City Engineer are to be complied with and implemented with the approved construction drawings.
- C. Developer must secure water rights as required by the City Engineer, City Attorney, and development code.
- D. Submit easements for all public utilities not located in the public right-of-way.
- E. Developer is required to ensure that there are no adverse effects to adjacent properties due to the grading practices employed during construction of these plats.
- F. Project must meet the City Ordinance for Storm Water release (0.2 cfs/acre for all developed property) and all UPDES and NPDES project construction requirements.

- G. Final plans shall include an Erosion Control Plan that complies with all City, UPDES and NPDES storm water pollution prevention requirements.
- H. All work to conform to the City of Saratoga Springs Standard Technical Specifications, most recent edition.
- I. Developer may be required by the Saratoga Springs Fire Chief to perform fire flow tests prior to final plat approval and prior to the commencement of the warranty period.
- J. Submittal of a Mylar and electronic version of the as-built drawings in AutoCAD format to the City Engineer is required prior acceptance of site improvements and the commencement of the warranty period.
- K. The survey for this project shall be recorded.
- L. The oil/water separator for this project shall be designed to remove all of the oils and floatables from the storm water and 80% of the total suspended solids (TSS) 110 microns or larger. A snout system will not be able to meet these standards.
- M. The underground detention system shall be vented so that water can enter the detention system without creating bubbles which would diminish the volume of water that the underground system can hold.





SARATOGA SPRINGS DENNY'S SITE DATA TABLE

- PROJECT AREA: 41,128 SQ. FT.
- NUMBER OF LOTS: 7 (ONE CLUES PARKING OVER 8 IN ACRE LOT NORTH OF DENNY'S)
- NUMBER OF BUILDINGS: 1
- BUILDING SQUARE FOOTAGE: 4,503 SQ. FT.
- SURFACE PARKING SPACES: 26
- GARAGE PARKING SPACES: 0
- % BUILDABLE LAND: 20%
- ACREAGE OF SENSITIVE LANDS: 0 AC.
- SENSITIVE LANDS: 0%
- OPEN SPACE (LANDSCAPING AREA): 4315 SQ. FT.
- AREA TO BE DEDICATED RIGHT-OF-WAY (PUBLIC & PRIVATE): 0 AC.
- NET DENSITY BY ACRE: 0.11 (FLOOR AREA RATIO) (FAR)
- NUMBER OF OFF-STREET PARKING SPACES: 26
- SUPERVISION AREA (ON SITE): 31,311 SQ. FT.

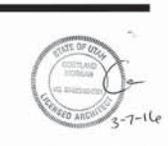


- NOTES:
- SEE SHEET SP-2 FOR SITE PLAN & DISPATCH ENCLOSURE DETAILS.
 - MINIMUM 5/8" CONCRETE PAD WITH MAX 2% SLOPE AT ALL DOORS.
 - SEE CIVIL SHEETS FOR INFO ON PARKING LOT & PAVING.
 - EXTERIOR LIGHTING SHALL COMPLY WITH THE CITY OF SARATOGA SPRINGS LIGHTING ORDINANCE.
 - WHEEL STOPS AT ALL PARKING STALLS ADJACENT TO SIDEWALKS AND BUILDINGS.
 - ALL PARKING SPACES TO BE PAVE.
 - HANDRAILS AROUND ELEVATED SIDEWALK AND ON BOTH SIDES OF RAMP. HANDRAILS TO BE 1 1/2" DIA. GALVANIZED STEEL, TOP OF RAIL TO BE 36" AOV. SURFACE, AND EXTEND 12" MIN. BEYOND THE TOP AND BOTTOM OF RAMP. PAINT TO MATCH BUILDG.

DATE: 02/18/2016
 JOB NO:
 DRAWN: STAFF
 CHECKED: CM

711 N. FIELDOR RD.
 ARLINGTON, TX 76012
 PH: (817) 635-5006
 FAX: (817) 635-5099

Denny's
 1516 N. REDWOOD RD.
 SARATOGA SPRINGS, UT. 84045



REVISIONS

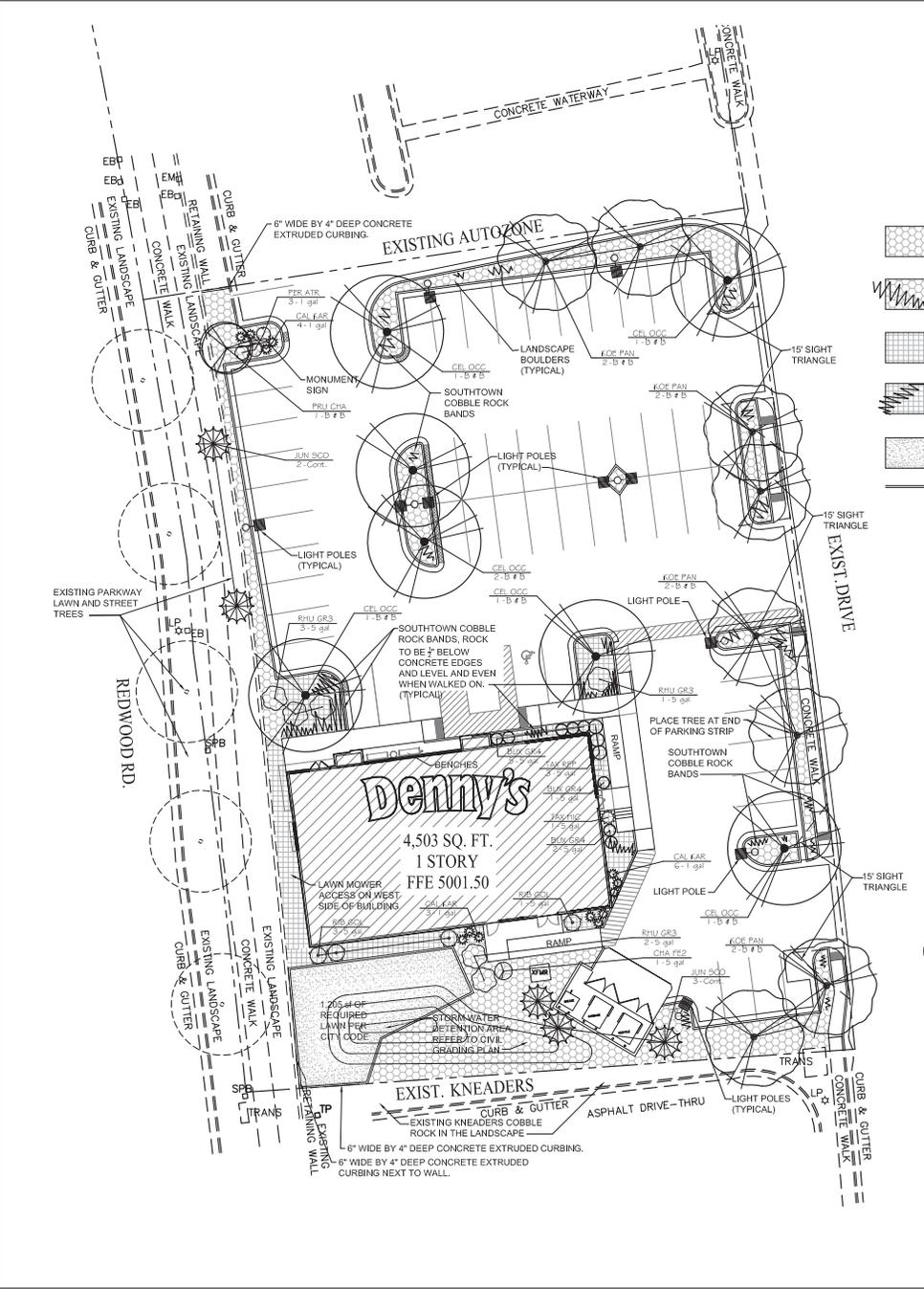
| | |
|---|------------|
| △ | 02/18/2016 |
| △ | 02/24/2016 |
| △ | 03/04/16 |

SITE PLAN

SHEET NUMBER

SP-1





LANDSCAPE AREA

| | | |
|--|----------|------|
| LAWN AREA ALONG THE STREET INSIDE THE PROPERTY LINE | 2,174 sf | 23% |
| LAWN AREA NEW TO ACHIEVE 35% SITE LAWN PER CITY CODE | 1,205 sf | 13% |
| COBBLE ROCK LANDSCAPE AREA | 4,292 sf | 46% |
| COBBLE ROCK LANDSCAPE AREA AT ENDS OF PARKING | 1,702 sf | 18% |
| TOTAL LANDSCAPE AREA | 9,373 sf | 100% |

13 TREES PROVIDED AT END OF PARKING ROWS (7,671 sf OF IS)
 9 TREES REQUIRED (LESS PARKING LOT AREA) ON 7,926 sf IS
 4 DECIDUOUS AND 5 EVERGREEN TREES REQ. AND PROVIDED
 21 TREES REQUIRED AND 21 TREES PROVIDED

LEGEND

- 1.5" CRUSHED NEPHI SANDSTONE "SOUTHWN" GRAVEL MULCH FOR ALL LANDSCAPE AREAS NOTED ON THE PLAN AT A 4" DEPTH OVER DEWITT PRO 5 WEED BARRIER FABRIC. TOP FINISH GRADE OF GRAVEL TO BE .5" INCHES BELOW TOP OF CONCRETE WALKS & CURBS OUT 12" FROM EDGE.
- NEPHI SANDSTONE "SOUTHWN" 7 INCH COBBLE ROCK BANDS ON TOP OF THE SOUTHWN GRAVEL MULCH WITH UNEVEN EDGES. TOP FINISH GRADE OF GRAVEL TO BE .5" INCHES BELOW TOP OF CONCRETE WALKS & CURBS OUT 12" FROM EDGE.
- 3/8" CRUSHED NEPHI SANDSTONE "SOMA" GRAVEL MULCH FOR ALL LANDSCAPE AREAS NOTED ON THE PLAN AT A 3" DEPTH OVER DEWITT PRO 5 WEED BARRIER FABRIC. TOP FINISH GRADE OF GRAVEL TO BE .5" INCHES BELOW TOP OF CONCRETE WALKS & CURBS OUT 12" FROM EDGE.
- 1.5" CRUSHED NEPHI SANDSTONE "SOMA" GRAVEL MULCH BANDS FOR ALL LANDSCAPE AREAS NOTED ON THE PLAN WITH UNEVEN EDGES OVER DEWITT PRO 5 WEED BARRIER FABRIC. TOP FINISH GRADE OF GRAVEL TO BE .5" INCHES BELOW TOP OF CONCRETE WALKS & CURBS OUT 12" FROM EDGE.
- KENTUCKY BLUE GRASS SOD OVER A 4" LAYER OF TOPSOIL OVER A 6" LAYER OF SCARIFIED SUBSOIL.
- 6" WIDE BY 4" DEEP CONCRETE EXTRUDED CURBING. CURBING TO BE INSTALLED LEVEL AND UNIFORM.

NOTE: COBBLE OR CRUSHED ROCK BANDS TO MATCH THE ROCK MULCH FOR THE AREAS THAT THE BANDS ARE INSTALLED IN.

LANDSCAPE NOTES:

1. CONTRACTOR TO CONTACT STEVEN G. ERICKSON, LANDSCAPE ARCHITECT AT 801-916-0366 FOR A PRE-CONSTRUCTION MEETING BEFORE BEGINNING WORK AND TO SET UP A LANDSCAPE PLANTING AND IRRIGATION INSPECTION SCHEDULE. LANDSCAPE PLANTING SHALL CONFORM TO ALL APPLICABLE STATE, COUNTY AND CITY LANDSCAPE REQUIREMENTS.
2. THE LANDSCAPE PLANTING AND IRRIGATION PLANS ARE TO BE USED IN CONJUNCTION WITH THE CIVIL, MECHANICAL, ELECTRICAL, AND ARCHITECTURAL SITE PLANS TO FORM COMPLETE INFORMATION FOR THIS SITE.
3. LANDSCAPE CONTRACTOR SHALL EXAMINE THE SITE CONDITIONS UNDER WHICH THE WORK IS PERFORMED AND NOTIFY THE GENERAL CONTRACTOR IN WRITING OF UNSATISFACTORY CONDITIONS. DO NOT PROCEED UNTIL CONDITIONS HAVE BEEN CORRECTED.
4. BEFORE STARTING WORK, CONTACT APPROPRIATE UTILITY COMPANIES FOR UTILITY LOCATIONS AND COORDINATE WITH GENERAL CONTRACTOR IN REGARD TO LOCATIONS OF EXISTING AND PROPOSED UTILITIES, IRRIGATION SLEEVES, ELECTRICAL CONDUITS, SIGNAGE, ETC. CONTRACTOR SHALL BE RESPONSIBLE FOR DAMAGE TO UNDERGROUND IMPROVEMENTS AND UTILITIES CAUSED BY EXECUTION OF CONTRACT AND FOR REPAIRS.
5. ALL PLANT MATERIALS SHALL MEET OR EXCEED SIZE LISTED ON PLANT SCHEDULE. OWNER'S REPRESENTATIVE RESERVES THE RIGHT TO REFUSE PLANT MATERIAL WHICH DOES NOT MEET THE QUALITY REQUIREMENTS FOR THE PROJECT SPECIFICATIONS. ALL DECIDUOUS TREES SHALL HAVE FULL, WELL SHAPED HEADS; ALL EVERGREENS SHALL BE UNSHEARED AND FULL TO THE GROUND.
6. ALL TREE AND SHRUB BED LOCATIONS ARE TO BE STAKED OUT ON SITE FOR APPROVAL BY OWNER'S REPRESENTATIVE PRIOR TO INSTALLATION. PLANT TREES AND SHRUBS PER DETAILS AND SPECIFICATIONS.
7. ALL GRAVEL, COBBLE AND BARK MULCH BEDS TO BE RAKED SMOOTH AND THEN COVERED WITH DEWITT PRO 5 WEED BARRIER FABRIC BEFORE PLACING GRAVEL OR COBBLE ROCK. FINISH GRADE OF GRAVEL OR COBBLE ROCK TO BE 1/2" BELOW ADJOINING CONCRETE WALKS OR CURBS OUT 12".
8. EXISTING ON SITE TOPSOIL MAY BE STRIPPED AND REUSED IN THE LANDSCAPE PROVIDED THE TOPSOIL IS QUALITY TOPSOIL. PROVIDE IMPORTED TOPSOIL AS NEEDED TO COMPLETE THE LANDSCAPE INSTALLATION. PROVIDE TOPSOIL DEPTH OF 6" IN LAWN AREAS AND 12" IN THE SHRUB BEDS. DIG SUBGRADE DOWN AS REQUIRED BEFORE PLACING TOPSOIL WHERE REQUIRED AND SCARIFY SUBGRADE 6" DEEP.
9. PLANTING MIX BACKFILL FOR TREES AND SHRUBS SHALL BE 50% TOPSOIL AND 50% SOIL EXCAVATED FROM PLANT PIT MIXED FOR THE ENTIRE AREA OF THE PLANTING PIT. PROVIDE IMPORTED TOPSOIL FOR BACK FILL MIX.
10. MAINTENANCE OF THE LANDSCAPE WILL BE THE RESPONSIBILITY OF THE LANDSCAPE CONTRACTOR UNTIL FINAL ACCEPTANCE. AT TIME OF LANDSCAPE ACCEPTANCE, LANDSCAPE INSTALLATION SHALL BE COMPLETE.
11. ALL MATERIAL AND WORKMANSHIP SHALL BE GUARANTEED FOR ONE YEAR FROM DATE OF FINAL ACCEPTANCE. CONTRACTOR TO PROVIDE A WRITTEN ONE-YEAR GUARANTEE ON LANDSCAPE PLANTING AND IRRIGATION SYSTEM INSTALLATION FOR LABOR AND MATERIALS.

PLANT SCHEDULE

| TREES | CODE | QTY | COMMON NAME / BOTANICAL NAME | CONT. | CAL. | SIZE |
|--------|---------|-----|--|-------|------|------|
| | CEL OCC | 7 | Common Hackberry / <i>Celtis occidentalis</i> | B # B | 2" | Cal |
| | JUN SCO | 5 | Rocky Mountain Juniper / <i>Juniperus scopulorum</i> | Cont. | | 6-7' |
| | KOE PAN | 6 | Golden Rain Tree / <i>Koelerutera paniculata</i> | B # B | 2" | Cal |
| | PRU CHA | 1 | Charlester Pear / <i>Pyrus calleryana</i> "Charlester" | B # B | 2" | Cal |
| SHRUBS | CODE | QTY | COMMON NAME / BOTANICAL NAME | CONT. | | |
| | BLK GRA | 6 | Boxwood / <i>Buxus</i> x "Green Mountain" | 5 gal | | |
| | CAL KAR | 13 | Feather Reed Grass / <i>Calamagrostis x acutiflora</i> "Karl Foerster" | 1 gal | | |
| | CHA FE2 | 1 | Fernbush / <i>Chamaedaphne nilldortum</i> "Fernbush" | 5 gal | | |
| | PER ATR | 3 | Russian Sage / <i>Perovskia atriplicifolia</i> | 1 gal | | |
| | RHU GR3 | 6 | Skunkbush Sumac / <i>Rhus trilobata</i> "Gro Low" | 5 gal | | |
| | RIB GOL | 4 | Golden Currant / <i>Ribes aurum</i> | 5 gal | | |
| | TAX REP | 3 | Spreading English Yew / <i>Taxus baccata</i> "Repanders" | 5 gal | | |
| | TAX HIC | 1 | Hicks Yew / <i>Taxus x media</i> "Hicks" | 5 gal | | |

19 shrubs required and 39 shrubs provided. 23 are 5 gal. & 16 are 1 gal.

DATE: 03/07/2016
 JOB NO.
 DRAWN: SGE
 CHECKED: -



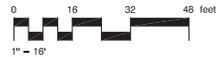
711 N. FIELDER RD.
 ARLINGTON, TX 76010
 PH: (817) 633-5696
 FAX: (817) 633-5699

Denny's
 1500 NORTH REDWOOD ROAD
 SARATOGA SPRINGS, UTAH

REVISIONS



SGE ASSOCIATES, Inc.
 Landscape Architecture
 2185 Wood Hollow Way
 Bountiful, UT 84010
 voice: 801-918-0366
 serickson@sge-assoc.com



LANDSCAPE PLANTING PLAN

SHEET NUMBER

L101

Exhibit 5





GENERAL ELEVATION NOTES

1. ALL UTILITY BOXES (ELECTRICAL PANELS, GAS METER, ETC.) ARE TO BE PAINTED TO MATCH E.L.F.'S IF PERMISSIBLE BY THE LOCAL UTILITY COMPANIES.
2. DOWN SPENTS AND GUTTERS TO BE PREFORMED & PREFINISHED. COLOR EP-02.
3. ALL EXTERIOR LIGHT FIXTURES SHALL BE PREFINISHED. REFER TO E-DWG'S.
4. EXTERIOR WALL FINISH TO BE INSTALLED IN STRICT ACCORDANCE WITH MANUFACTURERS PUBLISHED INSTRUCTIONS.
5. ALL EXTERIOR WOOD TRIM TO BE PAINTED "AZEK" TRIM BOARDS OR EQUAL.
6. ALL SIGNS TO BE VERIFIED WITH SIGN PACKAGE FOR LOCATION, SIZE, AND ELECTRICAL REQUIREMENTS.
7. ALL EIFS FINISH TO HAVE SAND TEXTURE.

ABBREVIATIONS:
CONTROL JOIST - C.J.
TEMPERED GLASS - T.G.

DRIVIT REPRESENTATIVE CONTACT INFO:
DIO WISSE
CIRCLE SUPPLY
1-800-277-6009
1-704-431-8529
CDSW@CIRCLEC.COM

LEGEND

SEE EXTERIOR COLOR SCHEDULE

STOREFRONT DOORS & WINDOWS SHALL BE BRONZED ANODIZED ALUMINUM WITH CLEAR GLASS

EXTERIOR FINISH LEGEND

| CODE | PRODUCT | VENDORS & SPECIFICATIONS | COLOR |
|-------|--------------------------|--------------------------|--|
| EP-01 | EXTERIOR PAINT | SHERWIN WILLIAMS | SW 7018 TONY TALPE |
| EP-02 | EXTERIOR PAINT | SHERWIN WILLIAMS | SW 7027 WELL BREED BROWN |
| EP-03 | EXTERIOR PAINT | SHERWIN WILLIAMS | COLOR MATCH MARTHASTEWART #MSL026 BARN |
| EP-04 | EXTERIOR PAINT | SHERWIN WILLIAMS | SW 7075 SEALSKIN |
| EP-05 | EXTERIOR PAINT | SHERWIN WILLIAMS | SW B9981 SILVER-BRITE |
| EP-06 | EXTERIOR PAINT | SHERWIN WILLIAMS | SW 7009 PEARLY WHITE |
| SV-01 | STONE VENEER | ELDORADO STONE OR EQUAL | MONTECTO CLIFFSTONE OR EQUAL |
| SV-02 | CHISELED WALL & SILL CAP | ELDORADO STONE OR EQUAL | ELDORADO STONE EARTH OR EQUAL |

REVISIONS

| NO. | DATE | DESCRIPTION |
|-----|------|-------------|
| 1 | | |
| 2 | | |
| 3 | | |
| 4 | | |
| 5 | | |
| 6 | | |
| 7 | | |
| 8 | | |
| 9 | | |
| 10 | | |
| 11 | | |
| 12 | | |

DATE: 02/24/16
 DRAWN BY: O.B.
 CHECKED BY: K.K.

FOOD SERVICE CONCEPTS INC.
 1516 N. REDWOOD RD
 SACATOGA, GEORGIA 30139

Denny's
 1516 N. REDWOOD RD
 SACATOGA, GEORGIA 30139

EXTERIOR ELEVATION

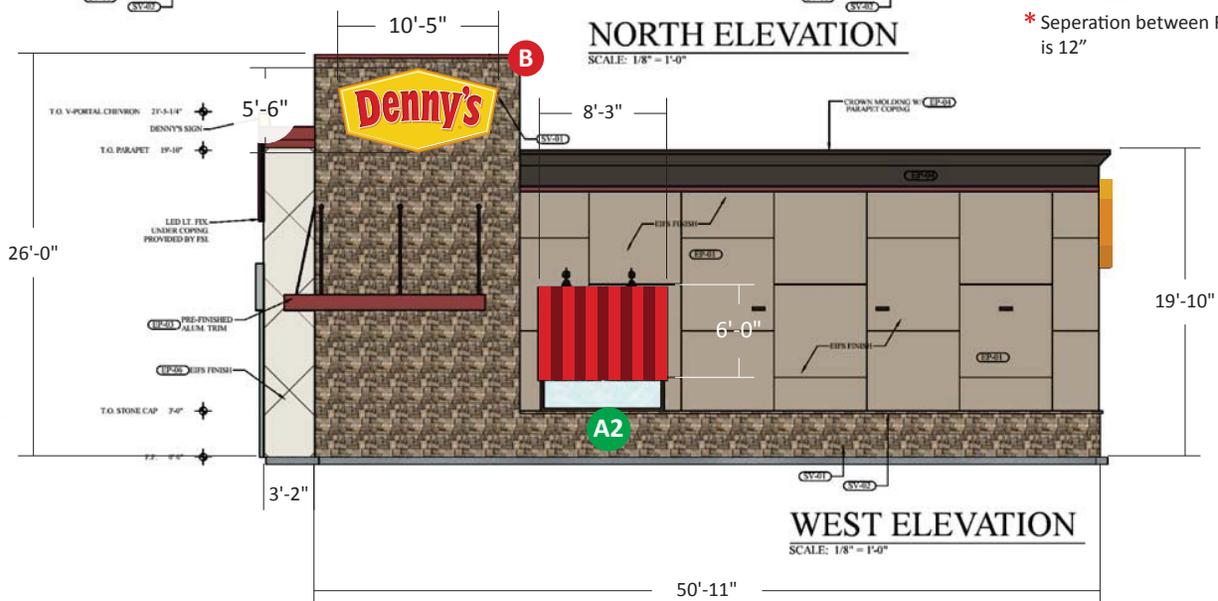
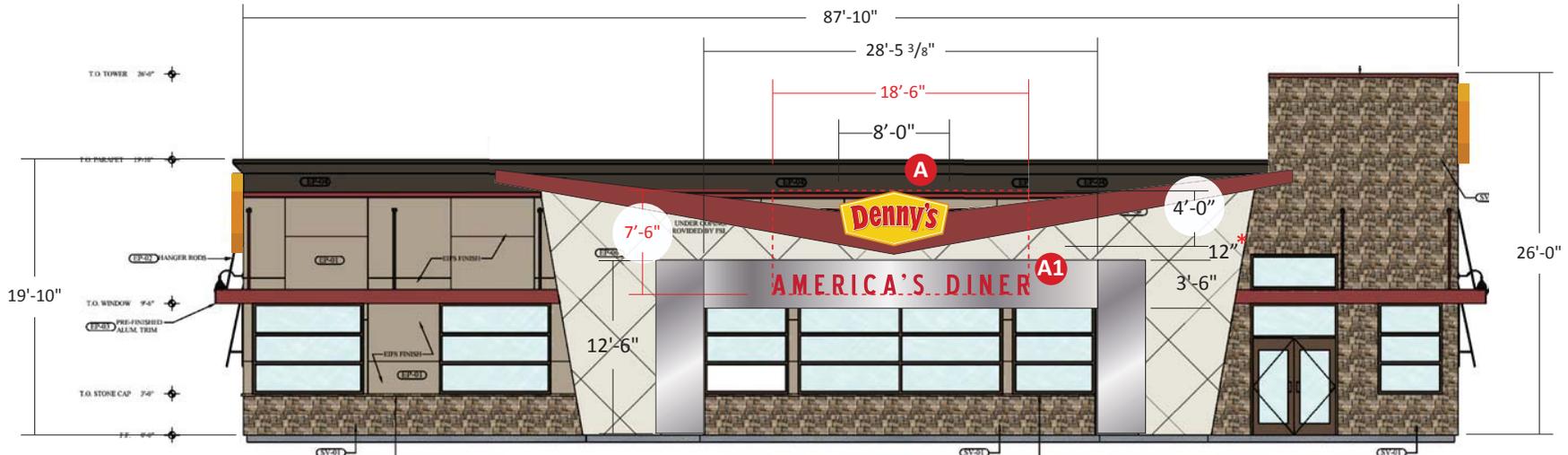
A-2B

1/8"=1'-0"

1516 Redwood Rd. Saratoga Springs, UT

Exhibit 6

19'-10" x 87'-10" = 1,742 Sq. Ft.
 1,742 Sq. Ft of area for front elevation
 x 8%
 139.3 Sq. Ft. of signage allowed per code



* Separation between FDS & AD sign is 12"



PROJECT INFORMATION

Client
 DENNY'S
 City & State
 Saratoga Springs, UT
 Drawing #
 DennyS.SaratogaSprgs. 8.13.15
 Scale
 AS NOTED
 Designer
 GP
 Project Manager
 RH

REVISIONS

8-18-15 add note & monument-gp
 8-19-15 Siteplan & updates - IH
 9-4-15 new siteplan & elevations - gp
 1-25-16 new Elev/Site plan - IH
 2-11-16 Add LED notes - IH
 2-17-16 Permit needs - IH
 2-24-16 revmd FDS from rear & other revs-GP

CLIENT APPROVAL

[] APPROVED
 [] APPROVED AS NOTED
 [] REVISE & RESUBMIT
 NAME:
 DATE:

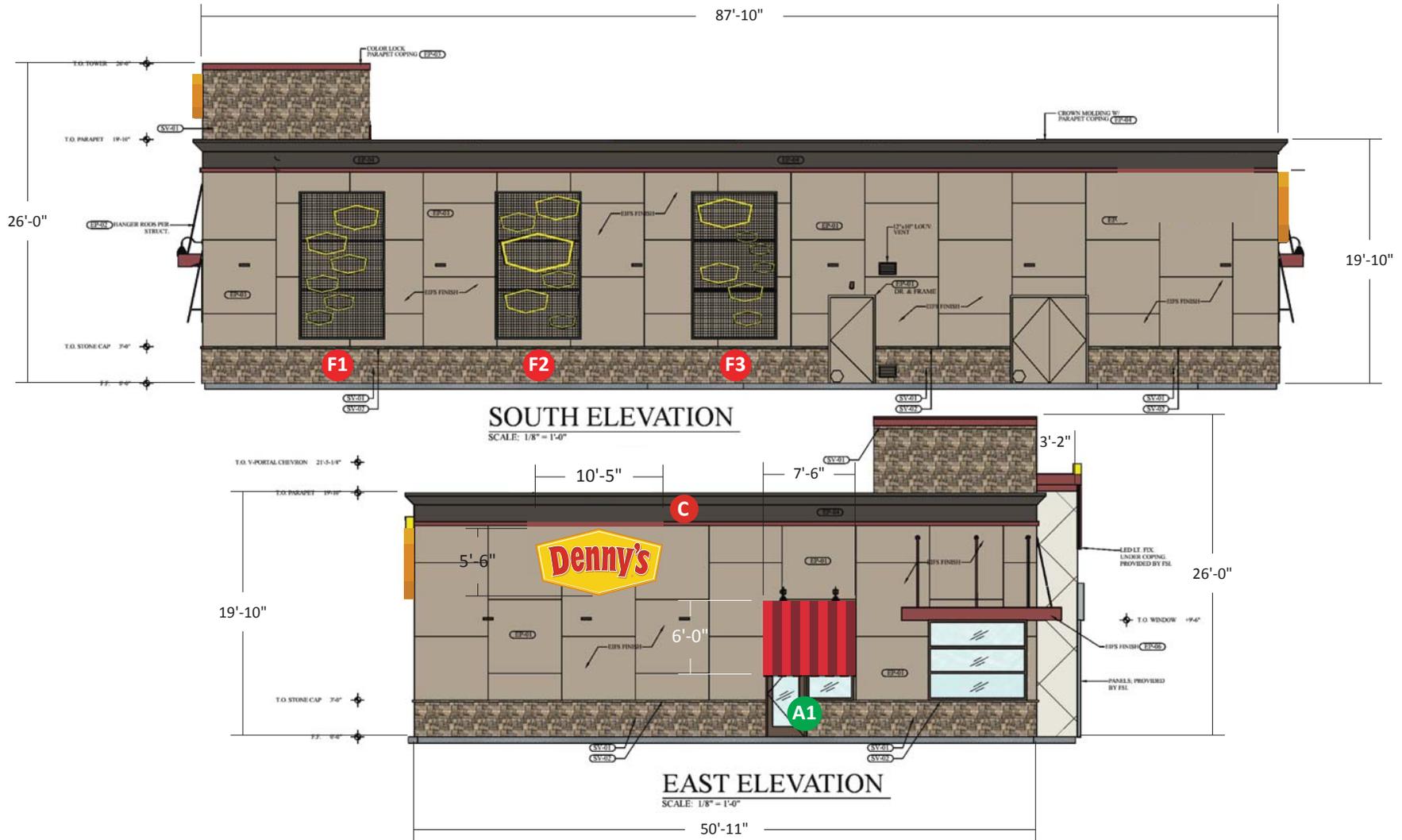


FRANCHISE SIGNS INTERNATIONAL

Main Office
 1101-A W. Melinda Lane
 Phoenix, Arizona 85027
 PHONE: 623 792 3061
 FAX: 623 792 3063

PAGE SIZE: 11x17

1516 Redwood Rd. Saratoga Springs, UT



PROJECT INFORMATION

Client
DENNY'S
 City & State
 Saratoga Springs, UT
 Drawing #
 Dennys.SaratogaSprgs. 8.13.15
 Scale
 AS NOTED
 Designer
 GP
 Project Manager
 RH

REVISIONS

8-18-15 add note & monument-gp
 8-19-15 Siteplan & updates - IH
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 2-24-16 revised FDS from rear & other revs-GP

CLIENT APPROVAL

APPROVED
 APPROVED AS NOTED
 REVISE & RESUBMIT
 NAME:
 DATE:



FRANCHISE SIGNS INTERNATIONAL

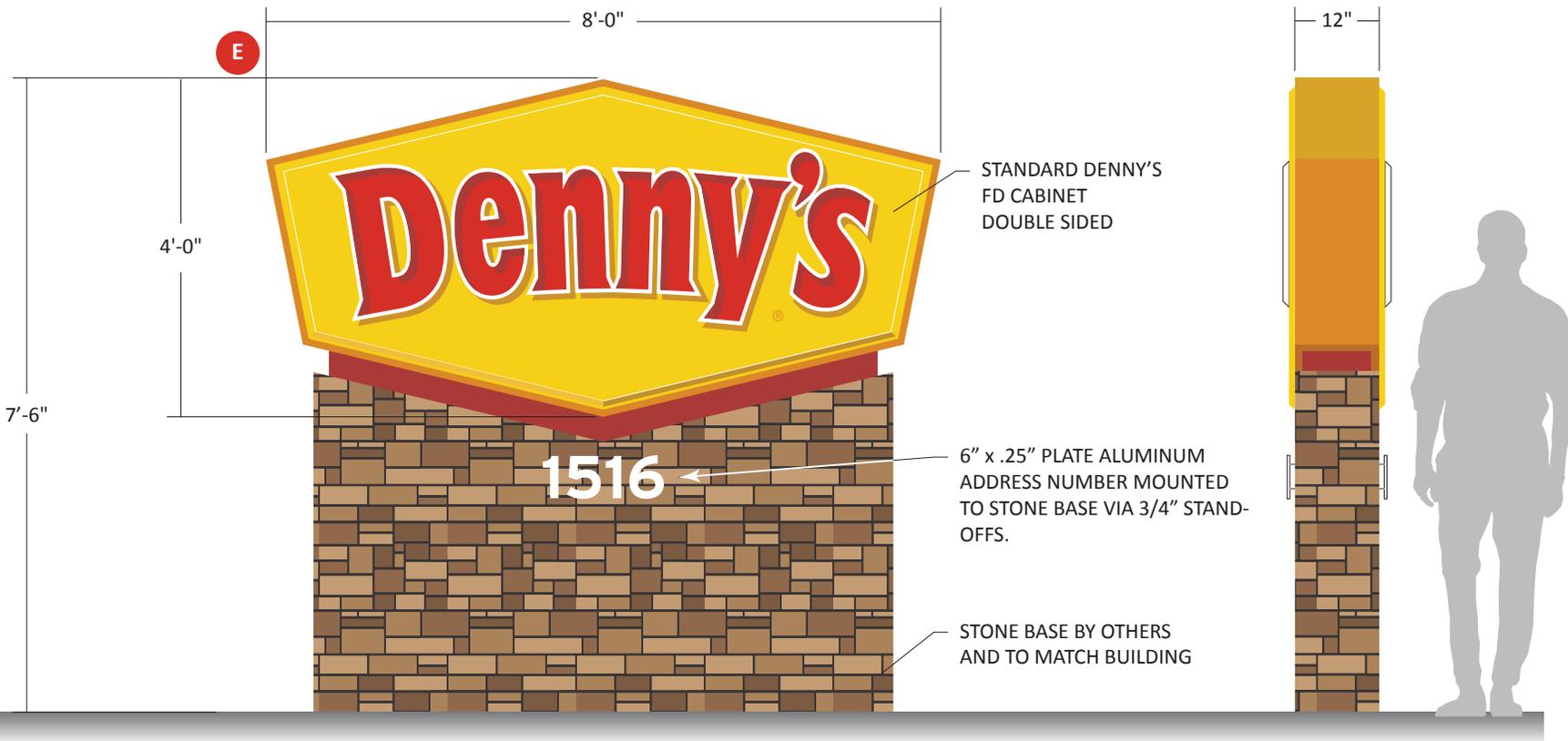
Main Office
 1101-A W. Melinda Lane
 Phoenix, Arizona 85027
 PHONE: 623 792 3061
 FAX: 623 792 3063

PAGE SIZE: 11x17

Elevation

4 of 7

1516 Redwood Rd. Saratoga Springs, UT



STANDARD DENNY'S FRENCH DIAMOND CABINETS
SCALE: 3/4" = 1'-0"

TOTAL SQFT= 32.0

SIDE VIEW
SCALE: 3/4" = 1'-0"

| COLOR LEGEND | | | | | | |
|--|---|---|---|--|-------------------------------------|--|
| LOGO TYPE | CAST SHADOW | DROP SHADOW | BG YELLOW | BORDER ORANGE | LETTER OUTLINE | CABINET |
| PMS# 485 Lacryl# L8-0145 Sign Tech# 3232 3M Vinyl# V75987 | PMS# 1907C Lacryl# L8-0708 Sign Tech# 1-378 3M Vinyl# V75989 | PMS# 131C Lacryl# L8-0701 Sign Tech# CC3-12 3M Vinyl# V75993 | PMS# 109C Lacryl# L8-0705 Sign Tech# 2037 3M Vinyl# V75984 | PMS# 136C Lacryl# L8-0706 Sign Tech# CX3-126 3M Vinyl# V75946 | PMS# White 3M Vinyl# Trans.White | PMS# 138C SW# 6895 "Laughing Orange" |

MANUFACTURING SCOPE

- Manufacture (1) D/F cabinet with pan-formed faces and embossed graphics. Translucent graphics applied to 2nd surface. Internal illumination via LEDs.
- Stone base with aluminum reveal

Total Sq Ft = 57.2
Actual Sq Ft = 41.9

INSTALLATION SCOPE

- Cabinet attached to steel post which is anchored below grade by a concrete foundation.



PROJECT INFORMATION

Client
DENNY'S
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Saratoga Springs, UT
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Dennys.SaratogaSprgs. 8.13.15
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Main Office
1101-A W. Melinda Lane
Phoenix, Arizona 85027
PHONE: 623 792 3061
FAX: 623 792 3063

PAGE SIZE: 11x17

Pylon

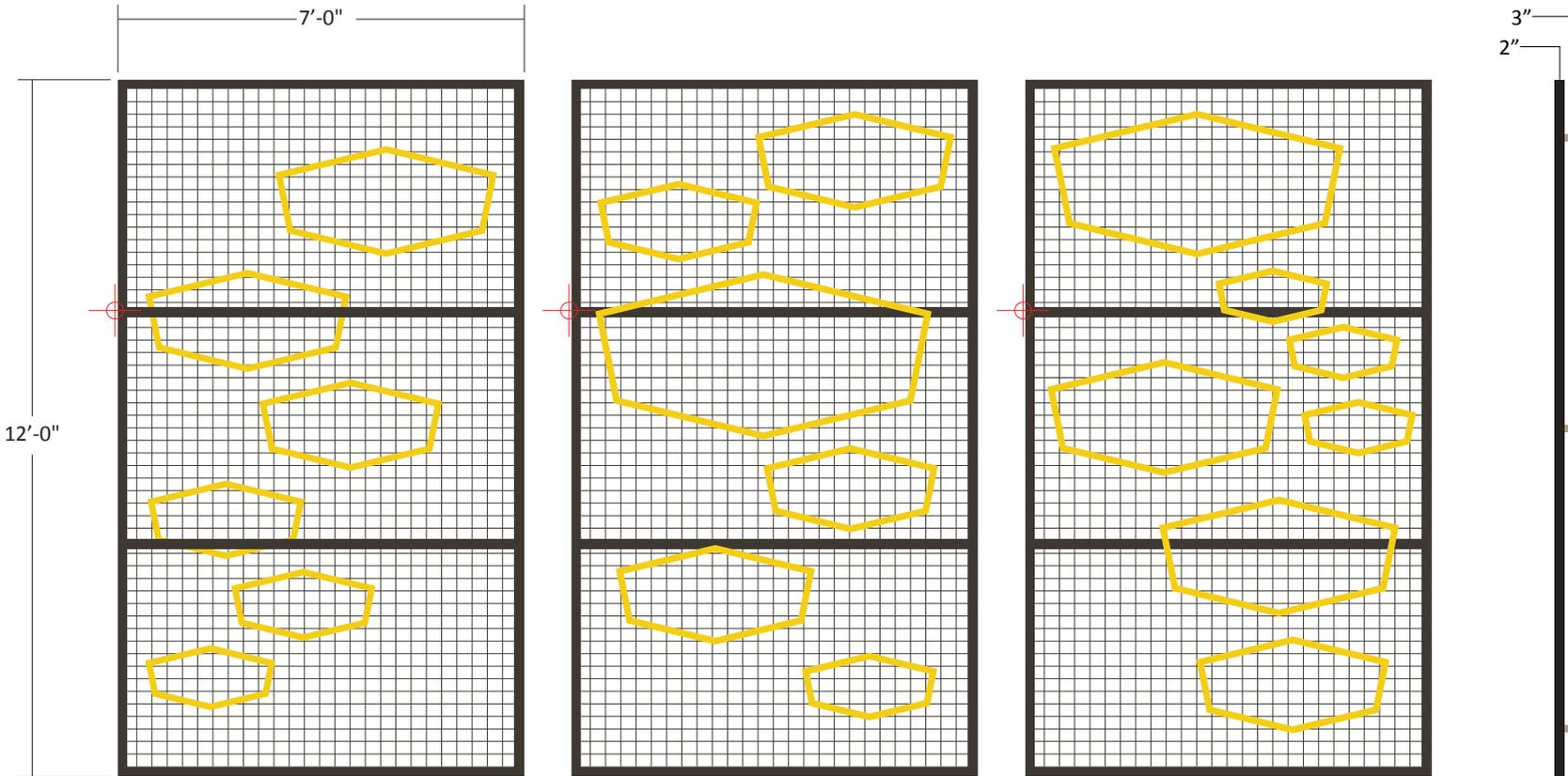
5 of 7

1516 Redwood Rd. Saratoga Springs, UT

Accent lighting LED in screens by American Lighting
 ULRLED-UWW-150 Warm White, 2100K, 1W/ft, 30lm/ft
 1/2" diameter 120 Volt Flexbrite LED = 15 lumens per sq. ft.
 7' x 12' outline = 38 lin. ft, 19 sq. ft; Total of 285 lumens per screen

LED lighting TBD

4'-0" Minimum electrical whip from each screen



Frame and grid painted SW 7675 Seal Skin.

2" Angle iron frame with medium gauge wire. Grid welded to frame

Attached to wall via 3" standoffs painted to match fascia color.

End View

F1 (1) S/F LED Illuminated Screen
 Scale: 1/2" = 1'-0"

F2 (1) S/F LED Illuminated Screen
 Scale: 1/2" = 1'-0"

F3 (1) S/F LED Illuminated Screen
 Scale: 1/2" = 1'-0"



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Client
DENNY'S
 City & State
 Saratoga Springs, UT
 Drawing #
 DennyS.SaratogaSprgs. 8.13.15
 Scale
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 2-17-16 Permit needs - IH
 2-24-16 revised FDS from rear & other revs-GP

CLIENT APPROVAL

APPROVED
 APPROVED AS NOTED
 REVISE & RESUBMIT
 NAME:
 DATE:



FRANCHISE SIGNS INTERNATIONAL

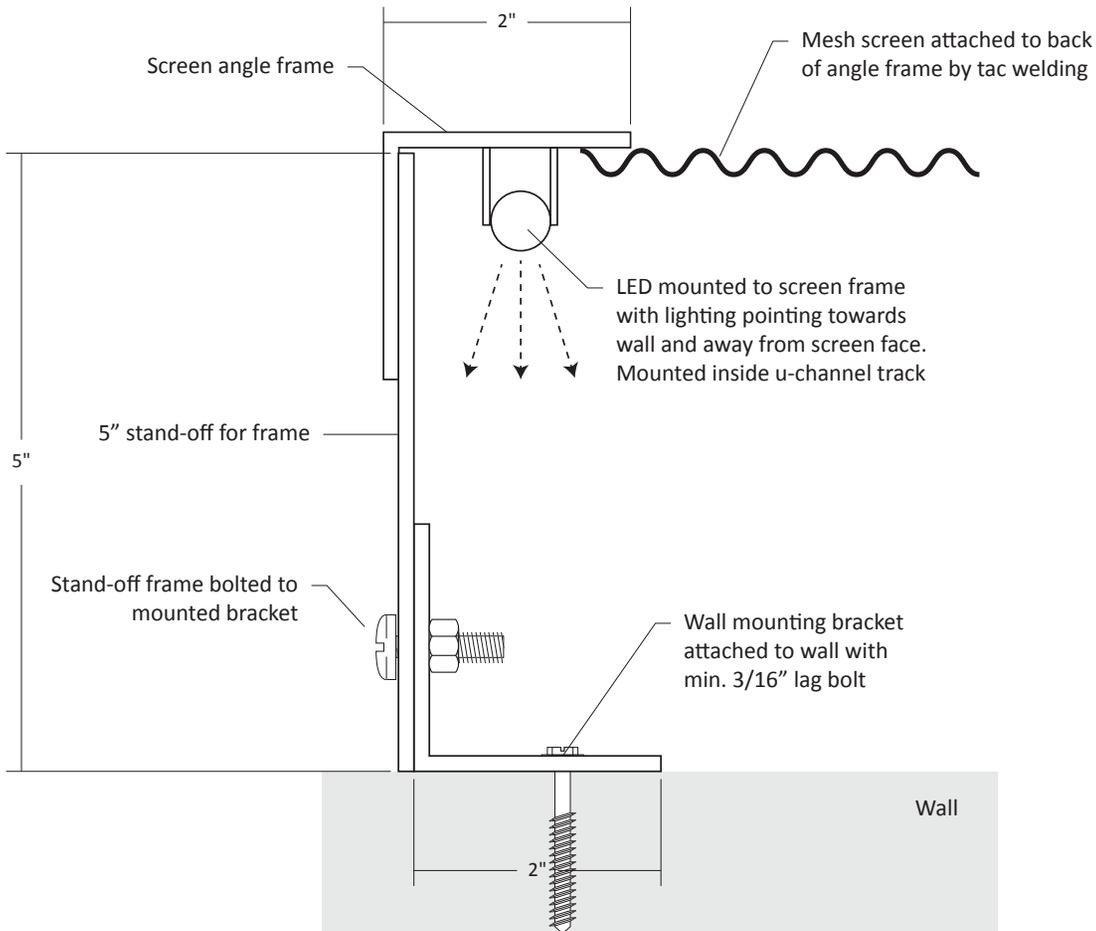
Main Office
 1101-A W. Melinda Lane
 Phoenix, Arizona 85027
 PHONE: 623 792 3061
 FAX: 623 792 3063

PAGE SIZE: 11x17

Wall Screens

6 of 7

1516 Redwood Rd. Saratoga Springs, UT



LED Mounting Detail

Scale: Full Size



Sample of illumination

Scale: NTS



Sample of Daytime view

Scale: NTS



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Client
DENNY'S
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2-24-16 reword FDS from rear & other revs-GP

CLIENT APPROVAL

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 APPROVED AS NOTED
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NAME:
DATE:



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Main Office
1101-A W. Melinda Lane
Phoenix, Arizona 85027
PHONE: 623 792 3061
FAX: 623 792 3063

PAGE SIZE: 11x17

Wall Screens Detail

Description : CAL-1-TP3/S6-T2-80L-7-40K-L-*AM-BLK-HSS
 Project Name: **DENNY'S SARATOGVA SPRINGS**
 Notes:

TYPE:
S1-SH

Exhibit 7



CALIFORNIA LED SERIES

ARCHITECTURAL AREA LIGHTING

The beautiful and simple California Series LED Pedestrian Luminaires depict not only the California lifestyle, but the architecture of California as well. This ornamental piece is a delightful sight to see and a great model to illuminate any urban, rural, retail, or park, or campus setting.

The different caps and shades depict different California styles and a touch of California's historic Spanish mission era. The California Series is the perfect selection to combine both design and efficiency in light performance. Designed, tooled, manufactured and assembled in the USA.



STAR POWER REFLECTOR

The Star Power reflector is an excellent system which provides great value and performance.



LED WATTAGE CHART

| | 16L | 32L | 48L | 64L | 80L |
|---------------|-----|-----|------|------|------|
| 350 milliamps | 18w | - | - | - | - |
| 530 milliamps | - | 52w | 80w | 103w | 135w |
| 700 milliamps | - | 72w | 109w | 141w | 174w |

CAL-1 TP3/S6 T2 80L 7 40K L * AM BLK HSS

| Cat # | Top/Shade | Light Dist. | # of LEDs | Milliamps | Kelvin | Type | Volts | Mount | Color | Shields | Options |
|--|--------------|-------------|-----------|-----------|-------------|------------|-----------------|----------------|--------------|-------------------------|---|
| California Small 18" Diameter (CAL-S) *16L Max (Shade 6 Only) | Top 1 (TP1) | Type 2 (T2) | 16 (16L) | 350 (35) | 4000K (40K) | LED (L) | 120-277 (UNV) | Post Top (PT) | Bronze (BRZ) | House Side Shield (HSS) | Bird Spikes (BS) |
| | Top 2 (TP2) | Type 3 (T3) | 32 (32L) | 530 (53) | 5500K (55K) | | 347-480 (HV) | Arm Mount (AM) | White (WHT) | | Marine Grade Finish (MGF) |
| California 1 25" Diameter (CAL-1) | Top 3 (TP3) | Type 4 (T4) | 64 (64L) | 700 (7) | | | SPECIFY VOLTAGE | | Silver (SVR) | | Photocell (PC) |
| | | Type 5 (T5) | 80 (80L) | | | Green (GN) | | | | *Must specify voltage | |
| California 2 30" Diameter (CAL-2) (Shade 6 Only) | Shade 1 (S1) | | | | | | | | Black (BLK) | | Watt Stopper w/ Motion Sensor (FSP-211) |
| | Shade 2 (S2) | | | | | | | | | | Surge Protector (10K) |
| | Shade 3 (S3) | | | | | | | | | | Acrylic Rings (AR) |
| | Shade 4 (S4) | | | | | | | | | | Rotated Optics |
| | Shade 5 (S5) | | | | | | | | | | Rotate Optic Right (ROR) |
| | Shade 6 (S6) | | | | | | | | | | Rotate Optic Left (ROL) |

Description : CAL-1-TP3/S6-T2-80L-7-40K-L-*AM-BLK-HSS
 Project Name: DENNY'S SARATOGVA SPRINGS

TYPE:

S1-SH

Notes:

PRODUCT SPECIFICATIONS

Housing: Heavy Duty Marine Grade Cast and Spun Aluminum with 6 shade options and 3 cap options.

LED: Luxeon Series by Lumileds

Optics: Star Power Optical System; Type 2, 3, 4 + 5 full cutoff

Watts: 18, 52-174 watts.

Electrical: Conforms to UL 1598 Standards

Driver: By Advance

Kelvin: 4000, or 5500

Finish: 5 Millimeters Powder Coat

Hardware: Stainless Steel

Warranty: Standard Warranty is 5 years for Driver and LEDs

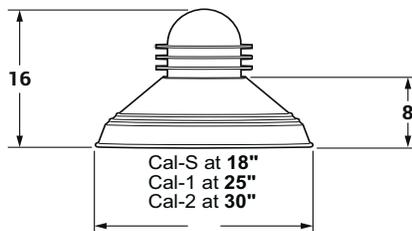
PRODUCT DIMENSIONS



CALIFORNIA - LUMEN DATA CHART

| PART NUMBER | T3 LUMENS | T3 EFFICACY | T5 LUMENS | T5 EFFICACY | Watts |
|---------------------|-----------|-------------|-----------|-------------|-------|
| CAL-1-XX-32L-53-40K | 4628 | 89 | 4940 | 95 | 52 |
| CAL-1-XX-32L-53-55K | 4888 | 94 | 5200 | 100 | 52 |
| CAL-1-XX-32L-7-40K | 5976 | 83 | 6480 | 90 | 72 |
| CAL-1-XX-32L-7-55K | 6336 | 88 | 6768 | 94 | 72 |
| CAL-1-XX-48L-53-40K | 7120 | 89 | 7600 | 95 | 80 |
| CAL-1-XX-48L-53-55K | 7520 | 94 | 8000 | 100 | 80 |
| CAL-1-XX-48L-7-40K | 9047 | 83 | 9810 | 90 | 109 |
| CAL-1-XX-48L-7-55K | 9592 | 88 | 10246 | 94 | 109 |
| CAL-1-XX-64L-53-40K | 9270 | 90 | 10094 | 98 | 103 |
| CAL-1-XX-64L-53-55K | 9785 | 95 | 10609 | 103 | 103 |
| CAL-1-XX-64L-7-40K | 11844 | 84 | 13113 | 93 | 141 |
| CAL-1-XX-64L-7-55K | 12549 | 89 | 13677 | 97 | 141 |
| CAL-2-XX-80L-53-40K | 12150 | 90 | 13230 | 98 | 135 |
| CAL-2-XX-80L-53-55K | 12825 | 95 | 13905 | 103 | 135 |
| CAL-2-XX-80L-7-40K | 14616 | 84 | 16182 | 93 | 174 |
| CAL-2-XX-80L-7-55K | 15486 | 89 | 16878 | 97 | 174 |

| EPA | California |
|--------|------------|
| Single | 2.7 |



Description :

DBP-400-4R-BLK

TYPE:

21

Project Name:

DENNY'S SARATOGVA SPRINGS**S1-SH**

Notes:



DECORATIVE POLE BASES 300 + 400

POLES + BASES

DPB-300

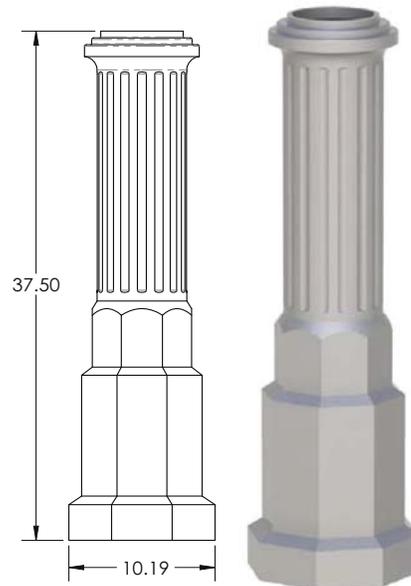
DPB Category: Roadway, Residential or Commercial projects.

Base Material: Two-piece decorative cast aluminum base. Marine grade copper free aluminum. Base plate 9" OD. Measures 37.5" tall x 10.19" wide.

Finish: 5 Millimeters rich textured powder coat finish. Custom color match available upon request, including Patina Verde and Weathered Brown.

Compatible Poles: Round Straight Steel (RSSP) or Round Straight Aluminum (RSAP) poles in 4", or 5" OD in 7 or 11 gauge. Consult factory for fluted options.

| Project Name: | | Type: |
|---------------------------------------|------------------|--------------|
| | | |
| Cat # | Pole Dim. | Color |
| Decorative Pole Base 300 (DPB-300) | 4" Round (4R) | Bronze (BRZ) |
| | | White (WHT) |
| | 5" Round (5R) | Silver (SVR) |
| | | Green (GRN) |
| | | Black (BLK) |
| | | Custom (CC) |



DPB-400

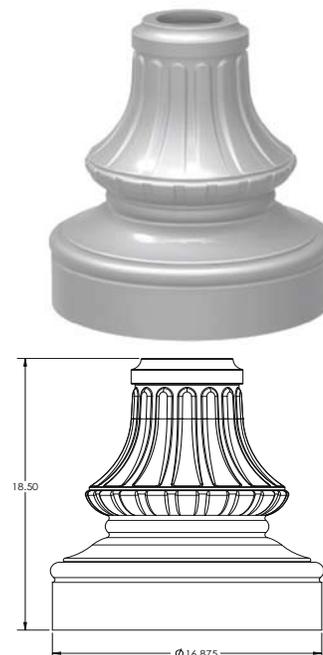
DPB Category: Pathway, or Residential projects.

Base Material: Two-piece decorative cast aluminum base. Marine grade copper free aluminum. Base plate 9" SQ. Measures 18.5" tall x 16.875" OD wide.

Finish: 5 Millimeters rich textured powder coat finish. Custom color match, including Patina Verde and Weathered Brown.

Compatible Poles: Round Straight Steel (RSSP) or Round Straight Aluminum (RSAP) poles in 4", or 5" OD in 7 or 11 gauge. Consult factory for fluted options.

| DBP-400 | 4R | BLK |
|---------------------------------------|------------------|--------------|
| Cat # | Pole Dim. | Color |
| Decorative Pole Base 400 (DPB-400) | 4" Round (4R) | Bronze (BRZ) |
| | | White (WHT) |
| | 5" Round (5R) | Silver (SVR) |
| | | Green (GRN) |
| | | Black (BLK) |
| | | Custom (CC) |



NLS LIGHTING, LLC

19500 S. Rancho Way Ste. 105, Rancho Dominguez CA 90220

PH: 310-341-2037

www.nslighting.com



CALIFORNIA LED



NLS LIGHTING
 PHOTOMETRIC STUDY#
 DENNYS SARATOGA SPGS
 WILD WEST LIGHTING
 DATE: 03/04/16

Calculation Summary

| Label | CalcType | Units | Avg | Max | Min | Avg/Min | Max/Min |
|----------------|-------------|-------|------|-----|-----|---------|---------|
| CalcPts_2 | Illuminance | Fc | 3.72 | 9.1 | 0.0 | N.A. | N.A. |
| PROPERTY SPILL | Illuminance | Fc | 0.29 | 1.0 | 0.0 | N.A. | N.A. |
| PARKING STALLS | Illuminance | Fc | 5.07 | 9.1 | 1.2 | 4.23 | 7.58 |

Luminaire Schedule

| Symbol | Qty | Label | Arrangement | LLF | Description | Lum. Watts |
|---|-----|-------|-------------|-------|---|------------|
|  | 6 | S1-SH | SINGLE | 0.950 | NLS-CALIFORNIA CAL-1-T2-80L-700-40K-SINGLE @ 20' MTG. HT. HSS | 177 |
|  | 2 | S2 | BACK-BACK | 0.950 | NLS-CALIFORNIA CAL-1-T5-80L-700-40K-TWIN @ 20' MTG. HT | 177 |



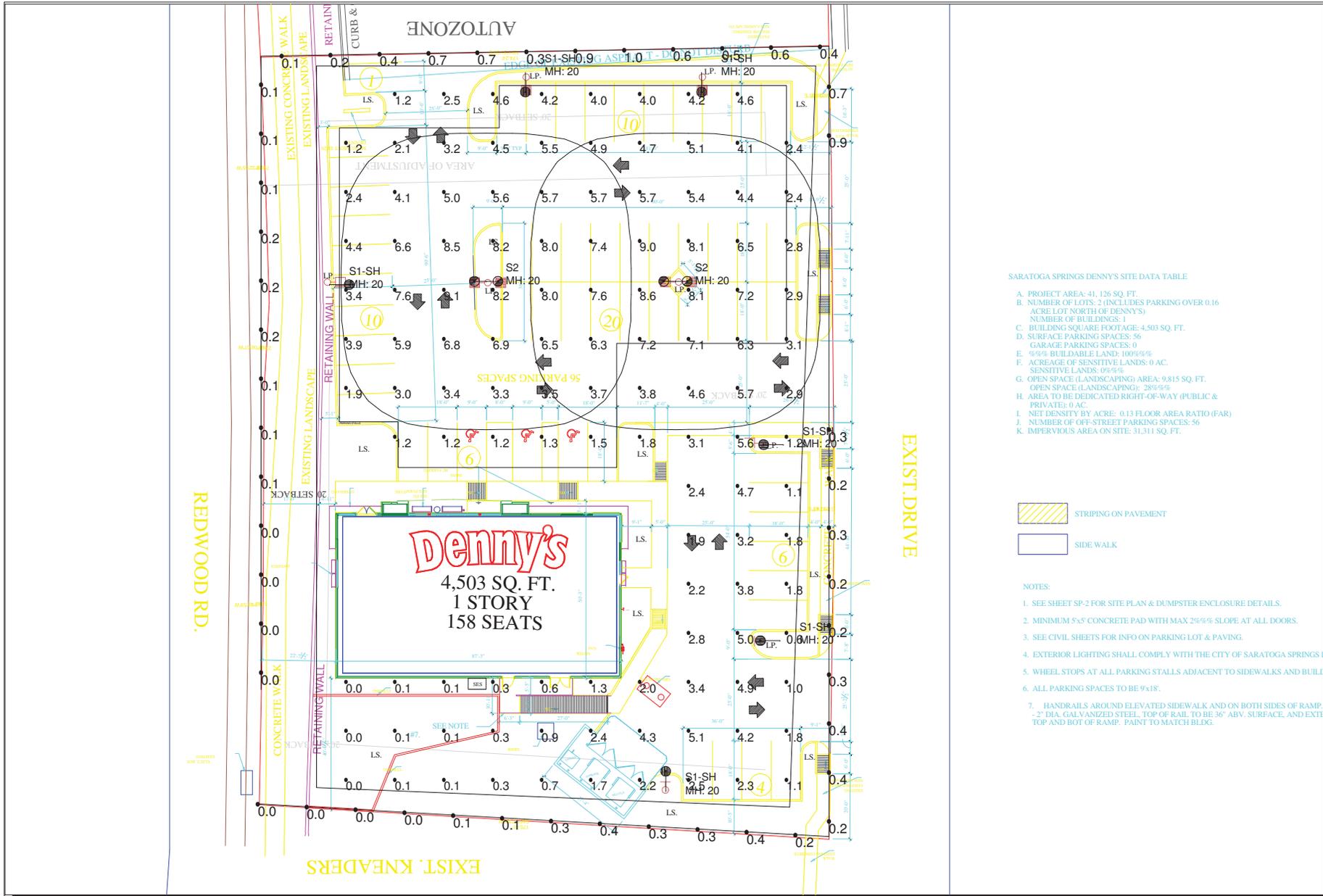
| # | Date | Comments |
|---|------|----------|
| | | |
| | | |
| | | |

Revisions

Drawn By: PETER BALDWIN
 Checked By: BILL HEIN
 Date: 3/4/2016
 Scale:

NLS LIGHTING

19500 RANCHO WAY
 RANCHO DOMINGUEZ, CA 90220



| # | Date | Comments |
|---|------|----------|
| | | |
| | | |
| | | |

| |
|-------------------------|
| Drawn By: PETER BALDWIN |
| Checked By: BILL HEIN |
| Date: 3/4/2016 |
| Scale: |

NLS LIGHTING
19500 RANCHO WAY
RANCHO DOMINGUEZ, CA 90220

APPLICATION REVIEW CHECKLIST

Application Information

| | |
|-----------------------------------|--|
| Date Received: | 1/26/2016, 2/1/2016, 2/25/2016, and 3/8/2016 |
| Review date(s): | 2/5/2016 |
| Project Name: | Denny's |
| Project Request / Type: | Site Plan |
| Body: | City Council |
| Meeting Type: | Public meeting |
| Applicant: | Food Service Concepts, Inc. (Othoniel Bejarano) |
| Owner (if different): | Phillips Edison Company |
| Location: | 1516 N Redwood Road |
| Major Street Access: | Redwood Road |
| Parcel Number(s) and size: | 66:387:0004; 0.787 acres and 66:387:0008; 0.157 acres (0.944 acres total) |
| General Plan Designation: | Regional Commercial (RC) |
| Zone: | Regional Commercial (RC) |
| Adjacent Zoning: | RC |
| Current Use: | Vacant |
| Adjacent Uses: | Commercial |
| Previous Meetings: | N/A |
| Type of Action: | Administrative |
| Land Use Authority: | City Council |
| Future Routing: | City Council |
| Planner: | Kara Knighton, Planner I |

Section 19.13 – Application Submittal

- Application Complete: yes
- Rezone Required: no
- General Plan Amendment required: no
- Additional Related Application(s) required: none

Section 19.13.04 – Process

- DRC: 2-2-2016
- Neighborhood Meeting: N/A
- PC: 3/24/2016
- CC: 4/19/2016

General Review

Fire Department

- A hydrant shall be within 150' of lot.
- Access to building shall support a 40' fire apparatus movement.
- A driving exhibit for drive isles shall be provided.
- The business shall be fire sprinkled according to NFPA 13D standards. It shall also have a full alarm system that will be monitored 24/7 by a third party.
- Knox box shall be located near the front entrance and recessed in the building. It shall be Knox item #3275 and the FDC shall have item #3041, Knox Lock. Knox Authorized code for Saratoga Springs Fire and Rescue is PS-06-0053-01-05.
- All sprinkler and alarm plans will be third party reviewed by PCI in Centerville, Utah; ATTN: Bob Goodloe.

Architectural Design Standards – 19.14.04

- The DRC reviewed the Denny's concept plan, site plan and elevations on February 1, 2016.
- Coordinate parking with AutoZone's current pavement.
- Ensure the sidewalk along the east side of Kneaders continues.
- It is recommended that a connection from the site to the sidewalk along Redwood Road be provided.
- A materials board is required (a photo of the brick is not sufficient for review).
- Clarify what the yellow hexagons along the southern elevation are, be they signs or metal cut outs.
 - It is suggested that the yellow hexagons be reduced in number or removed completely.
- The old "diner" look is appealing.
- The signage on the north elevation appears to be too big under the sign code.
- Accessible parking needs to be moved as close to the main entrance as possible.

Code Review

- 19.04, Land Use Zones: **Can comply.**
 - Zone: Regional Commercial (RC)
 - Use: **Permitted.** Restaurant, sit down.
 - Minimum lot size: **Complies.** Minimum is 20,000 sq. ft. and the site is 41,126 sq. ft.
 - Setbacks and Yard Requirements: **Complies.**
 - Front: Complies. 20' minimum. 140' provided.
 - Sides: Complies. 20' minimum. To the east of the building 70' is provided and to the west of the building 21' is provided.
 - Rear: Complies. 20' minimum. 40' provided.
 - Exceptions: Complies. The applicant is not requesting an exception.
 - General requirements: Complies. No building shall be closer than five feet from any private road, driveway, or parking space. The southeast end of the building abuts the paved surface of the parking lot, but the area is striped for no parking.
 - Structure Height: **Complies.** 50' max. The highest point of the building is 26'.
 - Maximum Lot Coverage: **Complies.** The site is 41,126 sq. ft. and the building is 4,503 sq. ft. which is 11% coverage.

- Minimum Building Size: **Complies**. Minimum 1,000 sq. ft. required. The proposed building is 4,503 sq. ft.
 - Development Standards: **Can comply**.
 - Architectural Review: **Can comply**. The Planning Commission shall review the Site Plan and building elevations.
 - Landscaping: **Complies**.
 - Required front yard areas/ yard areas facing a public street: **Complies**. 20' of landscaped area required. The only public street is Redwood Road and there is 21' provided.
 - Minimum 10' landscaping between parking areas and side or rear property lines adjacent to agricultural and residential land uses: **Complies**. The site is not adjacent to an agricultural or residential land use.
 - Landscaping prior to Certificate of Occupancy: **Will comply**. The landscaping will be inspected prior to the issuance of a Certificate of Occupancy. (Exceptions granted by the Building Official as seasonal conditions warrant.)
 - Maintenance: **Complies**. The property owner will be required to maintain the landscaping.
 - Uses within Buildings: **Complies**. No outdoor storage is proposed.
 - Trash Storage: **Complies**. A trash storage container is provided and complies with Section 19.14.04.
 - Buffering/ Screening Requirements: **Complies**.
 - Screening between commercial and agricultural or residential use. **Complies**. The site is not adjacent to an agricultural or residential zone.
 - Minimum number of both deciduous and evergreen trees: **Complies**. The landscaping complies with Section 19.06.07.
 - Landscaping Requirements: **Complies**. Minimum of 20% of the total project area. The site is 41126 sq. ft. meaning the required amount of landscaping is 8,225 sq. ft. proposes 24%.
 - Sensitive Lands: **Complies**. There are no sensitive lands.
- 19.05, Supplemental Regulations: **Complies**.
 - Flood Plain: **Complies**. The building is not within the flood plain.
 - Water & sewage: **Complies**. The water and sewage will connect to the City utilities.
 - Transportation Master Plan: **Complies**. The building is not proposed on a proposed street, road, highway, or right-of-way as shown on the City's Transportation Master Plan.
 - Property access: **Complies**. The site abuts a roadway that provides for police, fire, and emergency service access.
 - 19.06, Landscaping and Fencing: **Can comply**.
 - General Provisions: **Complies**.
 - Automatic irrigation required.
 - Sight triangles must be protected
 - All refuse areas (including dumpsters) must be screened.
 - Tree replacement required if mature trees are remove.
 - Landscaping Plan: **Complies**. Provided.
 - Completion – Assurances: Bond required for public improvements prior to recordation.

- Planting Standards & Design: **Complies.**
 - Required Trees: Complies.
 - Deciduous Trees: Complies. 2” caliper required and 2” caliper is proposed.
 - Evergreen Trees: Complies. 6’ in height required and 6’7” is proposed.
 - Tree Base Clearance: Complies. Landscape Detail C5 provides a 6’ diameter free of grass and rock.
 - Shrubs: Complies. 25% of the shrubs are required to be in 5 gallon container and the remainder is required to be in 1 gallon containers. All except two shrubs are in 5 gallon containers; the two excluded are in 1 gallon containers.
 - Turf: Complies. 70% max. 41% provided.
 - Drought Tolerant Plants: Complies. 50% of all the proposed trees and shrubs are drought tolerant.
 - Rock: Complies. Two different colors and two different sizes of rock are proposed.
 - Planting and Shrub Beds: Complies.
 - Edging and drip lines and material: Complies. Edging is provided.
 - Artificial turf: Complies. No artificial turf is proposed.
 - Selection of plants: Complies. The proposed plants have different colors, forms, and textures.
 - Evergreens: Complies. Evergreens have been incorporated into the landscape.
 - Softening of walls: Complies. Shrubs are provided against long expanses of the building.
 - Water conservation: Complies. Drip lines are proposed for shrub and trees.
 - Tree Preservation: Complies. There are no existing mature trees on the site.
 - Placement: Complies. Plants are placed against the building.
- Amount: **Complies.**
 - Deciduous Trees: Complies
 - 6 deciduous trees required
 - 16 provided
 - Evergreen Trees: Complies.
 - 3 evergreen trees required
 - 5 provided
 - Minimum Shrubs: Complies
 - 19 shrubs required
 - 39 provided
 - Turf: Complies.
 - 35% required. (2,878 sq. ft. required)
 - 41% provided. (3,379 sq. ft. proposed)
 - Planting and Shrub beds: Complies.
 - Not more than 65% allowed
 - 65% provided (overall landscaping)
- Additional Requirements: **Complies.** The park strip is already landscaped.
- Fencing & Screening: **Complies.** The retaining wall is existing.
- Clear Sight Triangle: **Can comply.** A Code amendment is required. The site plan cannot comply with the clear sight triangle ordinance and the double row parking island ordinance in 19.09. Two trees are

required per double row parking island. Two trees are provided and while the trunks of the trees are not within the clear sight triangle the canopies are thus the need for the code amendment.

- 19.09, Off Street Parking: **Can comply.**
 - General Provisions: **Complies.**
 - Materials: Complies. The parking lot is proposed as asphalt.
 - Maintenance: Complies. The parking lot will be maintained by the property owner.
 - Parking area access: Complies. No parking areas will require backing across a sidewalk to gain access to the street.
 - Lighting in parking areas: Complies. Parking lot lighting is proposed.
 - Location of parking areas: Complies. The parking lot is within 600' of the main entrance to the building.
 - Storm water runoff: See City Engineer's report.
 - Parking Requirements / Design: **Complies.** On-street parking is not counted towards meeting the required parking stalls, the parking requirement is based off of gross square footage, no tandem spaces are proposed, the parking lot calculation was rounded up to the next whole number, and no parking lot reductions are proposed.
 - Dimensions: **Complies.** For 90° parking 9'x18' stalls required with a 24' aisle width. Proposed parking spaces are 9'x18' and the proposed aisles are 25'.
 - Accessible: **Complies.** For 56 stalls, 3ADA stalls are required including 1 van accessible stall with a min. 96" wide access aisle and two accessible parking spaces with a min. 60" wide access aisle. Three ADA stalls are provided and one of which is a van accessible stall with a 96" wide access aisle and the other two stalls share a 60" access aisle. The accessible stalls are located as close as possible to the main entrance due to the outdoor seating area.
 - Landscaping: **Can comply.**
 - Parking areas adjacent to public streets: Complies. A landscaped strip of not less than ten feet between the sidewalk and the parking areas containing a berm or screen wall 3' to minimize intrusion of lighting from headlights. Trees both deciduous and evergreen shall be placed no more than 30' apart. A retaining wall is provided between the parking lot and the public street (Redwood Road). Deciduous and evergreen trees are provided.
 - Curbs: Complies. The parking lot is separated from the landscaping by a curb. All landscaped areas abutting any paved surface are curbed.
 - Clear sight: Can comply. Code amendment required; see above.
 - Components of Landscaped areas: Complies. All landscaped areas have an irrigation system.
 - Required Parking islands: Complies.
 - Double rows: Complies. One 36' by 9' landscaped island required every twenty parking stalls with a minimum of two trees per planter. A 36' x 9' landscape island is provided at either end of the double parking row. Two trees are provided per planter.
 - Single rows: Complies. One landscaped island required every ten parking stalls containing a minimum of one tree per planter. One tree is provided per planter; the islands are 9' x 18'.

- Pedestrian Walkways & Accesses: **Complies**. The parking lot is not larger than 75,000 sq. ft. as it is ~25,075 sq. ft.
- Shared Parking: **Complies**. No shared parking is proposed.
- Minimum Requirements: **Complies**. 1 stall is required for every 100 sq. ft. The building is 4,503 sq. ft. requiring 46 spaces. 58 spaces including 3 accessible stalls are provided.
- 19.11, Lighting: **Complies**.
 - General Standards: **Complies**.
 - Material: Complies. All lighting fixtures are metal.
 - Base: Complies. 16” decorative base required. The proposed base is 18.5” tall.
 - Type: Complies. All lights are full cutoff.
 - Angle: Complies. All lighting is directed downward.
 - Lamp: Complies. Bulb may not exceed 4,000 K in color temperature. The proposed bulb is 4,000 K.
 - Drawings: Complies. Provided.
 - Flags: Complies. No flags are proposed.
 - Nonresidential lighting: **Complies**.
 - Wall-mounted: complies. 16’ maximum in height. All proposed wall-mounted lights are mounted below 16’.
 - Intermittent lighting: Complies. No intermittent lighting is proposed.
 - Trespass lighting: Complies. The trespass lighting does not exceed one foot-candle measured at the property line.
 - Service station canopies: Complies. No service station is proposed.
 - Freestanding lights: Complies. All proposed freestanding light fixtures are black.
 - Pole design: Complies. Must be an arm and bell shade. Arm and bell shade light poles are proposed.
 - Parking lot poles: Complies. The luminaire schedule dictates a 20’ pole.
 - Lighting fixtures: Complies. All lights are full cut off.
 - Hours: Will comply. One hour after closing or by 11:00pm, whichever is earlier, businesses must turn off at least 50% of building lighting and lighting fixtures in surface parking lots; however, those lighting fixtures turned off may be set to function utilizing a motion detector system. Lights may be turned back on one half hour prior to the first employee shift.
 - Outdoor sign lighting: **Complies**.
 - Illuminated signs within ½ mile of Camp Williams: Complies. The site is more than a ½ mile away from Camp Williams.
 - On-premise signs: Will comply. On-premise signs may remain illuminated during regular business hours, but may not be illuminated later than a half hour after closing, not prior to the daily opening of the business to the public.
 - External illumination for wall signs: Complies. The proposed signs are internally illuminated.
 - Monument signs: Complies. The proposed monument sign is internally illuminated.
 - Internally illuminated signs: Complies. The proposed light source appears to not be visible.

- Digital signs: Complies. No digital signs are proposed.
 - Walkway lighting: **Complies.**
 - Lighting of all pedestrian pathways is recommended.
 - Pathways, walkway, and sidewalk lighting fixtures mounted at a height not to exceed 10'. Complies. No pathway, walkway, nor sidewalk lighting is proposed.
 - Bollard lighting: Complies. No bollard lights are proposed.
 - Street lighting: **Complies.**
 - Reduce glare and excessive direct light: Complies.
 - Black: Complies. The proposed parking lot poles are black.
 - Lighting Plan: Complies. Provided.
- Section 19.13, Process: **Complies.**
 - General Considerations: **Complies.**
 - General Plan: Complies. The proposed use is a Regional Commercial (RC) use and the General Plan already displays the area as RC.
 - Notice / Land Use Authority: The City Council is the Land Use Authority. Prior to City Council, the Planning Commission shall hold a public hearing and forward a recommendation onto the City Council.
- 19.14, Site Plans: **Complies.**
 - Commercial
 - Development Standards: **Complies.**
 - Entire site included in site plan: complies.
 - Buffering/ Screening: Complies. A commercial lot abutting a residential lot shall be effectively screened. The commercial lot does not abut residential.
 - Access: Complies. Access spacing and circulation has been reviewed by the City Engineer. Interconnection to adjacent sites is provided via the private street.
 - Utilities: See City Engineer's report.
 - Grading and Drainage: See City Engineer's report.
 - Secondary Water: See City Engineer's report.
 - Irrigation ditches: See City Engineer's report.
 - Architectural and Urban Design Requirements: **Complies.**
 - Process: Complies. The DRC reviewed the elevations and site plan prior to the Planning Commission public hearing.
 - Mechanical Equipment: Complies. All mechanical equipment is located within the building.
 - Windows: Complies. All of the windows are rectangular and all appear to be treated.
 - Building lighting: Complies. Downward directed and shielded. The proposed building lighting is directed downward and shielded.
 - Trash enclosures: Complies. The surround is split face block to match the color of the Denny's building. The gates is opaque, no chain link is proposed, and there is a 3' landscape buffer between the nearest parking space and the enclosure.
 - Exterior Materials: Complies. A materials board was provided and the DRC reviewed the materials and elevations on February 4, 1016.

- Landscape Requirements: See analysis above.
 - Parking lot, building, and street lighting: See analysis above.
 - Special Provisions: **Complies**. No outdoor uses are proposed.
 - Maps and Drawings Required: **Can comply**. Provided.
 - Bond: Complies. A bond will be required.
- 19.18, Signs: **Can comply**.
 - Permanent
 - General Standards: **Complies**.
 - Sign Design and Materials: Complies.
 - Landscaping: Complies. 3' of landscaping beyond the base of the sign in all direction is required. The proposed monument sign is proposed on the landscaping plans with shrubs around the base of the sign.
 - Sign Placement: Complies.
 - General Location: Complies. The proposed signs will not interfere with doorways, exits, sidewalks, etc. The proposed monument sign does not appear to be in the PUE.
 - Clear Sight Triangle: Complies. No sign is proposed within the clear sight triangle.
 - Traffic safety: Complies. No sign is placed that may be confused with traffic signals, etc.
 - Right-of-way: Complies. The proposed monument sign is not within the right-of-way.
 - Setbacks: Complies. The proposed monument sign is 25' from the side property line and 4' away from the driveway for the parking lot.
 - Sign Illumination: Complies. The proposed signs are internally illuminated. The illuminated signs do not face residentially zoned property.
 - Sign and Building Maintenance: Complies. All signs shall be maintained in good condition.
 - Sign Construction: To be reviewed at time of building permit.
 - Monument and Pedestal signs: Complies.
 - Multiple Faces: Complies. There are two sign faces; however, the angle between the two is less than 15 degrees so only one sign face shall be counted.
 - Monument sign base: Complies. The sign base is 3'6" and runs the full horizontal length of the sign.
 - Changeable copy: Complies. No changeable copy is proposed.
 - Address: Complies. Provided.
 - Building Signs: Complies. On the north elevation of the building the Denny's sign is just below the highest point of the façade on which it is mounted.
 - Building signs in the RC zone: **Can comply**.
 - Number: Complies. One primary sign and two secondary signs are permitted. One primary sign is proposed and two secondary signs are proposed.

**City of Saratoga Springs
Planning Commission Meeting
March 24, 2016**

Regular Session held at the City of Saratoga Springs City Offices
1307 North Commerce Drive, Suite 200, Saratoga Springs, Utah 84045

Minutes

Present:

Commission Members: Kirk Wilkins, Sandra Steele, David Funk, Ken Kilgore, Brandon MacKay, Hayden Williamson

Staff: Sarah Carroll, Kevin Thurman, Kara Knighton, Nicolette Fike, Daniel McRae, Mark Christensen

Others: Johnny Anderson, Larry Watkins, Wyatt Watkins, Sean Fox, Tom Windsler, Brian Dennis, Rob Walker

Excused: Troy Cunningham

Call to Order - 6:30 p.m. by Chairman Kirk Wilkins

1. **Pledge of Allegiance** - led by Kirk Wilkins

2. **Roll Call** – A quorum was present

3. **Public Input Open** by Chairman Kirk Wilkins
No input was given.

Public Input Closed by Chairman Kirk Wilkins

4. **Public Hearing: Site Plan for Denny's, located at 1516 N. Redwood Rd., Food Service Concepts, Inc. Applicant.**

Kara Knighton presented the Site Plan. The applicant is requesting approval of a Site Plan for a 4,503 sq. ft. sit-down restaurant. This cannot comply with both the Clear sight triangle ordinance and the double row parking ordinance. Item 5, Code amendments will try to clear that up.

Applicants Sean Fox representing the franchise, and Tom Windsler with Food Service Concepts, Inc. were present to answer questions.

Public Hearing Open by Chairman Kirk Wilkins

No Comment was given.

Public Hearing Closed by Chairman Kirk Wilkins

David Funk asked what they were doing about the clear-site and canopies.

Kara Knighton clarified that the Code changes in next item would be to allow canopies in right-of-way that are not city owned.

David Funk is concerned about the increased traffic and the pedestrian traffic and connecting the sidewalk to the east. He felt if they require things of other applicants they should require the same with this applicant to be fair.

Sandra Steele is concerned about the placement of disabled parking as close as possible to the front door. The outdoor seating makes that difficult and she would like to see that as a condition. She likes the grid concept but doesn't like the yellow outline of the sign. She would like to keep the grid and lighting but take out the yellow design.

Ken Kilgore asked what the issue was with the yellow hexagons being reduced.

Kara Knighton replied the applicant didn't want to reduce the number because it does represent their brand.

Sarah Carroll noted that it was a design recommendation from the Urban Design Committee. They felt there was too many with a cluttered feel.

Ken Kilgore asked the applicants what they normally have on buildings similar to this. He doesn't feel it is a sign, but a decorative feature.

Sean Fox replied it was iconic of the restaurant and they have included in their designs for about two years. People recognize the design as their brand.

Sandra Steele feels it acts a sign.

Hayden Williamson feels that every business that wants to come in have architectural designs on their building that are part of their brand. This could become a big problem for us if we regulate them all as signs. He believes it's more of an architectural design rather than a sign.

Ken Kilgore noted a color scheme could also be part of a brand, could you say that is a sign? The applicants need some sort of decoration on each side and if they can tie it to a brand that is good for them. He clarified that this restaurant would be open 24 hours and commented on lighting code that would need to be reduced at night. Is it ok for the signs to be illuminated 24 hours if the business is open 24 hours?

Kevin Thurman noted if they are concerned they could make a condition that they comply with the code.

Ken Kilgore is concerned that they would have to turn off the signs but if they are open they would want to have their signs on.

Kirk Wilkins referred to the Code that 24 hour businesses would need to turn off 50% of their lighting by 11p.m.

Sandra Steele noted further in the Code that outdoor signs may be illuminated during regular business hours. That should cover that concern.

Kirk Wilkins thought that the shapes were not clutter and fell under architectural code rather than signs. He wanted the applicant's opinion on the accessible parking condition.

Tom Windsler said they would agree with the condition on the accessible parking.

Motion made by Ken Kilgore to forward a positive recommendation to the City Council for the Denny's Site Plan, located on parcel 66:387:0004 and 66:387:0008 and as shown in the exhibits, with the Findings and Conditions in the Staff Report. Also with the condition that the applicant complies with the ADA restrictions and moves the stalls two over to the west and as close to the front door as possible. Seconded by Sandra Steele. Aye: Sandra Steele, David Funk, Hayden Williamson, Kirk Wilkins, Ken Kilgore, Brandon MacKay. Motion passed 6 - 0.

5. Public Hearing: General Code Amendments, City Initiated.

Kara Knighton presented the current recommendations for changes to the following sections.

19.06 - Landscaping and Fencing - multiple -

- 19.06.03 – Replacing low flow sprinkler heads with water-conserving sprinkler heads.
- 19.06.06 – Clarifying that if a mature tree is preserved the roots shall not be disturbed.
- 19.06.08 – Including ornamental fruit bearing trees in the list of prohibited vegetation in park strips.
- 19.06.11 – Allowing exceptions to the clear sight triangle.

19.09 - Off Street Parking Requirements - Clear sight triangle

- 19.09.08 – Remove the possibility of contradictions by referencing the clear sight triangle section back to 19.06.11.

Public Hearing Open by Chairman Kirk Wilkins

No Comment was given.

Public Hearing Closed by Chairman Kirk Wilkins

Sandra Steele asked what was meant about the canopy at maturity, before it gets there what is the mechanism that we use.

Kara Knighton noted that normally at maturity it's 4" in diameter and 6' tall. She doesn't see trees that are smaller being an issue.

Sarah Carroll commented that the outcome of their discussion was that the smaller trees wouldn't be an issue.

Mark Christensen noted that most people are installing a smaller caliper and it will take time for them to grow.

The ability to plant them in their park strips was a concession to let them grow their trees and not have to start with big expensive trees.

Chapter 19.06. Landscaping and Fencing.

Sections:

- 19.06.01. Purpose.
- 19.06.02. Required Landscaping Improvements.
- 19.06.03. General Provisions.
- 19.06.04. Landscaping Plan.
- 19.06.05. Completion of Landscape Improvements; Adequate Assurances.
- 19.06.06. Planting Standards and Design Requirements.
- 19.06.07. Amount of Required Landscaping.
- 19.06.08. Additional Landscaping Requirements.
- 19.06.09. Screening and Fencing Requirements and Restrictions.
- 19.06.10. Screening at Boundaries of Residential Zones.
- 19.06.11. Clear Sight Triangle.

* * * * *

19.06.11. Clear Sight Triangle.

A. To allow for clear sight as shown in the graphic below, ~~At~~ at all intersections of streets, driveways, or sidewalks, for a distance of twenty feet back from the point of curvature of curved ROWs and property lines or thirty feet back from the intersection of straight ROWs and property lines, whichever is greater, and fifteen feet back from edge of driveways:

- a. all landscaping, berms, and fencing shall be limited to a height of not more than three feet, and
- b. the grade at such intersections shall not be bermed or raised, ~~and for a distance of twenty feet back from the point of curvature of curved ROWs and property lines or thirty feet back from the intersection of straight ROWs and property lines, whichever is greater, and fifteen feet back from edge of driveways to allow for clear sight as shown in the graphic below.~~
- c. tree canopies are not permitted to encroach along public rights of way or City maintained rights of way

B. Exceptions:

- a. Deciduous tree canopies may be located in the clear sight triangle of privately owned and maintained streets only if at maturity, as defined in Section 19.06.06, the distance between the ground and base of the canopy is maintained at no less than eight feet, and
- b. any other exception outlined in the Code.

* * * * *

RESOLUTION NO. R16-24 (4-19-16)

**ADDENDUM TO RESOLUTION OF THE CITY OF SARATOGA
SPRINGS PERTAINING TO THE CITY STREET LIGHTING
SPECIAL IMPROVEMENT DISTRICT TO INCLUDE
ADDITIONAL SUBDIVISION LOTS.**

**TANNER LANE CHURCH
(Saratoga Springs Church 4)**

WHEREAS, on July 27, 2004, the City Council adopted Ordinance No. 04-12 creating a street lighting special improvement district (the “Lighting SID”) consisting of all lots and parcels included within the Subdivisions set out in said Ordinance for the maintenance of street lighting within the Lighting SID.

WHEREAS, *Utah Code Ann.* § 17A-3-307 provides that additional properties may be added to the special improvement district and assessed upon the conditions set out therein.

WHEREAS, the City Council has given final plat approval to Tanner Lane Church (Saratoga Springs Church 4) (the “Subdivision”) conditioned upon all lots in the Subdivision being included in the Lighting SID.

WHEREAS, the City Council finds that the inclusion of all of the lots covered by the Subdivision in the Lighting SID will benefit the Subdivision by maintaining street lighting improvements, after installation of such by the developer of the Subdivision, which is necessary for public safety, and will not adversely affect the owners of the lots already included within the Lighting SID.

WHEREAS, the owners of the property covered by the Subdivision have given written consent: (i) to have all lots and parcels covered by that Subdivision included within the Lighting SID, (ii) to the improvements to that property (maintenance of the street lighting), (iii) to payment of the assessments for the maintenance of street lighting within the Lighting SID, and (iv) waiving any right to protest the Lighting SID and/or assessments currently being assessed for all lots in the Lighting SID (which consent is or shall be attached as Exhibit 1 to this Resolution).

**NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF
THE CITY OF SARATOGA SPRINGS THAT:**

1. All lots and parcels in the Subdivision be added to and included in the Lighting SID based upon the above findings and the written consent.
2. City staff is directed to file a copy of this Resolution, as an Addendum to Ordinance No. 04-12 creating the Lighting SID, as required by *Utah Code Ann.* § 17A-3-307.

RESOLUTION NO. R16-25 (4-19-16)

**ADDENDUM TO RESOLUTION OF THE CITY OF SARATOGA
SPRINGS PERTAINING TO THE CITY STREET LIGHTING
SPECIAL IMPROVEMENT DISTRICT TO INCLUDE
ADDITIONAL SUBDIVISION LOTS.**

**RING ROAD CHURCH
(Jacobs Ranch 1 Church)**

WHEREAS, on July 27, 2004, the City Council adopted Ordinance No. 04-12 creating a street lighting special improvement district (the "Lighting SID") consisting of all lots and parcels included within the Subdivisions set out in said Ordinance for the maintenance of street lighting within the Lighting SID.

WHEREAS, *Utah Code Ann.* § 17A-3-307 provides that additional properties may be added to the special improvement district and assessed upon the conditions set out therein.

WHEREAS, the City Council has given final plat approval to Ring Road Church (Jacobs Ranch 1 Church (the "Subdivision") conditioned upon all lots in the Subdivision being included in the Lighting SID.

WHEREAS, the City Council finds that the inclusion of all of the lots covered by the Subdivision in the Lighting SID will benefit the Subdivision by maintaining street lighting improvements, after installation of such by the developer of the Subdivision, which is necessary for public safety, and will not adversely affect the owners of the lots already included within the Lighting SID.

WHEREAS, the owners of the property covered by the Subdivision have given written consent: (i) to have all lots and parcels covered by that Subdivision included within the Lighting SID, (ii) to the improvements to that property (maintenance of the street lighting), (iii) to payment of the assessments for the maintenance of street lighting within the Lighting SID, and (iv) waiving any right to protest the Lighting SID and/or assessments currently being assessed for all lots in the Lighting SID (which consent is or shall be attached as Exhibit 1 to this Resolution).

**NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF
THE CITY OF SARATOGA SPRINGS THAT:**

1. All lots and parcels in the Subdivision be added to and included in the Lighting SID based upon the above.
2. City staff is directed to file a copy of this Resolution, as an Addendum to Ordinance No. 04-12 creating the Lighting SID, as required by *Utah Code Ann.* § 17A-3-307.

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CITY OF SARATOGA SPRINGS
CITY COUNCIL MEETING MINUTES

Tuesday, March 29, 2016
City of Saratoga Springs City Offices
1307 North Commerce Drive, Suite 200, Saratoga Springs, Utah 84045

City Council Work Session

Call to Order: 6:05 p.m. by Mayor Jim Miller

Present Council Members Michael McOmer, Stephen Willden, Shellie Baertsch, and Chris Porter.

Excused Council Member Bud Poduska

Staff City Manager Mark Christensen, City Attorney Kevin Thurman, Assistant City Manager Spencer Kyle, Planning Director Kimber Gabryszak, Fire Chief Jess Campbell, Finance Manager Chelese Rawlings, City Engineer Gordon Miner, Capital Facilities Manager Mark Edwards, City Planner Kara Knighton, City Recorder Cindy LoPiccolo

Live Fire Training Facility Discussion.

Fire Chief Jess Campbell opened discussion concerning the proposal for a live fire training site for Council feedback.

Firefighter / Paramedic Blaine Coombs identified two possible sites for development of the training site as the area north of the south Fire Station, and at the Public Works site, and outlined the pros and cons for each site, described the appearance, plan and use of the proposed semi-permanent structure. In response to Council Member Baertsch, Firefighter / Paramedic Coombs affirmed the facility could be relocated, they have been working with Assistant City Manager Kyle and City Manager Christensen on the master planning of the Public Works area, only common combustibles would be used as an emission source during training, their goal is to be functional for live fire training in October.

Council Members commented in support of the live fire training facility, that at this time the best location would be adjacent the South Fire Station on Ring road, have open meeting and invite public review, and plan to relocate to the Public Works site when the facility size increases. Mayor Miller recommended staff plan ahead to save space at the Public Works site, make necessary parking and water line improvements.

ABC Great Beginning Concept Plan and Rezone Discussion.

City Planner Kara Knighton introduced the ABC Great Beginnings Rezone and Concept Plan application concerning 3.63 acres located at the northwest corner Redwood Road and Aspen Hills Blvd, on the north end of the city. Planner Knighton reported this is a request for rezone to change the zone of the property from Agriculture (A) to Mixed Use (MU) to match the Land Use Plan designation of Mixed Use in the General Plan. The proposal concept includes 4,200 sq. ft. of future office space, 3,800 sq. ft. for a future restaurant, and two 11,400 sq. ft. three story buildings – one with a child care center on the main level and residential units on the top two stories, and the other with retail commercial on the main level and top two residential. The project proposes 41 apartment units, proposed landscaping meets the 25% requirement, parking meets requirements, the applicant is requesting a 25% shared parking allotment, there will be full access onto Aspen Hills Blvd. with potential full access onto Redwood Road pending UDOT approval.

John Anderson, representing ABC Great Beginnings, reported they have modified the proposed plan and are considering 32 to 36 residential units and would be able to meet the parking requirement, and they have had preliminary conversations with UDOT and UDOT is comfortable with the access.

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Council Member Porter noted residents have spoken out against density, however, the City’s master plan designates this area mixed use, the concept presented is attractive, in review of the site and other developments along Redwood Blvd. he believes this is what was visualized, supports the reduction in units; his concerns are the possibility of only one access unless they obtain UDOT approval, the zoning of the adjacent Western Hills parcel, and would possibly support only a 15% shared parking reduction. Director Gabryzak affirmed the Western Hills property is still zoned R-3, staff can review for parking and landscaping for transition.

Council Member Willden commented if the mixed-use zoning was not already on the general plan it would not be a consideration, his preference is an increase in office space or commercial and limit the residential, noted he believes this project to be unique in the City. Representative Anderson responded to Council Member Willden’s inquiry the apartments would be for rent.

Council Member McOmber noted the general plan designating mixed-use was put in place 9-10 years ago; with infrastructure and utility requirements he is more comfortable at 31 residential units; the second access point would be beneficial to residents and traffic; pointed out the City meets all national parking standards and does not allow developers to under park, however, he is not supportive of the request for reduction as local restaurants have very high visitation. Council Member McOmber further commented this is a great mixed use project, when the zone was created this is what it was designed for, it is the trend for younger generations and the City should offer this type of product in the City giving more people options.

In response to Council Member Baertsch, representative Anderson commented they plan on making the playground available to the residents, possibly with a key card, and one of the conditions for residents is a background check. Council Member Baertsch commented the playground should be considered part of the business and not landscaping, residents would not be able to allow visitors children use the playground making it not fully open to the residents, however, recommended mitigation by the addition of personal spaces such as balconies and roof top gardens. Council Member Baertsch commented she does not support 25% shared parking due to the number of customers, and the City must also plan for the future in the event the use is changed from a day care center to other offices, retail or restaurants. Council Member Baertsch thanked the applicant and wished them success.

Mayor Miller thanked the Applicant.

Budget Review/Discussion – FY 2016-2021. Mayor Miller deferred Budget Review to the Policy Session.

Adjournment: The Work Session adjourned at 7:00 p.m. to the Policy Session.

Policy Meeting

Call to Order: Mayor Jim Miller called the Policy Session to order at 7:00 p.m.

Roll Call:

Present Council Members Stephen Willden, Michael McOmber, Shellie Baertsch, and Chris Porter.
Excused/Absent Council Member Poduska
Staff Present City Manager Mark Christensen, City Attorney Kevin Thurman, Spencer Kyle Assistant
City Manager, Police Chief Andrew Burton, Planning Director Kimber Gabryszak, Finance

100

101 Manager Chelese Rawlings, City Engineer Gordon Miner, Capital Facilities Manager Mark
102 Edwards, City Recorder Cindy LoPiccolo

103
104 Mayor Miller tabled Action Item 2 concerning Tickville Wash Facilities Reimbursement Agreement R16-22 to
105 the next meeting.

106
107 Invocation by Council Member McOmber
108 Pledge of Allegiance led by Council Member Porter

109
110 **Public Input:**

111
112 Mayor Miller invited public input.

113
114 Patrick Costin, Aspen Hills, commented in support of the live fire training facility; concerned with possible spill
115 over parking from the ABC New Beginnings project unto Aspen Hills Blvd., supports the commercial, requested
116 limited residential.

117
118 Brandon Beatty, Aspen Hills, commented in support of commercial in the ABC New Beginnings project,
119 concerned with ingress and egress, traffic, parking; requested the City's assistance in regard to speeding and
120 traffic control affecting Aspen Hills.

121
122 Rich Anderson, Aspen Hills, commented the proposed day care center project will perpetuate the am and pm
123 heavy traffic in the area, concurred with Mr. Costin's statement of Aspen Hills Blvd. becoming a parking lot.

124
125 **Awards and Recognitions:**

126
127 Mayor Miller presented the oath of office to new officer Dana Wallace and Chief Burton presented Officer
128 Wallace with a Certificate of Commission.

129
130 Chief Burton announced the promotion of Detective Zach Robinson to Corporal, and promotion of Corporal
131 Roger Williams to Sergeant, and presented each with a Certificate of Promotion and new rank pins, and invited
132 the Officer wives to pin their badges. The Mayor and Council congratulated and thanked the officers for their
133 service. Council Member Baertsch commended and thanked the officers on behalf of her neighbors for their
134 response and handling of their daughter's accident.

135
136 Josh McHale, Account Executive, and Brent Oakeson, Loss Prevention Specialist, representing Utah Local
137 Governments Trust (ULGT), presented a 2015 Trust Accountability Program (TAP) Award to the City,
138 recognizing the City for successful loss control practices, noted the Trust serves 550 government agencies and
139 less than 100 qualify for this award, and thanked the City for being one of the standouts.

140
141 Budget Presentation - Finance Manager Chelese Rawlings presented a five year budget summary with update of
142 possible pay plan projections, and five year projections based on what was discussed at the retreat concerning
143 their future needs.

144
145 Council Member Willden thanked staff for the information noting the overall positive balance over the
146 upcoming five years, with only culinary and secondary water showing negative balances. Finance Manager
147 Rawlings responded this may be because of fund balance being used for projects. Council Member Willden
148 reported the methodology was developed and presented by the City's consultant, and although he was very
149 critical of the approach up front, he beat the tar out of it, he is informed and comfortable with the approach and
150 where he is recommending taking us is the right direction in his opinion.

151
152 Council Member McOmber commented most of his questions have been answered during his and Council
153 Member's participation on the Compensation Sub-Committee, thanked staff for addressing his request for long
154 term projections and City Manager recommendations and going through the exercise of allocating in the years

155 ahead. In response to Council Member McOmber, Finance Manager Rawlings confirmed the City is budgeting
156 to the midpoint or to the actual, whichever is greater, and noted many employees are well below the midpoint
157 resulting in a savings of approximately \$100,000 that will go in fund balance.
158

159 Council Member Porter commented he also met with the Finance Manager last week to review most of his
160 questions, appreciates the forecasting that provides an idea of the City's direction and knowing what we will
161 have in a given fund in future years.
162

163 Council Member Baertsch commented she appreciated the report and had questions concerning the pay plan
164 percentages and movements, specifically concern regarding the 'up to five percent' raise each year for newly
165 hired employees.
166

167 Council Member McOmber responded he initially had the same reaction , clarified the City is proposing the
168 opportunity based on an employee's performance to obtain the midpoint of the pay scale within 4 to 7 years
169 which could assist with competitively retaining employees, and noted this does not lock in future Councils.
170

171 Council Member Willden responded this is how the market works, the City still has the ability to bring
172 somebody in at the low point depending upon what qualifications we are willing to accept, the methodology was
173 developed by the City's consultant, and although very critical of the approach up front, he beat the tar out of it,
174 he is informed and comfortable with the approach, and this direction is correct for the City in his opinion.
175

176 City Manager Christensen confirmed this addresses the competitive factor as the City has had difficulty keeping
177 certain employees throughout a year because of a lack of pay range flexibility, the circumstances of some
178 positions will be reviewed and if there is high turnover it will be determined what can be done, not to push the
179 top end but to ensure the City is not investing all its time and resources training people and then losing them
180 because we cannot be competitive. City Manager Christensen reported the market survey gives the City the
181 ability to consistently plan and project, the Finance Manager would be able to prepare reports based on actual
182 wages and this philosophy can fully address Council Member Baertsch's question by projecting out a full five
183 years. City Manager Christensen reported the policy is written if there is a problem the City always has the right
184 to not increase any wages, and noted this importantly provides hope for many employees whose wages have
185 been frozen for a long time, they would be eligible based upon performance to have movement, an opportunity
186 to continue to grow, career plan, and it gives us the ability to provide a financial plan consistent with what
187 Council is looking for. Council Member Baertsch commented she recognizes the City has had some issues and
188 appreciates the ability for the flexibility, however, still has some concern because she has not seen this
189 methodology.
190

191 Finance Manager Rawlings reported this will come back and she will get Council the updated five year plan
192 using the five percent for the next five years so Council can see what that looks like.
193

194 Mayor Miller thanked Finance Manager Rawlings.
195

196 **POLICY ITEMS:**

197
198 **Reports:**

199
200 Council Member Porter reported Utah Valley University (UVU) will host a campus master plan breakfast on the
201 8th and there will be an opportunity for attendees to ask questions.
202

203 Council Member Willden reported a Jordan River Commission meeting is scheduled next week in the St.
204 George office, however, it may be cancelled due to timing.
205

206 Council Member McOmber reported a carnival will be coming in for Splash Days, he and Civic Events staff
207 researched carnival companies and interviewed other cities, the company they chose is the most reputable with
208 very little to no history of problems. He noted the company and their trailers will need a place to stay for a week

209 during the carnival, next to the carnival is inappropriate and they are recommending the south side of Inland
210 Park, as there are no adjacent residents, Willow Park is too expensive and days are limited, all they need is
211 water. In response to Council Member Baertsch, reported there are no games scheduled or programmed at the
212 park, and the organizations would be encouraged to cancel practices that week. Council Member Willden
213 commented he is okay with that.

214
215 City Manager Christensen stated the only concern is the park has restrictions concerning closure at night may
216 not allow overnight stays, can bring that back if a decision is necessary. Council Member Baertsche noted an
217 exception was made last year to allow someone to stay overnight at the carnival for security. Council Member
218 McOmber pointed out the City makes exceptions as needed frequently, would like to hear solutions for their stay
219 within City boundaries or the City will need to pay more to have them stay at Willow Park.

220
221 Council Member Baertsch reported:
222 - the Mountainland Association of Governments (MAG) Transportation Improvement Program (TIP)
223 selection final date was approved to be during spring break before the next MAG meeting;
224 - she attended the MAG Wasatch Front Regional Council I-15 corridor master transportation meeting
225 today, the study technically reviews the I-15 corridor from Davis County to 2100, it is projected by
226 2050 the I-15 freeway will be beyond capacity and the Committee discussed improvements i.e.
227 movable divided barrier express lanes, a separate divided bicycle autobahn so people can commute,
228 and other options; those plans will come out soon and people can begin to give response, she will
229 advise.
230 - she attended the Rock Art meeting today concerning protection of local area petroglyphs and
231 reviewed Eagle Mountain's newly adopted historic preservation code.
232 - Utah County has transferred 106 acres to Utah County for use as a shooting range, a ribbon cutting
233 ground breaking for the shooting range has been scheduled and she will advise the date.

234
235- Council Member Baertsch inquired if the City staff is attending Lake Commission Technical Committee
236 meetings as they have her listed as both Technical Committee and Executive Board. Directed Gabryszak
237 advised their department is officially sending Planner Sarah Carroll and Planner Kara Knightly is serving as
238 backup; and further noted Planner Carroll is also attending Jordan River Commission technical meetings and
239 Planner Jamie Baron serves as backup.

240
241 City Manager Christensen reported there is a need for a closed session this evening.

242
243 Assistant City Manager Kyle reported Regal Park is close to laying sod after the water is turned on, reviewed the
244 park areas designated for contractor and volunteer installment of the sod, reported the City is trying to get
245 volunteers to sign up, at this time an Eagle Scout has volunteered to do it as a project, he can get 50 volunteers,
246 and it is estimated the Eagle Scout team can lay approximately 65 of the total 433 pallets of sod. Assistant City
247 Manager Kyle recommended Council consider due to the size of the project completion by the contractor who is
248 willing to keep the cost equal, a change order would be approximately \$11,500 to \$12,000; in response to
249 Council Member Baersch, reported the Scout is planning on doing the job the third or fourth weekend of April.
250 City Manager Christensen advised water will be on the week of the 15th and the City wants to install soon after
251 that, explained one of the challenges is to only order what can be laid down, there should be people scheduled to
252 lay the sod or we are taking a chance on wasting it.

253
254 Council Member Baertsch commented she would like to see the contractor and Scout complete their areas and
255 then get the resident volunteers to come out and keep working on it until they get to a point that they can't. City
256 Council Member McOmber noted the problem is people do not normally sign up to volunteer, they show up, the
257 residents were packed in here and they are going to help, staff should be set up something where the volunteers
258 can call in or post something on line where they can go and sign up, people show up and they get it done, and he
259 is opposed with paying more.

260

261 Capital Facility Manager Edwards reported it was his understanding the Public Relations/Economic
262 Development Manager has reached out to much of the social media for volunteers.
263

264 Mayor Miller noted they had 20 people on Sunday say they could do it and that was just one small group,
265 recommended posting a request for volunteers on neighborhood facebook pages. Council Member Baertsch
266 concurred to try to get volunteers. Council Member Willden agreed to try to get volunteers but stated he was
267 never in favor of relying on volunteers for future projects and laying large amounts of sod, in his subdivision the
268 residents just don't get out and it is always a problem. Council Member McOmber noted if you make it easy for
269 people to get involved, they will.
270

271 **PUBLIC HEARING:**

272
273 1. **Code Amendments to Section 19.08 – Home Occupations. Ordinance 16-07 (3-29-16)** (Continued
274 from 3-1-16).
275

276 Mayor Miller introduced the continued public hearing concerning the matter of Code Amendments to
277 Section 19.08 – Home Occupations for public hearing.
278

279 Planning Director Kimber Gabryszak noted this is a continued hearing from March 1, 2016, identified the
280 specific matters for further review and discussion, reviewed proposed amendments as discussed at public
281 hearing on March 1, 2016 and those newly proposed by staff, and presented options for action with a
282 recommendation of minimum approval of Class 1 home occupations in order to move forward with those
283 business which may potentially be impacted.
284

285 Council Member Porter commented he is in support of approval of Class 1 noting there are a number of
286 businesses pending that decision, the proposed amendments highlighted in pink address his concerns and he
287 is in support of those changes, in regard to the 40% this is less than half the home and supportive of that,
288 and noted impact is being addressed believing the City is taking steps to not unduly impact neighbors.
289

290 Council Member Baertsch commented:

- 291 - wording 'office use or similar' in Class 1 be changed to 'low impact use or similar' as there are many
- 292 applicable occupations/uses other than 'offices';
- 293 - off-street parking be required for Class 2 and Class 3 businesses with employees, this should be specific,
- 294 no vehicles hanging over a sidewalk and need to take that impact off the street;
- 295 - only Class 1 okay in multi-family residential - when you have eight patrons arriving at the same time
- 296 there are significant impacts the neighborhood i.e. dance studios etc.;
- 297 - supports 40% if inclusive of other areas;
- 298 - re Capacity 'not to exceed' 40 patrons Kimber grammatically should say 'and shall not exceed', also
- 299 'and' subject to traffic mitigation. Mayor Miller noted 'subject to traffic mitigation' should be taken out, it
- 300 is already covered.
- 301 - concern with the limitation concerning hazardous materials as there are there are many kinds of hobbyists
- 302 using certain materials, clarified business licenses would still be required. Council Member McOmber
- 303 noted most subdivisions have HOAs, this is another protection.
304

305 Council Member McOmber commented in support of Class 1 in multi-family residential only; 40%
306 inclusive realistically of secondary areas halls, bathrooms etc.; Class 2 and the 16 people a day maximum is
307 worded the best way that will not create a large impact.
308

309 Council Member Willden commented in agreement with change to Class 1 and changes on Class 2; 40%
310 okay with property changes proposed; agree regarding multi-family.
311

312 Council Member Porter noted he was in agreement with multi-family residential being Class 1 only
313

314 Council Member Baertsch raised the question in regard to grandfathered businesses that wish to increase
315 usage, and specifically inquired why it would run with the land and not with the business license if it
316 lapses. Staff concurred this was a good question. City Manager Christensen recommended staff review
317 this and bring it back because you would not be creating a vested right if it is tied directly to the business
318 license. City Attorney Thurman noted this may be a type of permit that would not run with the land, it is
319 very specific.

320
321 Mayor Miller opened the public hearing and invited public comment - None.

322
323 Mayor Miller closed the public hearing.

324
325 City Attorney Thurman affirmed if the change concerning the matter of conditional use permit is the only
326 issue to be resolved, believe that can be delegated to staff and proceed with action on the Ordinance.
327 Director Gabryszak noted staff will return with that one change if necessary

328
329 Motion by Council Member Baertsch to approve amendment to Section 19.08 with the findings and
330 conditions of the staff report dated March 29, 2016, with the changes that were made tonight at the Council
331 meeting and approved by the Council, and direct staff that they find out how to make this not run
332 concurrent with the land but with the license and if that means removal of the conditional use or how this
333 needs to be done, was seconded by Council Member McOmber

334 Roll Call Vote: Council Members Porter, Willden, McOmber, Baertsch – Aye

335 Motion carried 4-0; Council Member Poduska excused/absent.

336

337 **ACTION ITEMS:**

338

339 **1. Award of Bid: Sports Park Master Plan and Construction Design Services. Resolution R16-21 (3-**
340 **29-16).**

341

342 Capital Facilities Manager Mark Edwards presented the report for the award for the design contract for the
343 baseball sports complex. Manager Edwards reported the scope of work provided in the RFQ was for
344 master planning and programming the entire 100 acres that has been made available to the City, designing,
345 providing bid and contract documents, project management and construction inspections; the first phase
346 will occupy approximately 25 acres and will primarily be programmed for baseball with associated
347 amenities. Manager Edwards reported the City received eight Statements of Qualifications (SOQ) which
348 were evaluated and scored by an advisory committee and one firm was eliminated; staff issued a Request
349 for Proposals (RFP), and upon close review and consideration of the submittals, the advisory committee
350 recommended award of bid to Professional Engineering Consultants (PEC) to be the design of choice based
351 on qualifications and bid.

352

353 City Manager Christensen requested if the Council is inclined to award this, that it be contingent upon the
354 Council approval of the land acquisition so that we have the ability to have further conversation prior to
355 commencing the work on this project.

356

357 Mayor Miller thanked Capital Facilities Manager Edward, noting the City received some great bids and
358 information to put this together.

359

360 Council Member McComber noted the determination of the advisory committee coincided with the lesser
361 bid, it shows that the City went for the quality bid.

362

363 In response to Council Member Baertsch's status inquiry, Manager Edwards advised they have not
364 negotiated yet concerning the construction inspector's time and announcer booths. Council Member Porter
365 noted the committee reviewed the other proposals in regard to inspector times and felt the other bidders had
366 a more reasonable amount of time, a cost estimate will be based on the difference in the amount of hours,
367 and pointed out even with this addition the bid amount will still be significantly lower, PEC was informed

368 concerning these issues. Manager Edwards noted there is a \$227,665 difference between this bid and the
369 next low bidder.

370
371 Motion by Council Member Porter to award the bid for the Sports Park Master Plan construction design
372 services to PEC in the amount of \$154,918 and adopt Resolution R16-21 (3-29-16), conditional upon the
373 land acquisition approval, was seconded by Council Member McOmber

374 Roll Call Vote: Council Members Baertsch, McOmber, Willden, Porter – Aye

375 Motion passed 4-0; Council Member Poduska excused/absent.

376

377 3. **Dedication of Village Parkway – Right of Way and Easement Agreement. Resolution R16-23 (3-29-**
378 **16)**

379

380 City Attorney Thurman presented a Right of Way and Easement Agreement concerning Village Parkway
381 within Fox Hollow Neighborhood 6. He reported Developer JF Capital is responsible for the improvement
382 of Village Parkway, the underlying property of Village Parkway is owned by property owners Pronova 4
383 and CPB, neither at this time willing to dedicate the road to the City. The Right of Way and Easement
384 Agreement was negotiated establishing the Easement Area as a Class C Road, the City and HOA will have
385 responsibility for the maintenance and repair of improvements installed on the Easement Area, and
386 pursuant to the terms of this agreement upon development of their property either Owner shall then
387 dedicate in fee simple via recorded plat the Easement area to the City.

388

389 City Manager Christensen reported this has been a long and hard project, many complex issues have been
390 dealt with, believes this should be celebrated and it is a good development for the community.

391

392 Motion by Council Member Baertsch to approve the Village Parkway Right of Way and Easement
393 Agreement and adopt Resolution R16-23 (3-29-16), was seconded by Council Member Willden

394 Roll Call Vote: Council Members McOmber, Baertsch, Willden, Porter – Aye

395 Motion passed 4-0; Council Member Poduska excused/absent.

396

397 **APPROVAL OF MINUTES:**

398

399 1. **March 8, 2016; March 15, 2016.**

400

401 Motion by Council Member Willden to approve the minutes for March 8 and March 15, 2016 with
402 corrections as submitted and posted, was seconded by Council Member McOmber

403 Roll Call Vote: Council Members Baertsch, McOmber, Willden, Porter – Aye

404 Motion carried 4-0; Council Member Poduska excused/absent.

405

406 **ACTION ITEM:**

407

408 2. **Tickville Wash Facilities Reimbursement Agreement. Resolution R16-22 (3-29-16).**

409

410 Motion by Council Member Baertsch to table this agreement and accompanying Resolution to the next
411 meeting (April 19, 2016), was seconded by Council Member Porter

412 Roll Call Vote: Council Members Willden, Porter, McOmber, Baertsch – Aye

413 Motion carried 4-0; Council Member Poduska excused/absent.

414

415 **CLOSED SESSION:**

416

417 Motion by Council Member Porter to enter into closed session for the purchase, exchange, or lease of property,
418 pending or reasonably imminent litigation, the character, professional competence, or physical or mental health
419 of an individual, was seconded by Council Member Willden

420 Roll Call Vote: Council Members Porter, Willden, McOmber, Baertsch – Aye

421 Motion carried 4-0; Council Member Poduska excused/absent.

422

422
423 The meeting moved to closed session at 8:49 pm.

424
425 Present: Mayor Miller, Council Members Porter, Willden, McOmber, Baertsch, City Manager Mark
426 Christensen, City Attorney Kevin Thurman, Assistant City Manager Spencer Kyle, City Recorder Cindy
427 LoPiccolo

428
429 Closed Session Adjourned at 9:17 p.m.

430
431 **ADJOURNMENT:**

432
433 There being no further business, Mayor Miller adjourned the Policy Meeting at 9:18 p.m.

434
435
436
437 Attest:

Jim Miller, Mayor

438
439 _____
440 Cindy LoPiccolo, City Recorder