



CITY OF
SARATOGA SPRINGS

Planning Commission Meeting
Thursday, February 13, 2014
Meeting held at the Saratoga Springs City Offices
1307 North Commerce Drive, Suite 200, Saratoga Springs

AGENDA

Regular Session commencing at 6:30 P.M.

Regular Meeting

1. Pledge of Allegiance.q19..aQa-A
2. Roll Call.
3. Public Input – Time has been set aside for any person to express ideas, concerns, comments, questions or issues that are not listed on the agenda. Comments are limited to three minutes.
4. Public Hearing: Preliminary Plat for Heron Hills located at approximately 3250 South Redwood Road, Steve Larson, applicant. Presented by Sarah Carroll
5. Public Hearing: Rezone and Concept Plan for Talus Ridge located at approximately 2114 North Redwood Road, Edge Homes, applicant. Presented by Sarah Carroll.
6. Public Hearing: Continuation of the Preliminary Plat for Saratoga Springs Plat 16A located at approximately 1700 South 240 East, Peter Staks, applicant. Presented by Scott Langford.
7. Public Hearing: Rezone and Concept Plan for Sail House located at approximately 4500 South Redwood Road, Paul Watson, applicant. Presented by Kimber Gabryszak.
8. Public Hearing: Community and Village Plan for Legacy Farms located at approximately 400 South Redwood Road, DR Horton, applicant. Presented by Kimber Gabryszak.
9. Approval of Minutes:
 1. December 12, 2013.
 2. January 9, 2014.
10. Commission Comments.
11. Director's Report.
12. Adjourn.

*Public comments are limited to three minutes. Please limit repetitive comments.

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.



Planning Commission Staff Report

Preliminary Plat Heron Hills February 13, 2014 Public Hearing

Report Date:	February 10, 2013
Applicant:	Steve Larson
Owner:	Old Towne Square LC
Location:	Approximately 3250 South Redwood Road
Major Street Access:	Redwood Road
Parcel Number(s) & Size:	16:002:0023, 16:002:0021, 16:002:0025, 16:002:0020; Approximately 53.16 acres within these parcels
Land Use Map Designation:	Low Density Residential
Parcel Zoning:	R-3, Low Density Residential
Adjacent Zoning:	R-3, and R-3 PUD
Current Use of Parcel:	Undeveloped
Adjacent Uses:	RV park and undeveloped land
Previous Meetings:	Concept Plan Review with Planning Commission, 4-25-13 Concept Review with City Council, 5-7-13 and 8-6-13
Previous Approvals:	N/A
Land Use Authority:	City Council
Future Routing:	Public meeting with City Council
Author:	Sarah Carroll, Senior Planner

A. **Executive Summary:**

This is a request for approval of the Preliminary Plat for Heron Hills located at approximately 3250 South Redwood Road. The project consists of 53.16 acres with 129 single family lots and 7.35 acres of open space.

Recommendation:

Staff recommends that the Planning Commission conduct a public hearing, take public comment, and/or discuss the proposed preliminary plat at their discretion, and choose from the options in Section "I" of this report. Options include recommendation to the City Council for approval as proposed, a recommendation for conditional approval based on additional modifications and/or conditions, or a recommendation or denial based on non-compliance with findings of specific criterion.

- B. Background:** The Concept Plan for this project was reviewed by the Planning Commission on April 25, 2013 and by the City Council on May 7, 2013 and again on August 6, 2013. Minutes from those meetings are attached. The proposed plans comply with the concept plan that was presented to the City Council on August 6, 2013. The difference between the first concept plan and the second concept plan is that the park

space near the lake was increased to allow for the creation of a public lake-front park. In exchange for creating larger lots near the lake and giving up lakefront lots for the creation of a public lakefront park, the developer requested that the City allow lot size reductions to allow for 9,000 square foot lots, as outlined in the R-3 zone. This idea was proposed during the Concept Plan review process and received support during the City Council review on August 6, 2013.

The R-3 Zone allows a reduction to be considered if the City Council finds that the reduction serves a public purpose such as: "the preservation of sensitive lands, or any other public or neighborhood purpose that the City Council deems appropriate".

However, a few changes have been made to the code since the conceptual review of this project occurred. The minimum lot width within the R-3 zone was increased from 70 feet to 80 feet. The proposed plan does not meet this requirement. The R-4 zone was also created which allows 9,000 square foot lots which may be 70 feet wide. The proposed plans comply with the R-4 zone requirements. After discussing these changes with the applicant they would like to proceed with a request to rezone the property to R-4 which will be presented at the next Planning Commission meeting. The applicant is willing to enter into a development agreement that requires them to develop the attached plan in order to secure the R-4 zoning.

- C. **Specific Request:** The applicant is requesting approval of the Preliminary Plat for Heron Hills. The proposed subdivision layout is very similar to the conceptual layout that was presented to the City Council on August 6, 2013 (attached).
- D. **Process:** Section 19.13.04 of the City Code states that Preliminary Plats require a public hearing with the Planning Commission and that the City Council is the approval authority.
Staff finding: complies. After a public hearing with the Planning Commission the application will be forwarded to the City Council.
- E. **Community Review:** Prior to the Planning Commission review of the Preliminary Plat, this item was noticed as a public hearing in the *Daily Herald*; and notices were mailed to all property owners within 300 feet of the subject property. Public input was received during the public hearing. The City Council is not required to hold a public hearing for these applications.
- F. **Review:** The Concept plans were reviewed as required last year. Due to code changes that occurred in July 2013, the current proposal does not meet the R-3 zoning requirements. In anticipation of a request for R-4 zoning, the project has been reviewed against the R-4 zone requirements.
- G. **General Plan:** The General Plan recommends Low Density Residential for this area. The Land Use Element of the General Plan defines Low Density Residential as one to four units per acre. The proposed plan consists of 2.84 units per acre; thus the proposed density is compliant with the General Plan.
- H. **Code Criteria:** The property is zoned R-3, Low Density Residential. In anticipation of a request to rezone, this project will be reviewed against the R-4 zoning requirements. Section 19.04.14 regulates the R-4 zone and is evaluated below.

Permitted or Conditional Use: complies. "Single Family Dwellings" are a permitted use in the R-4 zone. This project is proposing 129 lots for single-family homes; thus, the proposal is a permitted use in the R-4 zone.

Minimum Lot Size: complies. The minimum lot size for any use in this zone is 9,000 square feet. The proposed subdivision has lots ranging in size from 9,000 to 35915 square feet. The proposed lots comply with the minimum lot size requirements.

Setbacks/Yard Requirements: complies. The R-4 zone requires front setbacks of 25 feet, side setbacks of 8 feet, and rear setbacks of 20 feet. For corner lots the side yard abutting the street is to be 20 feet. The standard setback detail on the Preliminary Plat exceeds these requirements and may be modified to meet them. The setbacks will be recorded on the final plat and will be verified with each building permit application.

Minimum Lot Width: complies. Every lot in this zone shall be 70 feet in width at the front building setback. The proposed lots are a minimum of 70 feet wide at the front building setback.

Minimum Lot Frontage: complies. Every lot in this zone shall have at least 35 feet of frontage along a public street. The proposed lots comply with this requirement, except for the two flag lots, 114 and 115. A review of flag lots may be found on page 4 of this report.

Maximum Height of Structures, Maximum Lot Coverage, Minimum Dwelling Size: complies. No structure in the R-4 zone shall be taller than 35 feet. Maximum lot coverage in the R-4 zone is 50%. The minimum dwelling size in the R-4 zone is 1,250 square feet of living space. These requirements will be reviewed by the building department with each individual building permit application.

Open Space: complies. The R-4 zone requires 15% of the total project area to be installed as open space to be either public or common space not reserved in individual lots.

The plans indicate the total project area is 48.97 (excluding 4.19 acres for UDOT Redwood Road right-of-way) acres and that the following open spaces will be provided:

- 1.93 acres of open space along Redwood Road for trails
- 4.09 acres for a City Park
- 1.94 acres for the future HOA
- 7.96 acres TOTAL, of which 3.51 acres or 44% is sensitive lands

The open space requirement for 48.97 acres is 7.35 acres; the plans exceed this requirement.

Development of Open Space:

The code requires the open space to be installed by the developer. During the Concept Plan Discussions the City Council discussed the creation of a non-motorized water craft launch and/or dock at this park. The developer would like to suggest master-planning the park and determining what the City will be responsible for and what he will be responsible for. However, this will require funds to be allocated for this purpose by the City Council. This was discussed at a recent City Council retreat.

Since a plan has not yet been established for this park there are a few options to consider. It is recommended that one of the options outlined below be finalized prior to approval of the first final plat for this development.

Option 1: The developer installs and irrigation system, hydro-seed and some recreational amenities such as pavilions or a playground, or a combination of such.

Option 2: The developer's obligations are converted to a dollar amount that he is allowed to propose for improvements such as improving the beach area instead of the items listed in option 1.

Option 3: The City and the developer master plan the park and determine the phasing and obligations of each party. This is the preferred option as this will allow a long term plan for the park to be implemented in phases.

Sensitive Lands: complies.

- The R-4 zone requires that sensitive lands shall not be included in the base acreage when calculating the number of ERUs permitted in any development and no development credit shall be given for sensitive lands. The proposed development did not include the sensitive lands in the base acreage when calculating the density. The density is based off of a net project area of 45.46 acres. The total project area is 53.16 acres. The net acreage excludes the UDOT right of way and the sensitive lands.
- The R-4 zone requires all sensitive lands to be placed in protected open space. The plans indicate such.
- The R-4 zone requires that no more than 50% of the required open space area shall be comprised of sensitive lands. The sensitive lands are equal to 44% of the open space.

Second access: complies. Pending ordinance requires a second access once there are 51 lots. The proposed phasing plan anticipates this requirement.

Phasing plan: up for discussion. Section 19.12.02 (6) requires that when a development is proposed to occur in stages, then the open space or recreational facilities shall be developed in proportion to the number of dwellings intended to be developed during any stage of construction.

The phasing plan indicates six phases as follows:

Phase		Open Space							
Name	Lots	Area	Redwood	Req'd 15%	Dedication	Parcel		Cummulative	
#	#	ac	ac	ac	Label	ac	%	ac	%
1	15	8.10	2.06	0.91	"E" & "F"	0.91	15%	0.91	15%
2	23	8.11	0.70	1.11	"C" & "D"	1.02	14%	1.92	14%
Park	-	4.09	0	0.61	"A"	4.09	100%	6.01	34%
3	24	8.71	1.42	1.09	-	0.00	0%	6.01	24%
4	30	9.24	0	1.39	-	0.00	0%	6.01	18%
5	19	6.32	0	0.95	-	0.00	0%	6.01	15%
6	18	8.59	0	1.29	"B"	1.94	23%	7.95	16%
	129	53.16	4.18	7.35		7.95			

The Commission and Council may wish to discuss the phasing plan. Phases 1, 2 and 3 include portions of the Redwood Road trail and the public park is proposed with Phase 2. Because Parcel B is generally for the benefit of the lot owners near the lake and will remain in a native condition, it is not necessary to dedicate this land prior to the development of the surrounding lots. The phasing plan generally applies the open space proportionally.

Flag Lot, staff width: does not comply. The definition for flag lot states: "Flag lot" means an L-shaped lot comprised of a staff portion contiguous with the flag portion thereof, the minimum width of the staff being thirty feet and the maximum length determined by the City of Saratoga Springs. The staff for lot 115 is 28.43 feet wide and needs to be increased. One of the conditions of approval is that this be increased to 30 feet wide.

Percentage of Flag lots: complies. Section 19.12.06(2)(c) states that for subdivisions with more than 50 lots, no more than 5% of the lots are allowed to be flag lots. The proposed plans indicate that 2 of the 129 lots are flag lots; this is less than 5%.

I. Recommendation and Alternatives:

Staff recommends that the Planning Commission review the proposed Preliminary Plat, discuss any public input received at their discretion, and make the following motion:

Recommended Motion:

I move to recommend approval to the City Council of the Heron Hills Preliminary Plat located at approximately 3250 South Redwood Road based on the findings and conditions listed below:

Findings:

1. Prior to the Planning Commission review of the Preliminary Plat, this item was noticed as a public hearing in the *Daily Herald*; and notices were mailed to all property owners within 300 feet of the subject property.
2. The General Plan recommends Low Density Residential for this area which is defined as one to four units per acre. The proposed phase consists of 2.84 units per acre which complies with the Land Use Element of the General Plan and is therefore acceptable.
3. Per the requirements of Section 19.04.14(4), all lots proposed will be greater than 9,000 square feet.
4. Per the requirements of Section 19.04.14(5), the minimum setback and yard requirements for the R-4 zone will be met.
5. The Preliminary Plat meets or can conditionally meet all the requirements listed in Section "H" of this report.

Conditions

1. That all requirements of the City Engineer be met, including those listed in the attached report.
 2. That all requirements of the City Fire Chief be met.
 3. That the applicant pursues a rezone from R-3 to R-4 rather than increase the lot widths.
 4. That a development agreement be executed to require this development plan in conjunction with the R-4 zoning.
 5. The staff for the flag lots shall be increased to a minimum of 30 feet wide.
 6. The open space plans for the public park space shall be submitted with the final plat application after the City and the applicant have had additional time to discuss the options.
 7. The preferred park option is Option 3.
 8. The proposed phasing plan is acceptable.
 9. Any other conditions as articulated by the Planning Commission:
-

Alternative Motions:

Alternative Motion A

"I move to **continue** the item to another meeting, with direction to the applicant and Staff on information and / or changes needed to render a decision, as follows:

Alternative Motion B

"Based upon the analysis in the Staff Report and information received from the public, I move that the Planning Commission recommend to the City Council denial of the proposed preliminary plat, located at approximately 3250 South Redwood Road. Specifically, I find the following application standards and/or code requirements have not been met:

I also move to continue the final decision to the next meeting, on [date], and direct Staff to return with official Findings as outlined in my motion."

J. Exhibits:

- A. Engineering Staff Report
- B. Location Map
- C. Planning Commission Minutes, 4-25-13
- D. City Council Minutes, 5-7-13
- E. City Council Minutes, 8-6-13
- F. 1st Concept Plan
- G. 2nd Concept Plan
- H. Preliminary Plan
- I. Preliminary Grading and Drainage Plan
- J. Phasing Plan
- K. Preliminary Plat

City Council Staff Report

Author: Jeremy D. Lapin, City Engineer
Subject: Heron Hills
Date: February 13, 2014
Type of Item: Preliminary Plat Approval



Description:

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

B. Background:

Applicant: Steve Larson
Request: Preliminary Plat Approval
Location: Approximately 3250 South Redwood Road
Acreage: 53.16 acres - 129 lots

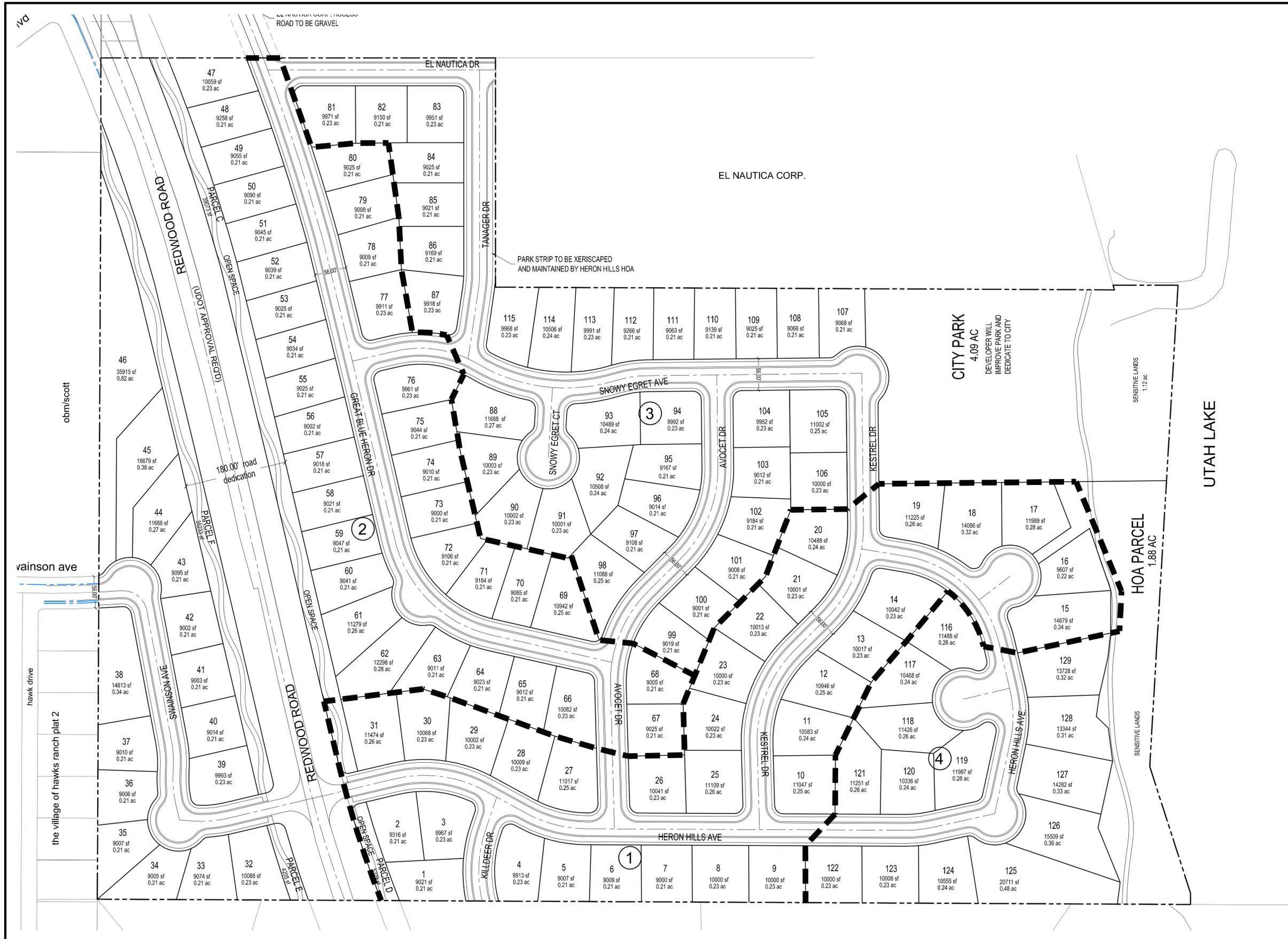
C. Recommendation: Staff recommends the approval of preliminary plat subject to the following conditions:

D. Conditions:

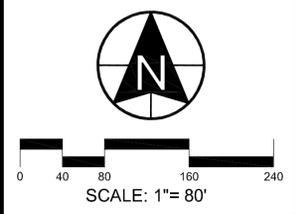
- 1) The developer shall prepare final construction drawings as outlined in the City's standards and specifications and receive approval from the City Engineer on those drawings prior to commencing construction.
- 2) Developer shall bury and/or relocate all overhead power lines that are within and adjacent to this plat.
- 3) Developer shall provide a geotechnical report and hydrologic/hydraulic storm drainage calculations.
- 4) All roads shall be designed and constructed to City standards and shall incorporate all geotechnical recommendations as per the applicable soils report.
- 5) Developer shall provide end of road and end of sidewalk signs per MUTCD at all applicable locations.
- 6) Developer shall provide a finished grading plan for all roads and lots and shall stabilize and reseed all disturbed areas.

- 7) Developer shall provide plans for and complete all improvements within pedestrian corridors.
- 8) Meet all engineering conditions and requirements as well as all Land Development Code requirements in the preparation of the final plat and construction drawings. All application fees are to be paid according to current fee schedules.
- 9) All review comments and redlines provided by the City Engineer during the preliminary process are to be complied with and implemented into the final plat and construction plans.
- 10) Developer shall prepare and submit easements for all public facilities not located in the public right-of-way
- 11) Final plats and plans shall include an Erosion Control Plan that complies with all City, UPDES and NPDES storm water pollution prevention requirements. Project must meet the City Ordinance for Storm Water release (0.2 cfs/acre for all developed property) and shall identify an acceptable location for storm water detention. All storm water must be cleaned as per City standards to remove 80% of Total Suspended Solids and all hydrocarbons and floatables.
- 12) Project shall comply with all ADA standards and requirements.
- 13) Developer shall provide a letter from the appropriate property owner indicating they will provide an easement for the temporary access road. Developer shall also provide a letter from the appropriate property owner indicating they will provide an easement for the temporary turnaround.
- 14) Developer shall improve all park strips not adjacent to lots as per City standards. Such parkstrip shall be dedicated to and maintained by the HOA.
- 15) Developer shall provide a detention pond design that minimizes the footprint and impacted area to the park property. The floor of the detention pond shall be a minimum of one foot above high ground water level.
- 16) Developer shall provide a wetland delineation to identify their exact location. Any work being performed within the boundaries of wetlands or may impact wetlands will require a ACOE 404 permit and must comply with all local, state, and federal laws for any location(s) in which.
- 17) Developer shall provide 12' paved access road and access easement at any location where the sewer or storm drain manholes are located outside the ROW. Pipelines and easements shall not be located with lot boundaries.
- 18) Developer shall include detention basin and cleaning unit with first phase.

- 19) Developer shall provide a traffic study to determine the necessary improvements to existing and proposed roads to provide an acceptable level of service for the proposed project.
- 20) Master planned culinary and secondary water facilities are planned on this property. Developer shall coordinate with the City's master plans to accommodate the required infrastructure.
- 21) Developer shall ensure that the sensitive lands portion of the proposed open space does not exceed the allowable amount of the total required open space.
- 22) Developer shall coordinate with El Nautica Corp for the relocation of their prescriptive access easement. They will need to vacate any recorded or prescriptive easements prior to the recording of lots encumbered by such easements. Developer shall verify the new access is navigable by the large trailers that use the El Nautica facility.
- 23) Developer shall extend Swainson Ave. to Redwood Road and align access on the East and West Sides of the road.
- 24) The meandering trail along the lakeshore shall be constructed at least 1' above the 100-year FEMA flood elevation, shall be 8' wide, and shall be concrete.
- 25) Lots shall not contain any sensitive lands; all sensitive lands must be placed in protected open space.
- 26) Developer shall obtain UDOT approval for all proposed points of access off of Redwood Road and complete the half-width improvements along Redwood Road as per the City's Transportation Master Plan.
- 27) The existing secondary water system may not be able support this project. An additional source may be required in the area to alleviate the extreme pressure swings that the current system would experience if this project is added. Although the culinary system may be able to support both the indoor and outdoor demand for this project, this would use up significant amounts of the remaining capacity in the system and is not recommended.



DEVELOPER
S&L Incorporated
 935 West Center
 Street Lindon, UT 84042
 (801) 785-8448



BERG
 CIVIL ENGINEERING
 11038 N Highland Blvd Suite 400
 Highland UT, 84003
 office (801) 492-1277
 cell (801) 616-1677

REVISIONS			SEAL
NO.	DATE	DESCRIPTION	
1			
2			
3			
4			
5			
6			
7			

ACTION	DATE
CONCEPT PLAN	7/22/13

PROJECT
HERON HILLS

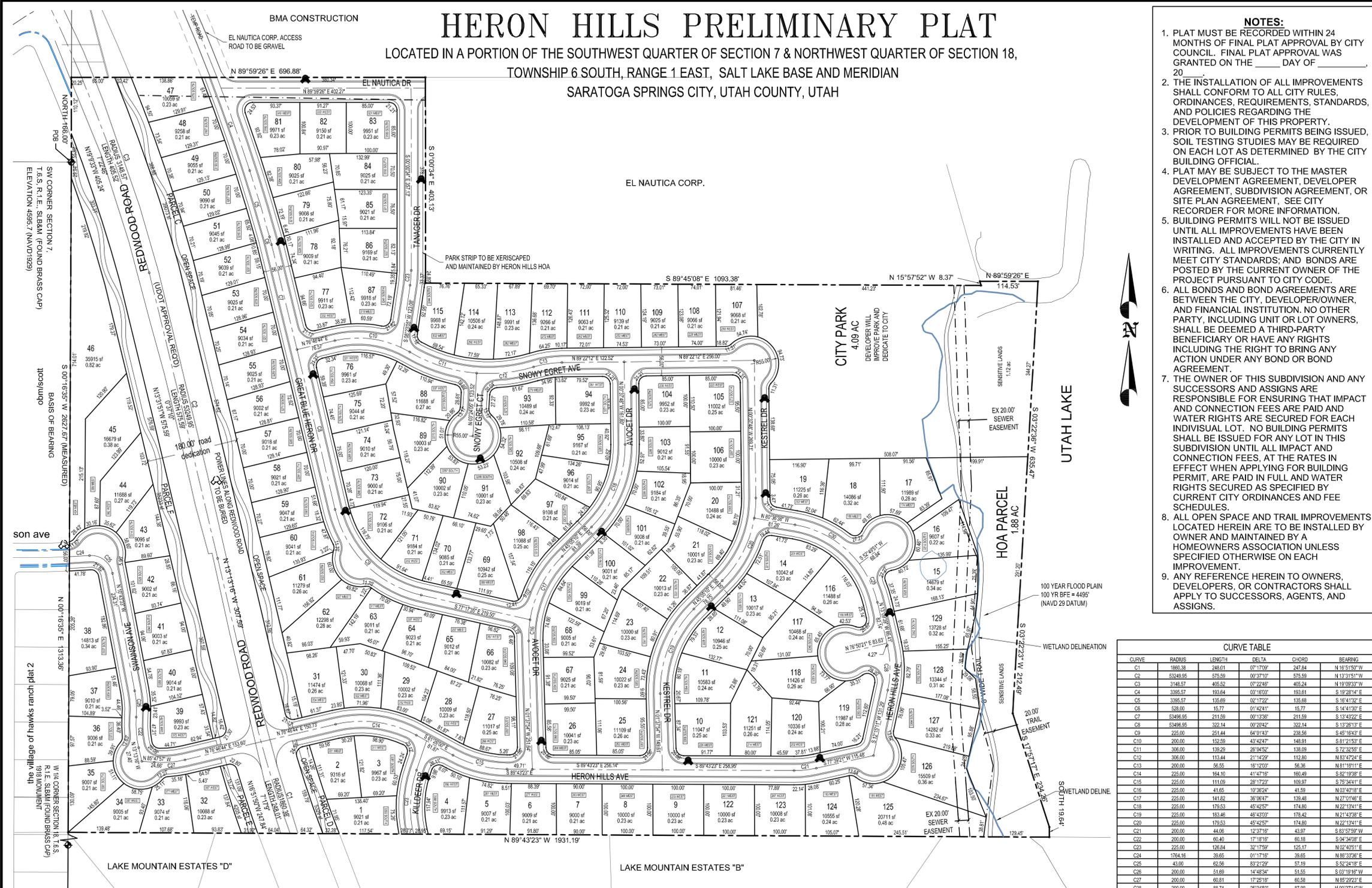
DESCRIPTION
**PRELIMINARY PLAN
 PHASE MAP**

SHEET NAME	SHEET NUMBER
PHASE	C5

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HERON HILLS PRELIMINARY PLAT

LOCATED IN A PORTION OF THE SOUTHWEST QUARTER OF SECTION 7 & NORTHWEST QUARTER OF SECTION 18,
TOWNSHIP 6 SOUTH, RANGE 1 EAST, SALT LAKE BASE AND MERIDIAN
SARATOGA SPRINGS CITY, UTAH COUNTY, UTAH



- NOTES:**
- PLAT MUST BE RECORDED WITHIN 24 MONTHS OF FINAL PLAT APPROVAL BY CITY COUNCIL. FINAL PLAT APPROVAL WAS GRANTED ON THE ____ DAY OF ____ 20__.
 - THE INSTALLATION OF ALL IMPROVEMENTS SHALL CONFORM TO ALL CITY RULES, ORDINANCES, REQUIREMENTS, STANDARDS, AND POLICIES REGARDING THE DEVELOPMENT OF THIS PROPERTY.
 - BEFORE BUILDING PERMITS BEING ISSUED, SOIL TESTING STUDIES MAY BE REQUIRED ON EACH LOT AS DETERMINED BY THE CITY BUILDING OFFICIAL.
 - PLAT MAY BE SUBJECT TO THE MASTER DEVELOPMENT AGREEMENT, DEVELOPER AGREEMENT, SUBDIVISION AGREEMENT, OR SITE PLAN AGREEMENT. SEE CITY RECORDER FOR MORE INFORMATION.
 - BUILDING PERMITS WILL NOT BE ISSUED UNTIL ALL IMPROVEMENTS HAVE BEEN INSTALLED AND ACCEPTED BY THE CITY IN WRITING. ALL IMPROVEMENTS CURRENTLY MEET CITY STANDARDS; AND BONDS ARE POSTED BY THE CURRENT OWNER OF THE PROJECT PURSUANT TO CITY CODE.
 - ALL BONDS AND BOND AGREEMENTS ARE BETWEEN THE CITY, DEVELOPER/OWNER, AND FINANCIAL INSTITUTION, NO OTHER PARTY, INCLUDING UNIT OR LOT OWNERS, SHALL BE DEEMED A THIRD-PARTY BENEFICIARY OR HAVE ANY RIGHTS INCLUDING THE RIGHT TO BRING ANY ACTION UNDER ANY BOND OR BOND AGREEMENT.
 - THE OWNER OF THIS SUBDIVISION AND ANY SUCCESSORS AND ASSIGNS ARE RESPONSIBLE FOR ENSURING THAT IMPACT AND CONNECTION FEES ARE PAID AND WATER RIGHTS ARE SECURED FOR EACH INDIVIDUAL LOT. NO BUILDING PERMITS SHALL BE ISSUED FOR ANY LOT IN THIS SUBDIVISION UNTIL ALL IMPACT AND CONNECTION FEES, AT THE RATES IN EFFECT WHEN APPLYING FOR BUILDING PERMIT, ARE PAID IN FULL AND WATER RIGHTS SECURED AS SPECIFIED BY CURRENT CITY ORDINANCES AND FEE SCHEDULES.
 - ALL OPEN SPACE AND TRAIL IMPROVEMENTS LOCATED HEREIN ARE TO BE INSTALLED BY OWNER AND MAINTAINED BY A HOMEOWNERS ASSOCIATION UNLESS SPECIFIED OTHERWISE ON EACH IMPROVEMENT.
 - ANY REFERENCE HEREIN TO OWNERS, DEVELOPERS, OR CONTRACTORS SHALL APPLY TO SUCCESSORS, AGENTS, AND ASSIGNS.

SURVEYOR'S CERTIFICATE

I, _____ DO HEREBY CERTIFY THAT I AM A REGISTERED LAND SURVEYOR AND THAT I HOLD A LICENSE, CERTIFICATE NO. _____ IN ACCORDANCE WITH THE PROFESSIONAL ENGINEERS AND LAND SURVEYORS LICENSING ACT FOUND IN TITLE 58, CHAPTER 22 OF THE UTAH CODE. I FURTHER CERTIFY THAT BY AUTHORITY OF THE OWNERS, I HAVE MADE A SURVEY OF THE TRACT OF LAND SHOWN ON THIS PLAT AND DESCRIBED BELOW, HAVE SUBDIVIDED SAID TRACT OF LAND INTO LOTS, STREETS, AND EASEMENTS, HAVE COMPLETED A SURVEY OF THE PROPERTY DESCRIBED ON THIS PLAT IN ACCORDANCE WITH UTAH CODE SECTION 17-23-17, HAVE VERIFIED ALL MEASUREMENTS, AND HAVE PLACED MONUMENTS AS REPRESENTED ON THE PLAT. I FURTHER CERTIFY THAT EVERY EXISTING RIGHT-OF-WAY AND EASEMENT GRANT OF RECORD FOR UNDERGROUND FACILITIES, AS DEFINED IN UTAH CODE SECTION 54-8A-2, AND FOR OTHER UTILITY FACILITIES, IS ACCURATELY DESCRIBED ON THIS PLAT, AND THAT THIS PLAT IS TRUE AND CORRECT. I ALSO CERTIFY THAT I HAVE FILED, OR WILL FILE WITHIN 90 DAYS OF THE RECORDATION OF THIS PLAT, A MAP OF THE SURVEY I HAVE COMPLETED WITH THE UTAH COUNTY SURVEYOR.

BOUNDARY DESCRIPTION

A PARCEL OF LAND SITUATED IN THE SOUTHWEST QUARTER OF SECTION 7 AND THE NORTHWEST QUARTER OF SECTION 18, TOWNSHIP 6 SOUTH, RANGE 1 EAST, SALT LAKE BASE AND MERIDIAN, SAID PARCEL BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT WITH IS THE SOUTHWEST CORNER OF SECTION 7, TOWNSHIP 6 SOUTH, RANGE 1 EAST, SALT LAKE BASE AND MERIDIAN; THENCE NORTH 166.00 FEET; THENCE N 89°59'26" E 696.88 FEET; THENCE S 0°00'34" E 403.13 FEET; THENCE S 89°45'08" E 1093.38 FEET; THENCE N 15°57'52" W 8.37 FEET; THENCE N 89°59'26" E 114.53 FEET; THENCE S 03°22'36" E 635.47 FEET; THENCE S 03°22'23" W 212.49 FEET; THENCE S 17°57'17" E 234.26 FEET; THENCE SOUTH 19.64 FEET; THENCE N 89°43'23" W 1931.19 FEET; THENCE N 0°01'63" E 1313.36 FEET TO THE POINT OF BEGINNING.

CONTAINS: 53.16 ACRES

OF LOTS: 129

BASES OF BEARING: SECTION LINE BETWEEN THE NORTHWEST CORNER AND THE WEST QUARTER CORNER OF SECTION 18 T6S, R1E, SLB&M BEARING 500°16'35" W 2627.67 FEET.

DATE: _____ SURVEYOR'S NAME: _____
LICENSE NO.: _____

OWNER'S DEDICATION

KNOW ALL MEN BY THESE PRESENTS THAT _____ THE UNDERSIGNED OWNER(S) OF THE ABOVE DESCRIBED TRACT OF LAND HAVING CAUSED THE SAME TO BE SUBDIVIDED INTO LOTS AND STREETS TO BE HEREAFTER KNOWN AS

HERON HILLS

DO HEREBY DEDICATE FOR PERPETUAL USE OF THE PUBLIC AND/OR CITY ALL PARCELS OF LAND, EASEMENTS, RIGHT-OF-WAY, AND PUBLIC AMENITIES SHOWN ON THIS PLAT AS INTENDED FOR PUBLIC AND/OR CITY USE. THE OWNER(S) VOLUNTARILY DEFEND, INDEMNIFY, AND SAVE HARMLESS THE CITY AGAINST ANY EASEMENTS OR OTHER ENCUMBRANCE ON A DEDICATED STREET WHICH WILL INTERFERE WITH THE CITY'S USE, MAINTENANCE AND OPERATION OF THE STREET. THE OWNER(S) VOLUNTARILY DEFEND, INDEMNIFY, AND HOLD HARMLESS THE CITY FROM ANY DAMAGE CLAIMED BY PERSONS WITHIN OR WITHOUT THIS SUBDIVISION TO HAVE BEEN CAUSED BY ALTERATIONS OF THE GROUND SURFACE, VEGETATION, DRAINAGE, OR SURFACE OR SUB-SURFACE WATER FLOWS WITHIN THIS SUBDIVISION OR BY ESTABLISHMENT OR CONSTRUCTION OF THE ROADS WITHIN THIS SUBDIVISION.

IN WITNESS WHEREOF, _____ HAVE HEREUNTO SET _____ THIS _____ DAY OF _____ A.D. 20__

CORPORATE ACKNOWLEDGMENT

STATE OF UTAH } S.S.
COUNTY OF UTAH }

ON THE _____ DAY OF _____ A.D. 20__ PERSONALLY APPEARED BEFORE ME, _____ AND, WHO BEING BY ME DULY SWORN DID SAY EACH FOR HIMSELF, THAT HE, SHE SAID _____ IS THE PRESIDENT AND HE THE SAID _____ IS THE SECRETARY OF _____ CORPORATION, AND THAT THE WITHIN AND FOREGOING INSTRUMENT WAS SIGNED IN BEHALF OF SAID CORPORATION BY AUTHORITY OF A RESOLUTION OF ITS BOARD OF DIRECTORS AND SAID _____ AND _____ EACH DULY ACKNOWLEDGE TO ME THAT SAID CORPORATION EXECUTED THE SAME AND THAT THE SEAL AFFIXED IS THE SEAL OF SAID CORPORATION

MY COMMISSION EXPIRES _____

NOTARY PUBLIC RESIDING AT _____ (SEE SEAL BELOW)

ACCEPTANCE BY LEGISLATIVE BODY

THE CITY COUNCIL OF THE CITY OF SARATOGA SPRINGS, COUNTY OF UTAH, APPROVES THIS SUBDIVISION SUBJECT TO THE CONDITIONS AND RESTRICTIONS STATED HEREON, AND HEREBY ACCEPTS THE DEDICATION OF ALL STREETS, EASEMENTS, AND OTHER PARCELS OF LAND INTENDED FOR PUBLIC PURPOSE OF THE PERPETUAL USE OF THE PUBLIC.

THIS _____ DAY OF _____ A.D. _____

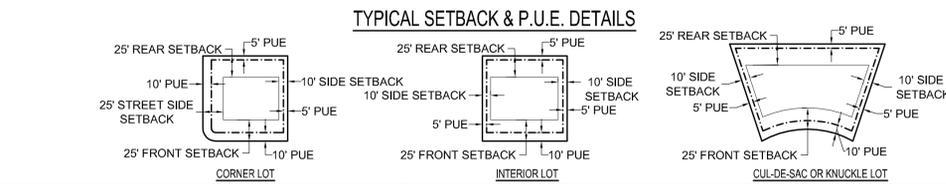
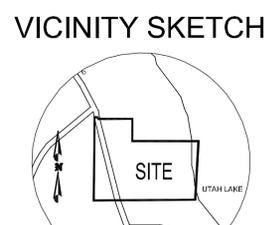
CITY MAYOR

CITY RECORDER
(SEE SEAL BELOW)

CURVE TABLE

CURVE	RADIUS	LENGTH	DELTA	CHORD	BEARING
C1	1860.38	248.01	07°17'59"	247.84	N 16°51'59" W
C2	3348.95	575.59	07°22'28"	575.59	N 13°01'51" W
C3	3146.87	485.52	07°22'28"	485.24	N 19°09'33" W
C4	3386.57	193.64	03°45'03"	193.61	S 19°28'14" E
C5	3386.57	193.69	07°17'22"	193.88	S 14°41'32" E
C6	528.00	15.77	01°42'41"	15.77	S 14°14'30" E
C7	5496.95	211.59	07°13'38"	211.59	S 13°43'22" E
C8	5496.95	322.14	07°29'22"	322.14	S 13°28'19" E
C9	225.00	292.14	07°29'22"	298.58	S 16°48'19" E
C10	200.00	152.58	43°42'47"	148.91	S 81°23'53" E
C11	306.00	139.29	29°04'52"	138.09	S 72°35'55" E
C12	306.00	113.44	21°14'59"	112.80	N 81°42'24" E
C13	200.00	56.55	16°12'03"	56.38	N 81°18'11" E
C14	225.00	164.10	41°47'16"	160.49	S 82°19'38" E
C15	225.00	111.59	28°17'22"	109.97	S 75°24'41" E
C16	225.00	41.65	02°32'24"	41.59	N 02°48'19" E
C17	225.00	141.82	36°05'47"	139.48	N 27°10'46" E
C18	225.00	179.53	45°42'57"	174.80	N 22°12'41" E
C19	225.00	183.46	46°43'03"	178.42	N 21°43'38" E
C20	225.00	179.53	45°42'57"	174.80	N 22°12'41" E
C21	200.00	44.06	12°37'16"	43.97	S 83°57'59" W
C22	200.00	61.40	17°18'16"	61.19	S 84°24'18" E
C23	225.00	126.84	32°17'59"	125.17	N 02°48'19" E
C24	1764.18	39.65	01°17'16"	39.65	N 88°33'36" E
C25	43.00	62.56	83°21'29"	57.19	S 82°24'18" E
C26	200.00	51.69	14°48'34"	51.55	S 03°19'18" W
C27	200.00	60.81	17°25'18"	60.58	N 85°29'23" E
C28	200.00	86.71	25°24'57"	87.59	N 02°27'14" W
C29	200.00	83.90	24°10'29"	83.19	N 88°09'54" W
C30	200.00	151.64	43°28'37"	148.03	N 88°53'24" W

- LEGEND:**
- FOUND SECTION CORNER MONUMENT
 - EXISTING SUBDIVISION SURVEY MONUMENT
 - PROPOSED SUBDIVISION SURVEY MONUMENT
 - EXISTING FIRE HYDRANT
 - PROPOSED FIRE HYDRANT
 - EXISTING STREET LIGHT
 - PROPOSED STREET LIGHT



BY SIGNING THIS PLAT THE FOLLOWING UTILITY COMPANIES ARE APPROVING THE (A) BOUNDARY, COURSE, DIMENSIONS, AND INTENDED USE OF THE RIGHT-OF-WAY AND EASEMENT GRANTS OF RECORD, (B) LOCATION OF EXISTING UNDERGROUND AND UTILITY FACILITIES, (C) CONDITIONS OR RESTRICTIONS GOVERNING THE LOCATION OF THE FACILITIES WITH THE RIGHT-OF-WAY, AND EASEMENT GRANTS OF RECORD, AND UTILITY FACILITIES WITH THE SUBDIVISION.

QUESTAR GAS COMPANY APPROVED THIS _____ DAY OF _____ A.D. 20__	ROCKY MOUNTAIN POWER APPROVED THIS _____ DAY OF _____ A.D. 20__
QUESTAR GAS COMPANY COMCAST CABLE TELEVISION APPROVED THIS _____ DAY OF _____ A.D. 20__	ROCKY MOUNTAIN POWER CENTURY LINK APPROVED THIS _____ DAY OF _____ A.D. 20__
COMCAST CABLE TELEVISION	CENTURY LINK

 CIVIL ENGINEERING 491 N 450 W OREM, UT 84057	FIRE CHIEF APPROVAL APPROVED BY THE FIRE CHIEF ON THIS DAY OF _____ A.D. 20__ _____ CITY FIRE CHIEF	PLANNING COMMISSION REVIEW REVIEWED BY THE PLANNING COMMISSION ON THIS DAY OF _____ A.D. 20__ _____ CHAIRMAN, PLANNING COMMISSION	SARATOGA SPRINGS ENGINEER APPROVAL APPROVAL BY THE CITY ENGINEER ON THIS DAY OF _____ A.D. 20__ _____ CITY ENGINEER	SARATOGA SPRINGS ATTORNEY APPROVAL BY SARATOGA SPRINGS ATTORNEY ON THIS DAY OF _____ A.D. 20__ _____ SARATOGA SPRINGS ATTORNEY	LEHI CITY POST OFFICE APPROVED BY POST OFFICE REPRESENTATIVE ON THIS DAY OF _____ A.D. 20__ _____ LEHI CITY POST OFFICE REPRESENTATIVE
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OCT 13 2013

PRELIMINARY PLAT
HERON HILLS

LOCATED IN A PORTION OF THE SOUTHWEST QUARTER OF SECTION 7 & THE NORTHWEST QUARTER OF SECTION 18
TOWNSHIP 6 SOUTH, RANGE 1 EAST, SALT LAKE BASE AND MERIDIAN
SARATOGA SPRINGS CITY, UTAH COUNTY, STATE OF UTAH

SCALE: 1" = 50 FEET

SURVEYOR'S SEAL	NOTARY PUBLIC SEAL	CITY ENGINEER SEAL	CLERK/RECORDER SEAL
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**Talus Ridge
Rezone and Concept Plan
February 13, 2014
Public Hearing**

Report Date:	January 10, 2014
Applicant/Owner:	Edge Homes
Location:	Approximately 550 North 800 West
Major Street Access:	800 West
Parcel Number(s) & Size:	58:034:0065, 80 acres
Parcel Zoning:	R-3, Low Density Residential
Requested Zoning:	R-4, Low Density Residential
Adjacent Zoning:	A, RR and R-3
Current Use of Parcel:	Undeveloped
Adjacent Uses:	Low Density Residential, Rural Residential, Agricultural
Previous Meetings:	None
Previous Approvals:	None
Land Use Authority:	City Council
Future Routing:	Public Hearing with City Council
Author:	Sarah Carroll, Senior Planner

- A. Executive Summary:** This is a request to rezone 80 acres from R-3 to R-4 and to review the concept plan for the proposed development. The concept plan indicates 216 single family lots, with a minimum lot size of 9,000 square feet per lot.

Recommendation:

Staff recommends that the Planning Commission conduct a public hearing, take public comment and discuss the proposed rezone and concept plan, and choose from the options in Section "1" of this report. Options include forwarding a positive recommendation to the City Council, continuing the item, or forwarding a recommendation for denial to the City Council. Please note that the hearing and recommendation is only for the rezone request.

- B. Background:** This project will require much of the infrastructure that will aid in the development of the R-3 zoned property to the west of this site (Saratoga Heights). The developer will be installing a collector road that leads to the west and will also be installing a master planned storm drain line that will service property to the west and master planned culinary and secondary water lines that will service property to the south and east. They are requesting the R-4 zone in order to facilitate the installation of the infrastructure; this will allow them to allocate the infrastructure costs over more lots.

- C. **Specific Request:** The 80 acre property is currently zoned R-3 (single family residential; minimum 10,000 square foot lot). The applicant is requesting to rezone the property from the R-3 zone to the R-4 zone. The R-4 zone allows a minimum lot size of 9,000 square feet. The Concept Plan shows the preservation of approximately 13.35 acres or 15.04% of land designated as open space.

The Concept Plan shows three detention ponds that are defined as sensitive lands. Sensitive lands may not count towards more than 50% of the required open space and may not count towards the overall density. The plans appear to comply with these requirements. The specific size of the detention ponds will be required with the Preliminary Plat application to verify these requirements are being met.

- D. **Process:** Per section 19.17.03 of the City Code, all rezoning applications shall be reviewed by the City Council after receiving a formal recommendation by the Planning Commission. An application for a rezone request shall follow the approved City format. Rezones are subject to the provisions of Chapter 19.13, Development Review Processes.

The development review process for rezone approval involves a formal review of the request by the Planning Commission in a public hearing, with a formal recommendation forwarded to the City Council. The City Council reviews the rezone in a public hearing and formally approves or denies the rezone request.

- E. **Community Review:** Per 19.13.04 of the City Code, this item has been noticed in *The Daily Herald*, and each residential property within 300 feet of the subject property was sent a letter at least ten calendar days prior to this meeting. As of the completion of this report, the City has not received any public comment regarding this application.

- F. **Review:** The requirements of rezone review are found in Section 19.17.03 & .04 of the City Code. The rezoning request was reviewed within the context of all these and other pertinent sections of the City Code. An in-depth review of code requirements within the context of the provided rezoning request is found in Section "H" of this report.

- G. **General Plan:** The site is designated as Low Density Residential on the adopted Future Land Use Map. The General Plan states that areas designated as Low Density Residential are *"designed to provide areas for residential subdivisions with an overall density of 1 to 4 units per acre. This area is to be characterized by neighborhoods with streets designed to the City's urban standards, single-family detached dwellings and open spaces."* The proposed Concept Plan associated with the proposed rezone shows that the property can be developed in a way that is in compliance with the General Plan.

- H. **Code Criteria:** The following criteria are pertinent requirements that the Planning Commission and City Council shall consider when reviewing a rezone request (Sections 19.17.03 & .04).

The proposed change will conform to the Land Use Element and other provisions of the General Plan: complies. The property is designated as Low Density Residential on the Future Land Use map. This designation supports residential density of 1 to 4 dwelling units per acre. Zoning districts that facilitate this type of density include the R-1, R-2, R-3, R-4, and R-5 zones. The proposed rezoning of this property from R-3 to R-4 is in compliance with the General Plan.

The proposed change will not decrease nor otherwise adversely affect the health, safety, convenience, morals, or general welfare of the public: complies. Section 19.17.02 states that rezone application shall be accompanied by an application for Concept Plan review. The purpose of the Concept Plan is to provide general assurance that the proposed

rezoning of the property can be developed in a way that is consistent with the zoning district being petitioned.

The applicant has submitted a Concept Plan that shows a 216 lot single family residential subdivision on 80 acres. The Concept Plan shows the potential for two road connections to the south, one road connection to the north and one road connection to the west. Staff recommends that the cul-de-sac in the northwest corner of the project also be stubbed to the west to provide additional connection. If the rezone request is approved, the applicant will submit a formal Preliminary Subdivision Plat. City staff will review the plat in greater detail to ensure that the future plat will have sufficient connection to public utilities and service (including but not limited to emergency services).

The proposed change will more fully carry out the general purposes and intent of this Title and any other ordinance of the City: complies. The proposed rezone from R-3 to R-4 facilitates low density residential development. The General Plan has designated this area for the development of low density residential development.

In balancing the interest of the petitioner with the interest of the public, community interests will be better served by making the proposed change: complies. Rezoning the property to the R-4 zone will allow the property to be developed as a low density residential subdivision and will aid in the facilitation of development to the west of this site.

Concept Plan Review:

The following criteria are pertinent requirements that the Planning Commission and City Council shall consider when reviewing a Concept Plan located in an R-5 zoning district (Section 19.04.15).

Permitted or Conditional Uses: complies. Section 19.04.15(2 & 3) lists all of the permitted and conditional uses allowed in the R-4 zone. The Concept Plan appears to provide residential building lots that will support single family homes, which are permitted uses in the R-4 zone. Specific details regarding lot size and public infrastructure will be reviewed in detail once a Preliminary Plat has been submitted.

Minimum Lot Sizes: can comply. 19.04.14(4) states that the minimum lot size in the R-4 zone is 9,000 square feet. The smallest lot shown on the Concept Plan is 9,000 square feet. However, corner lots are required to be 10% larger than the minimum lot size. Several of the corner lots will need to be larger.

Setbacks and Yard Requirements: complies. Section 19.04.22(5) outlines the setbacks required by the R-4 zone. These requirements are:

Front: Twenty-five feet.

Sides: 8/16 feet (minimum/combined)

Rear: Twenty feet

Corner: Front 25 feet; Side abutting street 20 feet

More detailed review of these requirements will be conducted at the time of Preliminary Plat application.

Parking, vehicle and pedestrian circulation: complies. Section 19.09.11 requires single-family homes to have a minimum 2 parking stalls within an enclosed garage. Driveways leading to the required garages must be a minimum 20 feet in length. Even though this requirement will

be reviewed by the building department with each individual building permit application, staff believes that the proposed lots are of sufficient size to support this requirement.

The Concept Plan currently shows a collector road running east/west through the project, connection via a stub street to the Sunrise Meadows project, two stub streets to the south and one stub street to the west. Staff recommends that an additional street be stubbed to the west.

I. Recommendation and Alternatives:

Staff recommends that the Planning Commission review the Concept Plan and provide the applicant with direction in preparation for a Preliminary Plat application.

After evaluating the required standards for rezoning property, staff also recommends that the Planning Commission conduct a public hearing on the rezone request and make the following motion:

Recommended Motion:

"I move that the Planning Commission forward a positive recommendation to the City Council to approve the rezoning of approximately 80 acres of property generally located at 550 North 800 West, with the findings and recommendations below:

Findings:

1. Per the requirements of Section 19.17.04(1), the proposed change will conform to the Land Use Element and other provisions of the General Plan because the general plan allows up to four units per acres within low density residential development and the requested zone does not exceed this density.
2. Per the requirements of Section 19.17.04(2), the proposed change will not decrease nor otherwise adversely affect the health, safety, convenience, morals, or general welfare of the public because the R-4 zone will not allow for attached housing and the minimum lot size within the R-4 zone is 9,000 square feet, and because the proposed concept plan indicates a density of 2.43 units per acre.
3. Per the requirements of Section 19.17.04(3), the proposed change will more fully carry out the general purposes and intent of this Title and any other ordinance of the City by facilitating low density residential growth that does not exceed four units per acre.
4. Per the requirements of Section 19.17.04(4), in balancing the interest of the petitioner with the interest of the public, community interests will be better served by making the proposed change by allocating the infrastructure costs across more lots, while still maintaining a low density residential development that does not exceed four units per acre.

Recommendations:

1. That all requirements of the City Engineer are met, including those listed in the attached report.
 2. That the corner lots be increased to 9,900 square feet.
 3. That the cul-de-sac in the northwest corner be stubbed to the west to provide additional future connection points.
 4. That the applicant provides additional details related to the size of the detention ponds with the preliminary plat application to verify the open space requirements.
 5. Any other conditions as articulated by the Planning Commission:
-

Alternative Motions:

Alternative Motion A

"I move to **continue** the rezone to another meeting, with direction to the applicant and Staff on information and/or changes needed to render a decision, as follows:

Alternative Motion B

"Based upon the evidence and explanations received today and the following findings, I move that the Planning Commission forward a negative recommendation to the City Council to deny the request to rezone approximately 80 acres of property generally located at 550 North 800 West from the R-3 to R-4 zone. Specifically I find that the following standards and/or code requirements have not been met:"

List Specific Code Standards and Requirements:

J. Exhibits:

1. Engineering Staff Report
2. Zoning / Location map
3. Concept Plan

City Council Staff Report

Author: Jeremy D. Lapin, City Engineer
Subject: Talus Ridge – Concept Plan
Date: February 13, 2014
Type of Item: Concept Plan and Rezone



Description:

A. Topic: The applicant has submitted a concept plan application. Staff has reviewed the submittal and provides the following recommendations.

B. Background:

Applicant: Edge Homes
Request: Concept Plan and Rezone
Location: Approximately 550 North 800 West
Acreage: 88.78 acres - 216 lots

C. Recommendation: Staff recommends the applicant address and incorporate the following items for consideration into the development of their project and construction drawings.

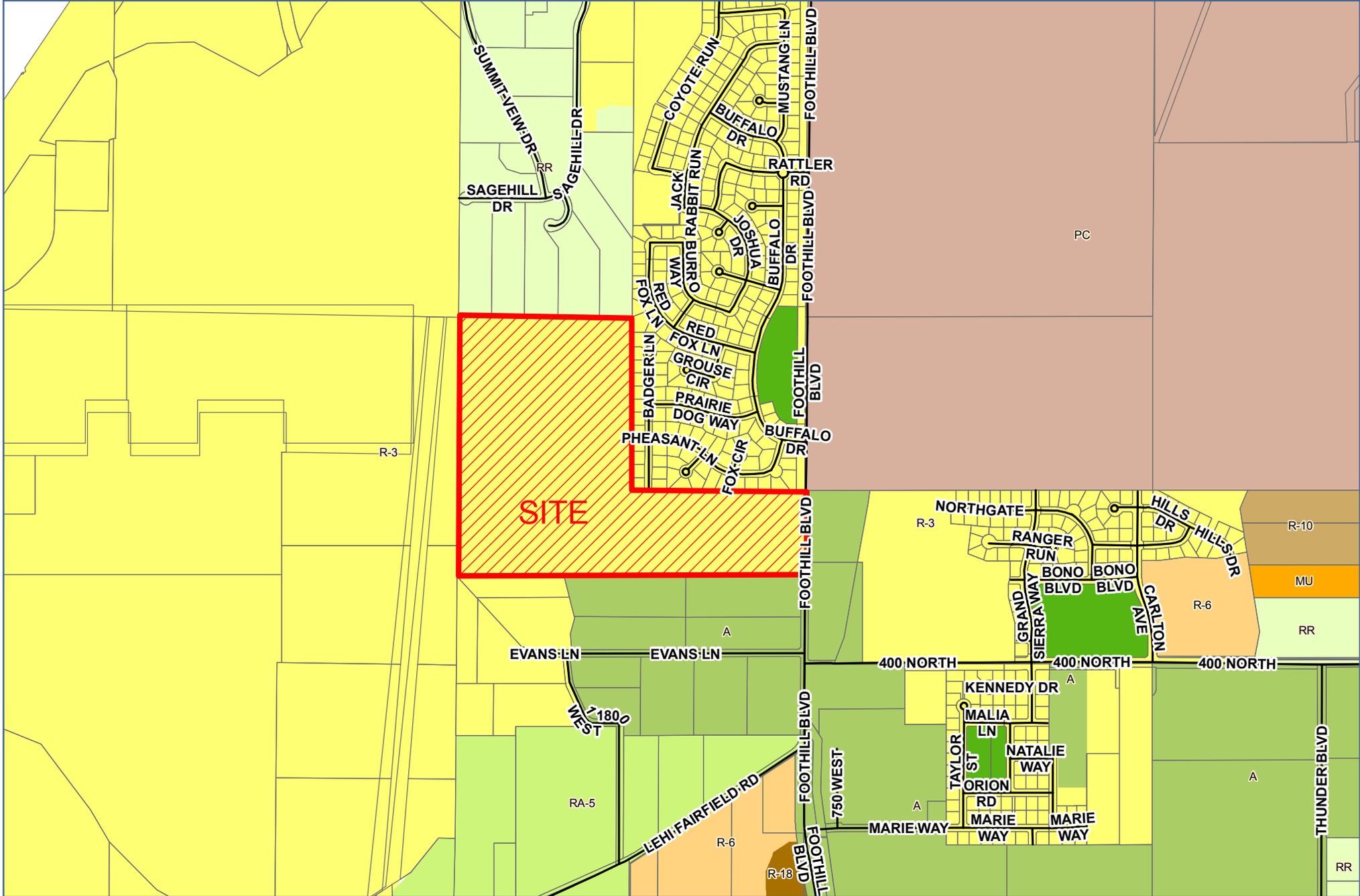
D. Proposed Items for Consideration:

- A. Prepare construction drawings as outlined in the City's standards and specifications and receive approval from the City Engineer on those drawings prior to receiving Final approval from the City Council.
- B. Consider and accommodate existing utilities, drainage systems, detention systems, and water storage systems into the project design. Access to existing facilities shall be maintained throughout the project.
- C. Comply with the Land Development Codes regarding the disturbance of 30%+ slopes.
- D. Incorporate a grading and drainage design that protects homes from upland flows.
- E. Developer shall provide a traffic study to determine the necessary improvements to existing and proposed roads to provide an acceptable level of service for the proposed project.
- 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. Developer shall meet all applicable city ordinances and engineering conditions and requirements in the preparation of the Construction Drawings.
- H. Project bonding must be completed as approved by the City Engineer prior to recordation of plats.
- I. All review comments and redlines provided by the City Engineer are to be complied with and implemented into the construction drawings.
- J. All work to conform to the City of Saratoga Springs Standard Technical Specifications, most recent edition.
- K. Developer shall prepare and record easements to the City for all public utilities not located in a public right-of-way.
- L. Developer is required to ensure that there are no adverse effects to adjacent property owners and future homeowners due to the grading and construction practices employed during completion of this project.
- M. Project shall provide the City with CAD water model files to confirm water serviceability and zone boundaries. It is possible that the existing culinary and secondary water systems may not be able to provide adequate pressure to the entire project area.
- N. This project contains one or more natural drainages. Developer shall preserve the drainage and ensure that proposed development does not encroach into the 100-year flow corridor while providing a minimum of 2' of freeboard. Conveyance shall be provided for the drainage outfall to a location acceptable to the City Engineer.
- O. This property contains a historic railroad corridor and berm that is known to contain potentially hazardous materials. Developer shall mitigate all potential impacts to the existing and future residents. It is likely a professional environmental scientist will need to evaluate the berm and provide recommendations for the project.
- P. Several master planned culinary, secondary, sewer, and storm drain facilities are planned on this property. Developer shall coordinate with the City's master plans to accommodate the required infrastructure.
- Q. A collector road is shown on the City's adopted Transportation Master Plan. This 77' ROW needs to be incorporated into the project and access shall comply with the City's standards. Note that driveways are discouraged on Collector roads.

Location Map



TALUS RIDGE

SARATOGA SPRINGS, UTAH



VICINITY MAP

TABULATIONS

-SINGLE FAMILY LOTS	216 DU (243 DU/AC)
Average Lot Size	10,781 SF
Smallest Lot Size	6,000 SF
Largest Lot Size	21,497 SF

TOTAL AREA ±89.78 AC

-OPEN SPACE AREA	13.58 AC (15.04%)
-MOUNTAIN VIEW CORRIDOR	0.46 AC (0.51%)
-LOT AREA	53.86 AC (60.87%)
ROAD AREA	21.12 AC (23.70%)

EXISTING ZONING - R-3
PROPOSED ZONING - R-4 (9,000 S.F. SINGLE FAMILY)

DEVELOPER / OWNER
EDGE HOMES
480 WEST 800 NORTH
OREM, UTAH 84057
(801)494-0150

ENGINEER
LEI CONSULTING ENGINEERS
3302 NORTH MAIN
SPANISH FORK, UTAH 84660
(801)788-0655

**ENGINEERS
SURVEYORS
PLANNERS**

3302 N. Main Street
Spanish Fork, UT 84660
Phone: 801.788.0655
Fax: 801.788.9393
office@lei-eng.com
www.lei-eng.com

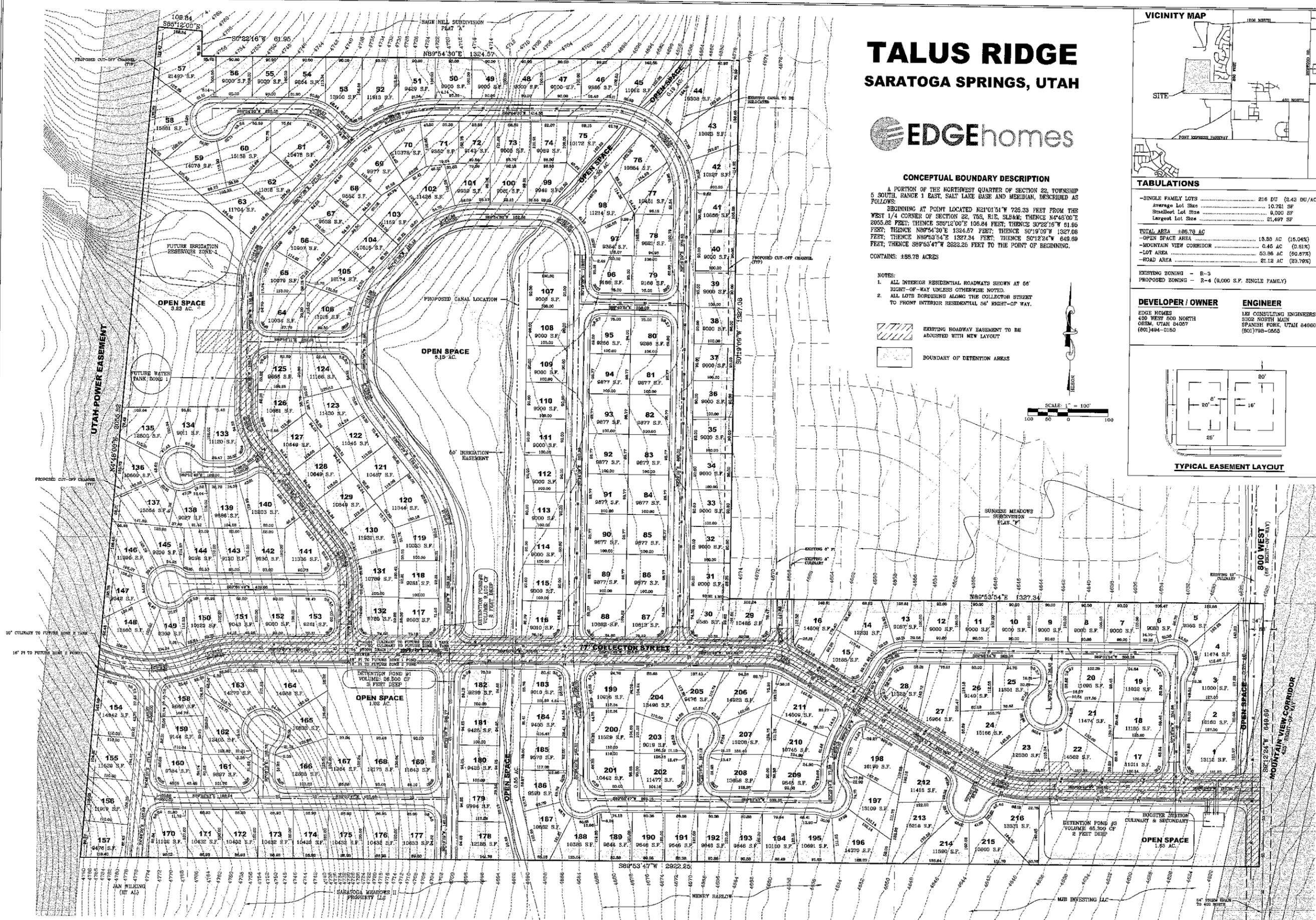
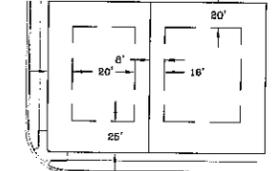
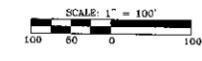
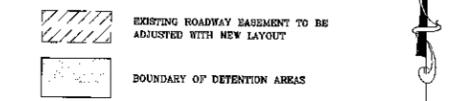
CONCEPTUAL BOUNDARY DESCRIPTION

A PORTION OF THE NORTHWEST QUARTER OF SECTION 22, TOWNSHIP 5 SOUTH, RANGE 1 EAST, SALT LAKE BASE AND MERIDIAN, DESCRIBED AS FOLLOWS:

BEGINNING AT POINT LOCATED N21°01'51"W 725.33 FEET FROM THE WEST 1/4 CORNER OF SECTION 22, T5S, R1E, SLS&M; THENCE N4°45'00"E 2055.02 FEET; THENCE S86°12'00"E 108.84 FEET; THENCE S02°21'16"W 61.85 FEET; THENCE N88°54'30"E 1324.57 FEET; THENCE S01°19'09"W 1327.08 FEET; THENCE N88°53'54"E 1327.34 FEET; THENCE S01°22'24"W 649.69 FEET; THENCE S88°53'47"W 2822.25 FEET TO THE POINT OF BEGINNING.

CONTAINS: 188.78 ACRES

- NOTES:**
- ALL INTERIOR RESIDENTIAL ROADWAYS SHOWN AT 66' RIGHT-OF-WAY UNLESS OTHERWISE NOTED.
 - ALL LOTS BORDERING ALONG THE COLLECTOR STREET TO FRONT INTERIOR RESIDENTIAL 56' RIGHT-OF-WAY.



TALUS RIDGE
SARATOGA SPRING, UTAH

CONCEPT PLAN

REVISIONS

1	
2	
3	
4	
5	

LEI PROJECT #: 2013-1795
DRAWN BY: BLS/BAP
CHECKED BY: GDM
SCALE: 1" = 100'
DATE: 1/14/2014
SHEET

RECEIVED JAN 14 2014



**Saratoga Springs Plat 16A
Preliminary Plat
February 13, 2014
Public Hearing**

Report Date:	February 4, 2013
Applicant/Owner:	Peter Staks / Lynn Wardley
Location:	Terminus of Amanda Lane
Major Street Access:	Centennial Boulevard
Parcel Number(s) & Size:	59-001-0097; 2.15 acres
Parcel Zoning:	R-3
Adjacent Zoning:	R-3
Current Use of Parcel:	Undeveloped
Adjacent Uses:	Low Density Residential and Undeveloped
Previous Meetings:	Concept Plan heard by Planning Commission on May 2, 2006 and by City Council on May 9, 2006. Preliminary Plat heard by Planning Commission on May 15, 2007 and conditionally approved by City Council on May 22, 2007
Previous Approvals:	Preliminary Plat, conditionally approved by City Council on May 22, 2007 (expired); Lakeside MDA 09/17/2013
Land Use Authority:	City Council
Future Routing:	Public meeting with City Council
Author:	Scott Langford, Senior Planner

A. Executive Summary:

This is a request for a Preliminary Plat approval to create 3 new single family residential lots on 2.15 acres of property located on the north end of Amanda Lane and has approximately 250 feet of shoreline along Utah Lake. A similar request (4 lot subdivision) was approved by the City Council in 2007, but due to inactivity has expired.

Recommendation:

Staff recommends that the Planning Commission conduct a public hearing, take public comment and discuss the proposed Preliminary Plat, and choose from the options in Section "I" of this report. Options include forwarding a positive recommendation to the City Council as recommended by staff, forwarding a positive recommendation to the City Council with additional conditions, or a motion to continue this item to allow the applicant time to provide additional material.

B. Background:

In 2007 the City Council conditionally approved a similar Preliminary Plat subject to the following conditions of approval:

1. That all the requirements of the City Engineer, including those listed within the attached staff report be met;
2. That all requirements of the Fire Chief be met;
3. That final plat approval and construction be delayed until secondary water funding is approved.
4. That the Plat be modified so that no portion of any lot is located within the 100-year floodplain.
5. That the sensitive lands area (30% or greater slopes) be protected through an easement dedicated to the City that permits the City to regulate future improvements, and;
6. That the developer works with the Homeowner's Association to repair the existing problems on Amanda Lane and that a solution is presented at the time of Final Plat review.

Due to inactivity this approval expired in 2009.

This property is also governed by the Lakeside at Saratoga Springs Master Development Agreement, which was approved by the City Council on September 17, 2013. This new agreement provides direction regarding the construction of the required shoreline trail and open space requirements.

The Planning Commission opened the public hearing for this item on January 23, 2014 and per the applicant's request continued the hearing to February 13, 2014. The reason for the continuance was to allow the applicant time to amend the Preliminary Plat; changing it from a four lot subdivision to a three lot subdivision with a storm water detention basin.

C. Specific Request:

The property is zoned R-3, Low Density Residential. The proposed 3 lot Preliminary Plat will facilitate single family home development, which is permitted in the R-3 zone. Once the Preliminary Plat is reapproved, then the applicant can apply for Final Plat approval.

D. Process:

Per section 19.12.03 of the City Code, all subdivisions must receive a Preliminary Plat approval. An application for a Preliminary Plat shall follow the approved City format. Subdivisions are subject to the provisions of Chapter 19.13, Development Review Processes.

The development review process for subdivision approval involves a formal review of the Preliminary Plat by the Planning Commission in a public hearing, with a formal recommendation forwarded to the City Council. The City Council reviews the Preliminary Plat in a public meeting and formally approves the Preliminary Plat. Final Plats are reviewed and approved by the City Council in a public meeting.

E. Community Review:

Per 19.13.04 of the City Code, this item has been noticed in *The Daily Herald*, and each residential property within 300 feet of the subject property was sent a letter at least ten calendar days prior to this meeting. As of the completion of this report, the City has not received any public comment regarding this application.

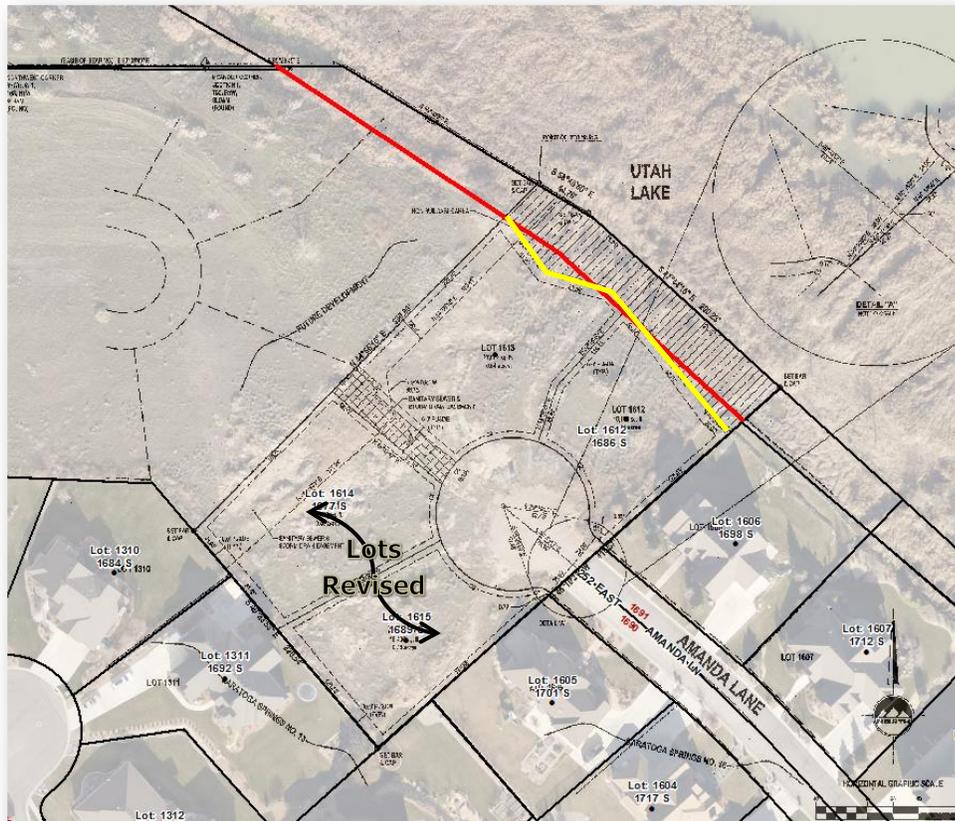
F. Review:

The requirements of Preliminary Plat review are found in Section 19.12.03(2) of the City Code. This Preliminary Plat was reviewed within the context of all these and other pertinent sections of the City Code. An in-depth review of code requirements within the context of the provided Preliminary Plat is found in Section "H" of this report.

In addition to City Code, it is important to know that in January 2000 the applicant and the State of Utah entered into an agreement regarding the Utah Lake boundary (attached). One purpose of the agreement is to help determine the boundary line between the applicant's property and the State sovereign land. On January 13, 2014, the City received an exhibit from the State indicating their interpretation of the east property line of this Preliminary Plat.

City staff has compared the State's information with the proposed Preliminary Plat and find that the State's interpretation of the east property line closely matches the design of the Preliminary Plat. Staff's recommendation (engineering staff report) is that the "Developer shall coordinate with the Division of Forestry, Fire, and State Lands to ensure the proposed lot boundaries comply with the *Agreement of Stipulation and Compromise Regarding Utah Lake Boundary*, dated January 2000." The slight adjustments that may be made to accommodate adjustments on east property line should not affect Code compliance with regarding minimum lot size; Lot #1612 is 14,314 sqft, and Lot #1613 is 22,363 sqft.

Property Line Comparison: Applicant – Yellow; State – Red



The Utah Lake Boundary Agreement also requires the applicant to install a trail and to provide and maintain public access through their property to sovereign lands. The agreement requires the applicant to:

"construct and maintain a public trail which will be located near the sovereign lands boundary. When the construction of the trail is completed, the sovereign land boundary will be the upper (landward) side of the trail and the legal description will be adjusted by survey if necessary." – page 5 Agreement of Stipulation and Compromise Regarding Utah Lake Boundary

The State maintains that the applicant must still construct the trail along the east side of Amanda Lane and as part of this plat. Please note that even though the City Code does require a lake shore trail, this agreement is between the applicant and the State.

Section 19.25 of the City Code requires "all developments whose projects are adjacent to or abut Utah Lake shall provide an improved pedestrian lakeshore trail throughout the length of their project."

On September 17, 2013 the City Council approved the Lakeside at Saratoga Springs Master Development Agreement, which allowed the current trail along Centennial Blvd. to count as part of the required trail for this Plat 16A. This MDA acts independently of the agreement entered into by the applicant and the State.

G. General Plan:

The site is designated as Low Density Residential on the adopted Future Land Use Map. The General Plan states that areas designated as Low Density Residential are *"designed to provide areas for residential subdivisions with an overall density of 1 to 4 units per acre. This area is to be characterized by neighborhoods with streets designed to the City's urban standards, single-family detached dwellings and open spaces."* The proposed Preliminary Plat provides a design that has a density of 1.4 units per acre and can be developed in a way that is in compliance with the General Plan.

H. Code Criteria:

Section 19.12.03 of the City Code states, *"All subdivisions are subject to the provisions of Chapter 19.13, Development Review Process"*. The following criteria are pertinent requirements for Preliminary Plats listed in Sections 19.12 (Subdivision Requirements) and 19.04.13 (R-3 Requirements) of the City Code.

Permitted or Conditional Uses: complies. Section 19.04.13(2 & 3) lists all of the permitted and conditional uses allowed in the R-3 zone. The Preliminary Plat provides residential building lots which are supported as a permitted use in the R-3 zone.

Minimum Lot Sizes: complies. 19.04.13(4) states that the minimum lot size for residential lots is 10,000 square feet. The smallest lot shown on the Preliminary Plat is 14,314 square feet (Lot #1612)

Setbacks and Yard Requirements: complies. Section 19.04.13(5) outlines the setbacks required by the RC zone. These requirements are:

Front: Not less than twenty-five feet.

Sides: 8/20 feet (minimum/combined)

Rear: Not less than twenty-five feet

Corner: Front 25 feet; Side abutting street 20 feet

The Preliminary Plat shows compliance with all of these minimum setback requirements.

Parking, vehicle and pedestrian circulation: complies. Section 19.09.11 requires single-family homes to have a minimum 2 parking stalls within an enclosed garage. Driveways leading to the required garages must be a minimum 25 feet in length. Even though this requirement will be reviewed by the building department with each individual building permit application, staff believes that the proposed lots are of sufficient size to support this requirement.

This development will create a 780 foot long cul-de-sac street (Amanda Lane) which exceeds the standard length of 400 feet. This is unfavorable; however, no other street connections are possible.

Fencing: conditionally complies. Section 19.06.09 requires fencing along property lines abutting open space, parks, trails, and easement corridors. The Code also states that in an effort to promote safety for citizens using these trail corridors and security for home owners, fences shall be semi-private. Staff therefore recommends as a condition of approval that the Final Plat show semi-private fencing along the east lot lines of Lots 1613 and 1612.

Open Space: can comply. The Lakeside MDA states that the open space, except for the Lakeshore Trail, for this plat is satisfied by the existing 4 acre Eagle Park, which is located to the north approximately half a mile. With regard to the trail, the MDA states:

"The Lakeshore Trail along Utah Lake through Plats 16A and 14, which is also required for Plat 16A by the agreement between the State of Utah and Saratoga Springs Development, shall be constructed with the development Plats 16A and 14 respectively. The lakeshore trail shall be located along the shoreline within the State of Utah sovereign lands property and adjacent to the canal. However, if the developer cannot obtain permission from the State of Utah for the shoreline location along the canal, this requirement may also be met by using the existing trail along Centennial Blvd. Nonetheless, this paragraph is not intended to supersede the agreement between the State of Utah and Saratoga Springs Development."

The applicant has amended the Preliminary Plat to include a 0.43 acre detention basin to collect storm water runoff from this subdivision and the future residential subdivision planned to the north (Plat 14). The note on the Preliminary Plat states that this detention basin (Parcel B) will be dedicated to the City. Staff recommends that this note be amended to state that detention basin be improved by the developer and maintained and dedicated to the Saratoga Springs Home Owners Association.

There are additional redline corrections listed in the Engineering staff report. Staff recommends that as a condition of approval, that all the engineering redlines listed in the engineering staff report be addressed (condition #5).

I. Recommendation and Alternatives:

After evaluating the required standards for Preliminary Plats located in an R-3 zone, staff recommends that the Planning Commission conduct a public hearing and make the following motion:

Recommended Motion:

"Based upon the evidence and explanations received today, I move that the Planning Commission forward a positive recommendation to the City Council to approve the Saratoga Springs Plat 16A Preliminary Subdivision Plat on property generally located at the terminus of Amanda Lane, with the findings and conditions below:

Findings:

1. Per the requirements of Section 19.04.13(4), all lots proposed will be greater than 10,000 square feet.
2. Per the requirements of Section 19.04.13(5), the minimum setback and yard requirements for the R-3 zone will be met.
3. The Preliminary Plat meets or can conditionally meet all the requirements listed in Section "H" of this report.

4. The General Plan recommends Low Density Residential for this location which is defined as one to four units per acre. The proposed plat consists of approximately 1.4 units per acre which is allowed by the Land Use Element of the General Plan and is therefore acceptable.

Conditions:

1. That per Section 19.12.02(5) of the City Code, the Preliminary Subdivision Plat shall remain valid for twenty-four months from the date of City Council approval. The City Council may grant extensions of time when such extensions will promote the public health, safety, and general welfare. Said extensions must be requested within twenty-four months of site plan/Subdivision approval and shall not exceed twelve months."
2. That all the terms, conditions, and obligations required of the Lakeside at Saratoga Springs Master Development Agreement be met.
3. That per Section 19.06.09 of the City Code, the Final Plat shall show and the applicant install a 6 foot tall semi-private wrought iron style fence along the east property lines of Lots 1612 and 1613.
4. The State boundary agreement shall be reviewed and the location of the property line between Parcel A and Lots 1612 & 1613 verified prior to recordation.
5. All requirements of the City Engineer shall be met, including but not limited to those in the attached report.
6. All requirements of the Fire Chief shall be met, including but not limited to those in the attached report.
7. The Lakeshore Trail along Utah Lake through Plats 16A and 14, which is also required for Plat 16A by the agreement between the State of Utah and Saratoga Springs Development, shall be constructed with the development Plats 16A and 14 respectively. The lakeshore trail shall be located along the shoreline within the State of Utah sovereign lands property and adjacent to the canal. However, if the developer cannot obtain permission from the State of Utah for the shoreline location along the canal, this requirement may also be met by using the existing trail along Centennial Blvd. Nonetheless, this paragraph is not intended to supersede the agreement between the State of Utah and Saratoga Springs Development
8. Any other conditions as articulated by the Planning Commission:

Alternative Motions:

Alternative Motion A

"I move to **continue** the item to another meeting, with direction to the applicant and Staff on information and/or changes needed to render a decision, as follows:

Alternative Motion B

"Based upon the evidence and explanations received today and the following findings, I move that the Planning Commission forward a negative recommendation to the City Council to deny the Saratoga Springs Plat 16A Preliminary Subdivision Plat on property generally located at the terminus of Amanda Lane. Specifically I find that the following standards and/or code requirements have not been met:"

List Specific Code Standards and Requirements:

J. Exhibits:

1. Engineering Report
2. Zoning / Location map
3. Aerial Photo
4. Preliminary Plat Exhibits
5. Agreement of Stipulation and Compromise Regarding Utah Lake Boundary

City Council Staff Report

Author: Jeremy D. Lapin, City Engineer
Subject: Saratoga Springs Development – Plat 16A
Date: February 13, 2014
Type of Item: Preliminary Plat Approval



Description:

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

B. Background:

Applicant: Peter Staks / Lynn Wardley
Request: Preliminary Plat Approval
Location: Terminus of Amanda Lane
Acreage: 2.15 acres - 3 lots

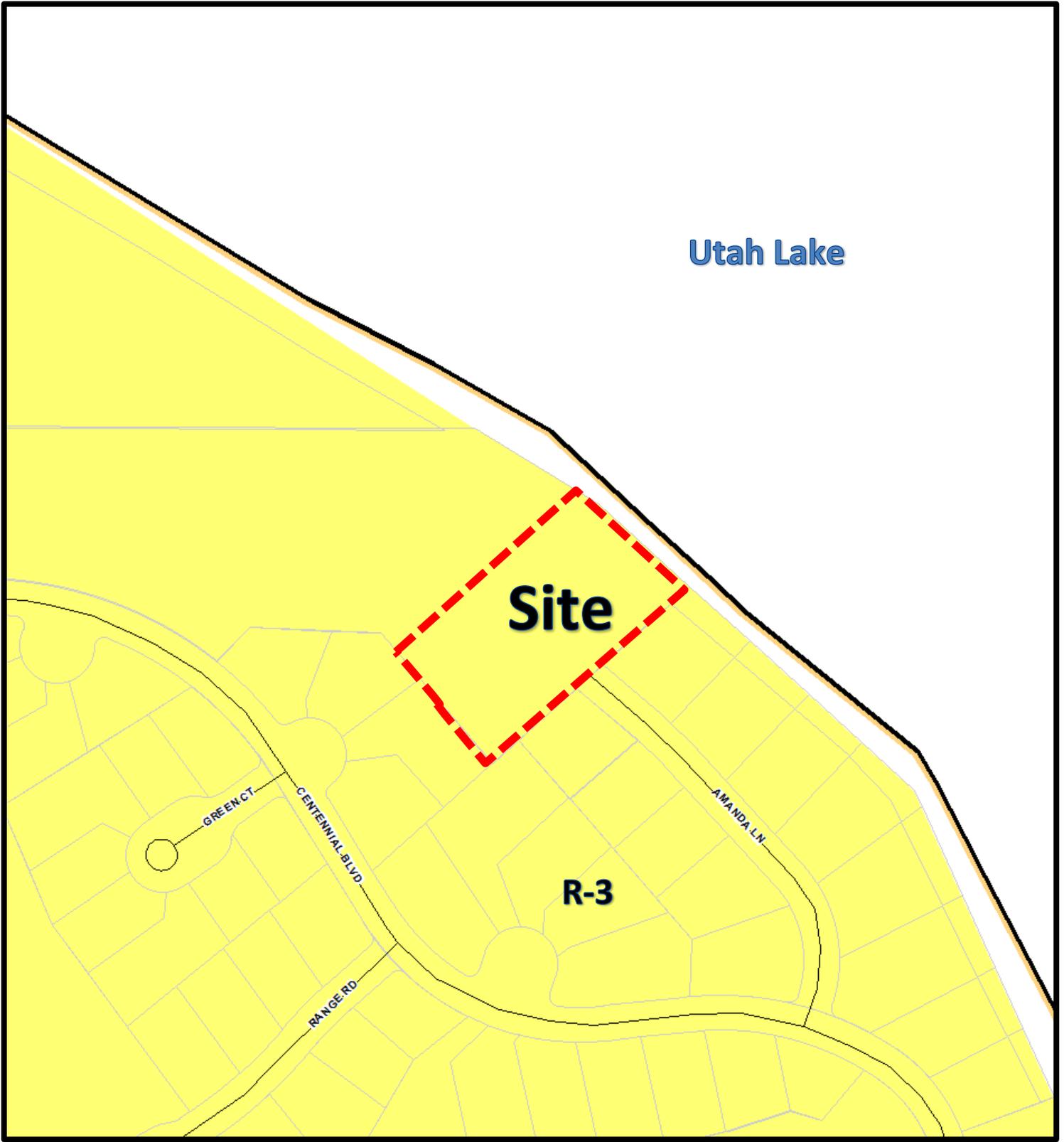
C. Recommendation: Staff recommends the approval of preliminary plat subject to the following conditions:

D. Conditions:

- 1) All roads shall be designed and constructed to City standards and shall incorporate all geotechnical recommendations as per the applicable soils report.
- 2) Developer shall provide a finished grading plan for all roads and lots and shall stabilize and reseed all disturbed areas.
- 3) Developer shall provide plans for and complete all improvements within pedestrian corridors.
- 4) Meet all engineering conditions and requirements as well as all Land Development Code requirements in the preparation of the final plat and construction drawings. All application fees are to be paid according to current fee schedules.
- 5) All review comments and redlines provided by the City Engineer during the preliminary process are to be complied with and implemented into the final plat and construction plans.
- 6) Developer shall prepare and submit easements for all public facilities not located in the public right-of-way

- 7) Final plat and plans shall include an Erosion Control Plan that complies with all City, UPDES and NPDES storm water pollution prevention requirements.
- 8) Project shall comply with all ADA standards and requirements.
- 9) The developer shall prepare final construction drawings as outlined in the City's standards and specification and receive approval from the City Engineer on those drawings prior to commencing construction.
- 10) Developer shall coordinate with the Division of Forestry, Fire, and State Lands to ensure the proposed lot boundaries comply with the *Agreement of Stipulation and Compromise Regarding Utah Lake Boundary*, dated January 2000.
- 11) Developer shall complete a Preliminary Jurisdictional Wetland delineation prior to Final Plat to ensure none of the proposed lots contain sensitive lands. (Land Development Code 19.12.03)
- 12) Developer shall provide complete Landscape and Irrigation plans for parcel B. The plat shall note that Parcel B is to be improved by the developer and maintained and dedicated to the SSD HOA.
- 13) Developer shall provide a shoreline trail as per the Master Development Agreement.
- 14) Developer shall provide access roads to all inlet/outlet structures inside the detention basin. (Engineering Standards and Specifications 2013, Section 00500 – 2.02 – E – 19 – G)
- 15) Developer shall keep all new storm drains out of lots and in dedicated easements. (Engineering Standards and Specifications 2013, Section 00500 – 2.02 – E – 12)
- 16) Developer shall pipe low flows through/around the detention basin (Engineering Standards and Specifications 2013, Section 00500 – 2.02 – E – 19 – C)
- 17) A minimum of 4' of cover for sewer lines shall be maintained through the detention basin. (Engineering Standards and Specifications 2013, Section 00500 – 2.02 – B – 5)
- 18) Developer shall provide 12' access roads to all manholes (Engineering Standards and Specifications 2013, Section 02340 – 3.03 – N)
- 19) Developer shall comply with all other requirements outlined in the Engineering Standards and Specifications, most recent edition.

Zoning and Location Map



Aerial Photo

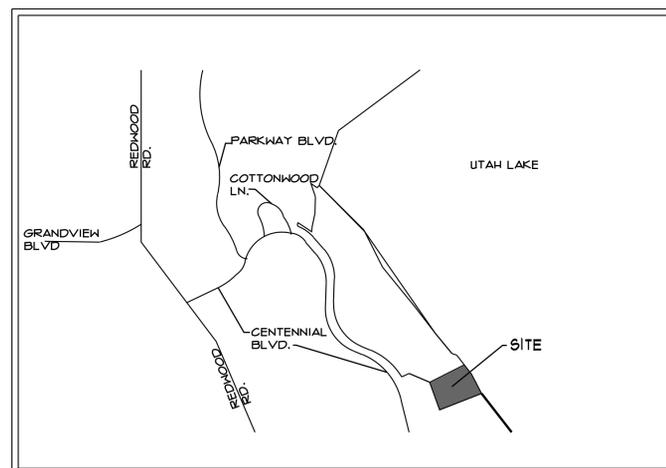


SARATOGA SPRINGS 16A

SARATOGA SPRINGS, UTAH

SUBDIVISION PLAT

- C-1 PLAT 16A
- C-2 GRADING AND DRAINAGE PLAN
- C-3 UTILITY PLAN
- C-4 EROSION CONTROL PLAN
- C-5.0 SITE DETAILS
- C-5.1 SITE DETAILS
- C-5.2 SITE DETAILS
- PP-1 STREET PLAN & PROFILE (STA. 1+00 - 4+09.55)
- PP-2 STORM DRAIN PLAN & PROFILE (STA. 5+42.20 - 10+36.57)



VICINITY MAP



January 17, 2014

SUBDIVIDER:

WARDLEY DEVELOPMENT
5296 SOUTH COMMERCE DR. SUITE 202
MURRAY, UTAH, 84107
(801) 293-9674

ENGINEER/SURVEYOR:



SALT LAKE CITY
45 West 10000 South
Suite 500
Sandy, UT 84070
Phone: 801.255.0529
Fax: 801.255.4449
WWW.ENSIGNUTAH.COM

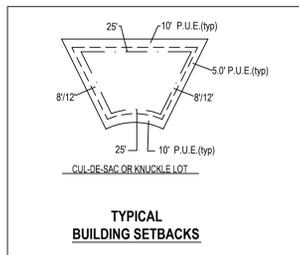
LAYTON
Phone: 801.547.1100
TOOELE
Phone: 435.843.3590
CEDAR CITY
Phone: 435.865.1453

PROJECT MANAGER: CLARKE MCFARLANE

SARATOGA SPRINGS 16A

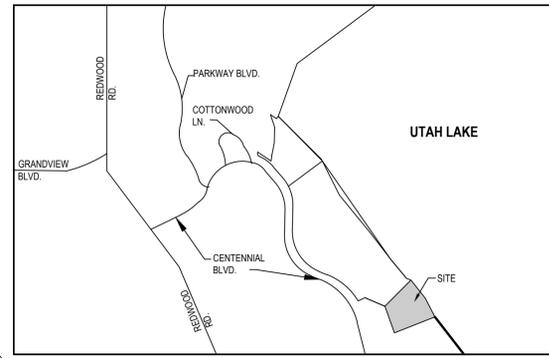


CALL BLUESTAKES
@ 1-800-662-4111 AT LEAST 48
HOURS PRIOR TO THE
COMMENCEMENT OF ANY
CONSTRUCTION.



SARATOGA SPRINGS 16A

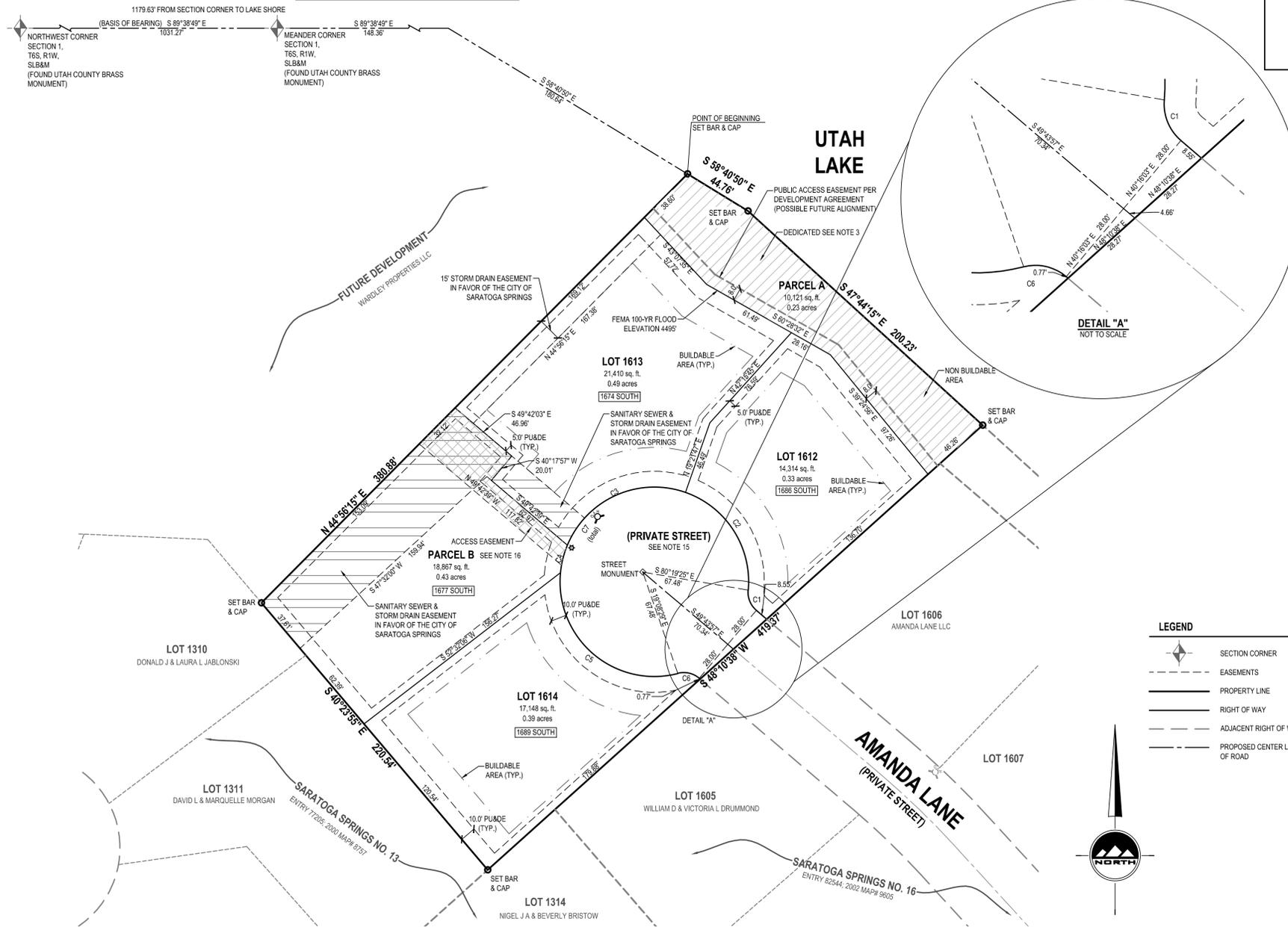
LOCATED IN THE NORTHWEST QUARTER OF
SECTION 1, TOWNSHIP 6 SOUTH, RANGE 1 WEST,
SALT LAKE CITY AND MERIDIAN,
SARATOGA SPRINGS CITY, UTAH COUNTY, UTAH



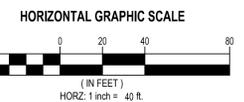
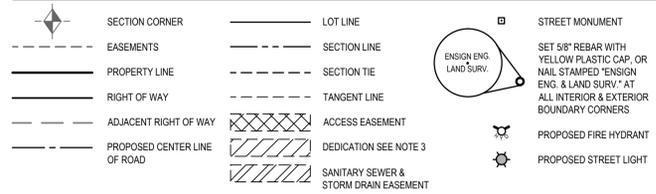
VICINITY MAP
NOT TO SCALE

PLAT NOTES

- PLAT MUST BE RECORDED WITHIN 24 MONTHS OF FINAL PLAT APPROVAL BY CITY COUNCIL. FINAL PLAT APPROVAL WAS GRANTED ON ____ DAY OF ____ 20__.
- ALL EASEMENTS ARE 5' AS SHOWN ON THIS PLAT UNLESS NOTED OTHERWISE.
- PARCEL A HEREBY DEDICATED TO THE STATE OF UTAH PER UTAH LAKE SETTLEMENT AGREEMENT AND THIS DOCUMENT.
- SET A 24" #5 REBAR & CAP AT ALL PROPERTY CORNERS.
- THE INSTALLATION OF IMPROVEMENTS SHALL CONFORM TO THE CITY OF SARATOGA SPRINGS ORDINANCES, REQUIREMENTS, CONSTRUCTION STANDARDS, POLICIES AND ANY OTHER RULES PERTAINING TO THE DEVELOPMENT OF THIS PROPERTY.
- PRIOR TO ANY BUILDING PERMITS BEING ISSUED, SOIL TESTING OR LOT SOIL STUDIES MAY BE REQUIRED ON EACH LOT AS DETERMINED AND REQUIRED BY THE CITY OF SARATOGA SPRINGS BUILDING OFFICIAL.
- PLAT IS SUBJECT TO THE MASTER DEVELOPMENT AGREEMENT, SITE PLAN AGREEMENT, AND ANY OTHER AGREEMENT WITH THE CITY PERTAINING TO THE DEVELOPMENT OF THE PROPERTY.
- BUILDING PERMITS WILL NOT BE ISSUED UNTIL ALL IMPROVEMENTS HAVE BEEN INSTALLED AND ACCEPTED BY THE CITY IN WRITING; ALL IMPROVEMENTS CURRENTLY MEET CITY STANDARDS. ALL BONDS ARE POSTED BY THE CURRENT OWNER OF THE PROJECT PURSUANT TO CITY CODE.
- ALL PERFORMANCE AND WARRANTY BONDS AND AGREEMENTS ARE BETWEEN THE CITY, DEVELOPER, OWNER, OR CONTRACTOR AND FINANCIAL INSTITUTION. NO OTHER PARTY, INCLUDING UNIT OR LOT OWNERS, SHALL BE DEEMED A THIRD-PARTY BENEFICIARY OR HAVE ANY RIGHTS PERTAINING TO BONDS INCLUDING THE RIGHT TO BRING ANY ACTION UNDER ANY BOND OR BOND AGREEMENT AS A THIRD PARTY BENEFICIARY OR OTHERWISE.
- THE OWNER OF THIS SUBDIVISION AND ANY SUCCESSORS AND ASSIGNS ARE RESPONSIBLE FOR ENSURING THAT IMPACT AND CONNECTION FEES ARE PAID AND WATER RIGHTS SECURED FOR EACH INDIVIDUAL LOT. NO BUILDING PERMITS SHALL BE ISSUED FOR ANY LOT IN THIS SUBDIVISION UNTIL ALL IMPACT AND CONNECTION FEES, AT THE RATES IN EFFECT WHEN APPLYING FOR BUILDING PERMIT, ARE PAID IN FULL AND WATER RIGHTS SECURED AS SPECIFIED BY CURRENT CITY ORDINANCES AND FEE SCHEDULES.
- NO CITY MAINTENANCE IS PROVIDED ON PRIVATE STREETS.
- LOTS ARE SUBJECT TO ASSOCIATION BYLAWS, ARTICLES OF INCORPORATION AND CO&S.
- ALL OPEN SPACE AND TRAIL IMPROVEMENTS LOCATED HEREIN ARE TO BE INSTALLED BY OWNER AND MAINTAINED BY HOMEOWNERS ASSOCIATION UNLESS SPECIFIED OTHERWISE ON EACH IMPROVEMENT.
- ANY REFERENCE HEREIN TO OWNERS, DEVELOPERS, OR CONTRACTORS SHALL APPLY TO SUCCESSORS, AGENTS, AND ASSIGNS.
- PRIVATE STREET IS HEREBY DEDICATED TO THE SARATOGA SPRINGS HOME OWNERS ASSOCIATION
- PARCEL B IS HEREBY DEDICATED TO THE CITY OF SARATOGA SPRINGS



LEGEND



CURVE	LENGTH	RADIUS	CHORD	BEARING	DELTA
C1	14.33	15.00	13.79	S 22°21'32\"/>	

DRAINAGE EASEMENT AREAS ARE PERPETUAL, NON-EXCLUSIVE, MUTUAL CROSS DRAINAGE EASEMENTS FOR PURPOSES OF STORM WATER CAPTURE AND CONVEYANCE ON, OVER, UPON, AND ACROSS THE AREAS DELINEATED AS DRAINAGE EASEMENTS. EACH LOT ENCUMBERED BY A DRAINAGE EASEMENT SHALL, AT ITS SOLE COST AND EXPENSE, MAINTAIN AND KEEP ALL ABOVE AND BELOW GRADE INFRASTRUCTURE AND APPURTENANCES IN A REASONABLE CONDITION AND STATE OF REPAIR. NO OBSTRUCTIONS OR CHANGES IN GRADE SHALL BE LOCATED WITHIN THE EASEMENT AREA THAT WILL IMPEDE, DIVERT, OR CAUSE THE RUNOFF TO HAVE AN ADVERSE EFFECT ON ADJOINING PROPERTY.

DEVELOPER
WARDLEY DEVELOPMENT
5296 SOUTH COMMERCE DRIVE STE. 202
MURRAY, UT 84107
CONTACT: PETER STAKS
PHONE: 801-293-9674

LOT #	ADDRESS
LOT 1612	1686 SOUTH AMANDA LANE
LOT 1613	1674 SOUTH AMANDA LANE
LOT 1614	1677 SOUTH AMANDA LANE
LOT 1615	1689 SOUTH AMANDA LANE

SHEET 1 OF 1
PROJECT NUMBER : U12378
MANAGER : D. KINSMAN
DRAWN BY : J. CLEGG
CHECKED BY : D. BISHOP
DATE : 12/10/13

TOOELE
169 North Main Street Unit 1
Tooele, Utah 84074
Phone: 435.843.3590
Fax: 435.578.0108
WWW.ENSIGNUTAH.COM

SALT LAKE CITY
Phone: 801.255.0529
LAYTON
Phone: 801.547.1100
CEDAR CITY
Phone: 435.865.1453

QUESTAR GAS COMPANY
APPROVED THIS ____ DAY OF ____ A.D. ____

ROCKY MOUNTAIN POWER
APPROVED THIS ____ DAY OF ____ A.D. ____

COMCAST CABLE TELEVISION
APPROVED THIS ____ DAY OF ____ A.D. ____

QWEST
APPROVED THIS ____ DAY OF ____ A.D. ____

FIRE CHIEF APPROVAL
APPROVED BY THE FIRE CHIEF ON THIS DAY OF ____ A.D. ____

PLANNING COMMISSION REVIEW
REVIEWED BY THE PLANNING COMMISSION ON THIS DAY OF ____ A.D. ____

SARATOGA SPRINGS ENGINEER APPROVAL
APPROVED BY THE CITY ENGINEER ON THIS DAY OF ____ A.D. ____

SARATOGA SPRINGS ATTORNEY
APPROVED BY SARATOGA SPRINGS CITY ATTORNEY THIS DAY OF ____ A.D. ____

LEHI CITY POST OFFICE
APPROVED THIS ____ DAY OF ____ A.D. ____ BY THE POST OFFICE.



SURVEYOR'S SEAL
NOTARY PUBLIC SEAL
CIVIL ENGINEER'S SEAL
CLERK-RECORDER SEAL

SURVEYOR'S CERTIFICATE
I, Douglas J. Kinsman, do hereby certify that I am a registered Land Surveyor, and that I hold a license, Certificate No. 334575, in accordance with the Professional Engineers and Land Surveyors Licensing Act found in Title 58, Chapter 22 of the Utah Code. I further certify that by authority of the Owners, I have made a survey of the tract of land shown on this plat and described below, have subdivided said tract of land into lots, streets, and easements, have completed a survey of the property described on this plat in accordance with Utah Code Section 17-23-17, have verified all measurements, and have placed monuments as represented on the plat. I further certify that every existing right-of-way and easement grant of record for underground facilities, as defined in Utah Code Section 54-8a-2, and for other utility facilities, is accurately described on this plat, and that this plat is true and correct. I also certify that I have filed, or will file within 90 days of recordation of this plat, a map of survey I have completed with the Utah County Surveyor.

BOUNDARY DESCRIPTION
A parcel of land situated in the Northwest Quarter of Section 1, Township 6 South, Range 1 West, Salt Lake Base and Meridian, said parcel being more particularly described as follows:
Beginning at a point which is located South 89°38'49\"/>

Date _____ Douglas J. Kinsman
License No. 334575

OWNER'S DEDICATION
Know all men by these presents that _____, the undersigned owner(s) of the above described tract of land having caused same to be subdivided into lots and streets to be hereafter known as
SARATOGA SPRINGS 16A
do hereby dedicate for perpetual use of the public and/or City all parcels of land, easements, right-of-way, and public amenities shown on this plat as intended for public and/or City use. The owner(s) voluntarily defend, indemnify and save the City harmless against any easements or other encumbrance on a dedicated street which will interfere with the City's use, maintenance, and operation of the street. The owner(s) voluntarily defend, indemnify and hold harmless the City from any damage claimed by persons within or without this subdivision to have been caused by alterations of the ground surface, vegetation, drainage, or surface or sub-surface water flows within the subdivision or by establishment or construction of the roads within this subdivision.
In witness whereof _____ have hereunto set this ____ day of _____ A.D., 20__.

CORPORATE ACKNOWLEDGMENT
STATE OF UTAH _____) S.S.
COUNTY OF _____)
ON THE ____ DAY OF _____ A.D. 20__, PERSONALLY APPEARED BEFORE ME _____ AND WHO BEING BY ME DULY SWORN DID SAY EACH FOR HIMSELF, THAT HE, THE SAID _____ IS THE PRESIDENT AND HE THE SAID _____ IS THE SECRETARY OF _____ CORPORATION, AND THAT THE WITHIN AND FOREGOING INSTRUMENT WAS SIGNED IN BEHALF OF SAID CORPORATION BY AUTHORITY OF A RESOLUTION OF ITS BOARD OF DIRECTORS AND SAID _____ AND _____ EACH DULY ACKNOWLEDGED TO ME THAT SAID CORPORATION EXECUTED THE SAME AND THE SAME AND THAT THE SEAL AFFIXED IS THE SEAL OF SAID CORPORATION.

CORPORATE ACKNOWLEDGMENT
STATE OF UTAH _____) S.S.
COUNTY OF _____)
ON THE ____ DAY OF _____ A.D. 20__, PERSONALLY APPEARED BEFORE ME _____ AND WHO BEING BY ME DULY SWORN DID SAY EACH FOR HIMSELF, THAT HE, THE SAID _____ IS THE PRESIDENT AND HE THE SAID _____ IS THE SECRETARY OF _____ CORPORATION, AND THAT THE WITHIN AND FOREGOING INSTRUMENT WAS SIGNED IN BEHALF OF SAID CORPORATION BY AUTHORITY OF ITS BOARD OF DIRECTORS AND SAID _____ AND _____ EACH DULY ACKNOWLEDGED TO ME THAT SAID CORPORATION EXECUTED THE SAME AND THE SAME AND THAT THE SEAL AFFIXED IS THE SEAL OF SAID CORPORATION.

APPROVAL BY LEGISLATIVE BODY
THE CITY COUNCIL OF THE CITY OF SARATOGA SPRINGS, COUNTY OF UTAH, APPROVES THIS SUBDIVISION SUBJECT TO THE CONDITIONS AND RESTRICTIONS HEREON, AND HEREBY ACCEPTS THE DEDICATION OF ALL STREETS, EASEMENTS AND OTHER PARCELS OF LAND INTENDED FOR PUBLIC PURPOSES FOR THE PERPETUAL USE OF THE PUBLIC.
THIS ____ DAY OF _____ A.D. 20__

SARATOGA SPRINGS 16A
LOCATED IN THE SOUTHWEST QUARTER OF
SECTION 1, TOWNSHIP 6 SOUTH, RANGE 1 WEST,
SALT LAKE BASE AND MERIDIAN,
SARATOGA SPRINGS CITY, UTAH COUNTY, UTAH

CALL BLUESTAKES @ 1-800-662-4111 AT LEAST 48 HOURS PRIOR TO THE COMMENCEMENT OF ANY CONSTRUCTION.

BENCHMARK
NORTH QUARTER CORNER SECTION 2, T6S, R4W, SLB41M
ELEVATION = 4518.74 PER NGVD 1929 PER UTAH COUNTY SURVEYORS OFFICE

EN SIGN engineering . planning . surveying
Project: Wiltshire Estates Project No.: U1237
By: D. Cowley Checked By:
Date: 14-Jan-2014 Sheet: 1 of 1



SALT LAKE CITY
45 W. 10000 S., Suite 500
Sandy, UT 84070
Phone: 801.255.0529
Fax: 801.255.4449

LAYTON
Phone: 801.547.1100

TOOELE
Phone: 435.843.3590

CEDAR CITY
Phone: 435.865.1453

RICHFIELD
Phone: 435.590.0187

WWW.ENSIGNUTAH.COM

FOR: WARDLEY DEVELOPMENT
5298 SOUTH COMMERCE DR.
MURRAY UT

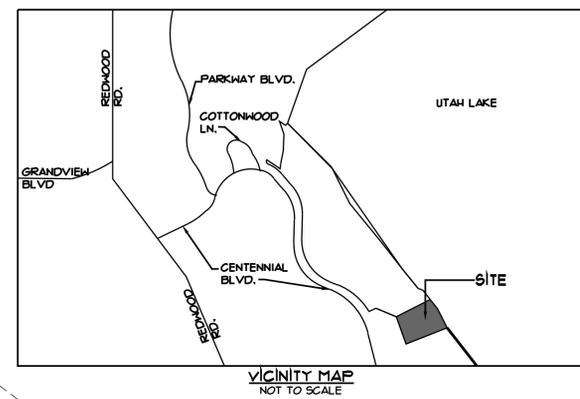
CONTACT:
PETER STAKS
PHONE: 801-293-9674
FAX:

DRAINAGE CALCULATION

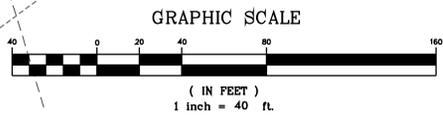
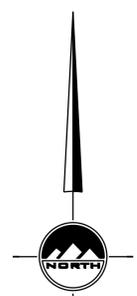
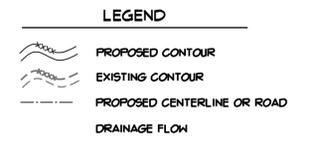
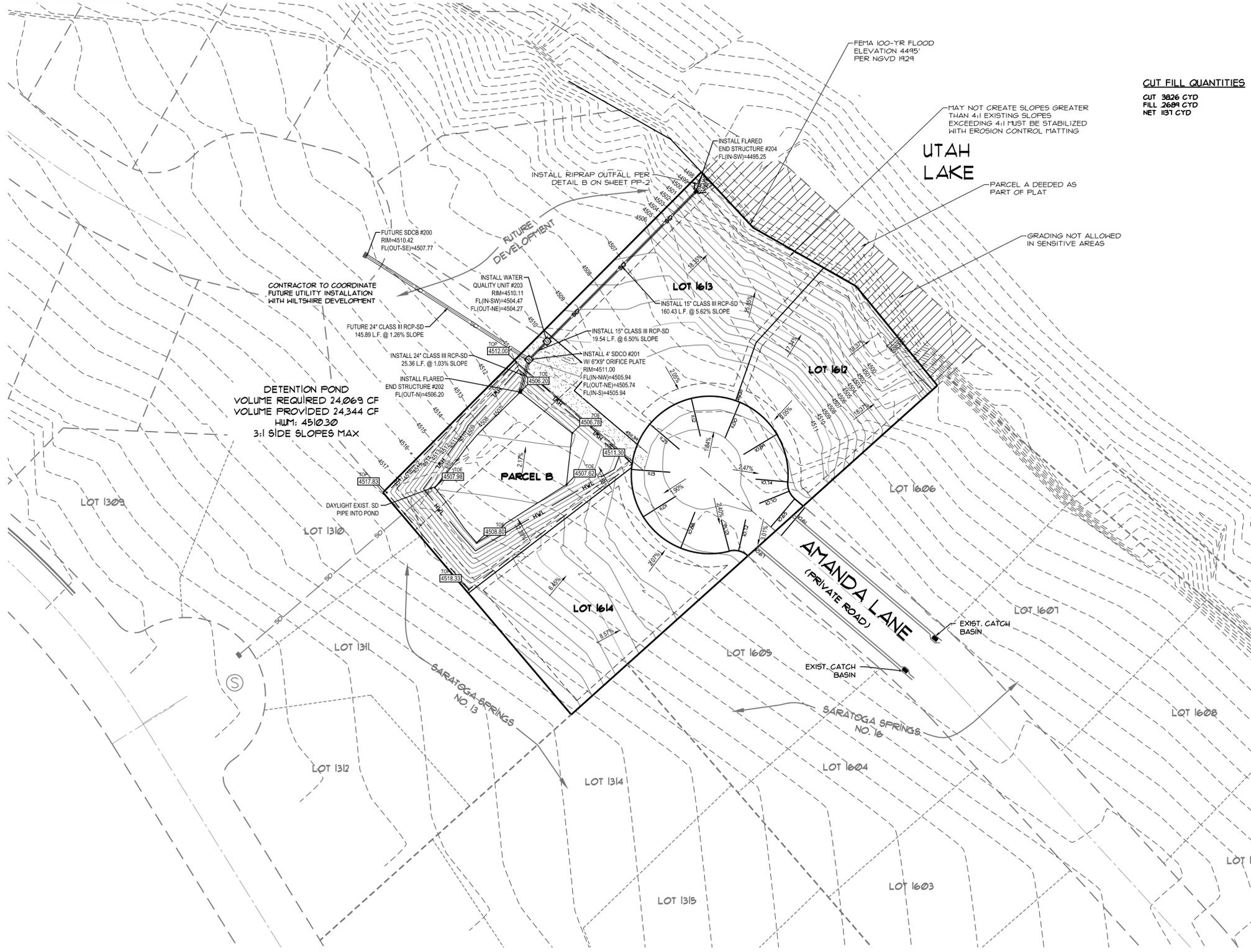
Area Calculations		Area Runoff Coefficients	
Handscaped Area (A _H)	5.41 acres	C _H	0.95
LANDSCAPE AREA (A _L)	13.53 acres	C _L	0.35
TOTAL AREA (A _T)	18.94 acres	WEIGHTED C	0.36

Runoff Calculations						
Time (min)	CA (Acres)	Precipitation (in)	Time (sec)	Cumulative Runoff (ft ³)	Allowed Runoff (ft ³)	Storage (ft ³)
15	6.65	0.95	900	22,612	3,409	19,202
30	6.65	1.28	1,800	30,427	6,819	23,609
45	6.65	1.58	2,700	37,706	10,637	27,069
60	6.65	1.70	3,600	40,665	14,454	26,211
75	6.65	1.71	4,500	40,757	18,271	22,486
90	6.65	1.81	5,400	43,242	22,088	21,154
105	6.65	1.92	6,300	47,538	25,905	21,633
NOTE: 100 Year Storm				STORAGE REQUIRED:	24,089	
				STORAGE PROVIDED Pond:	24,344	

Gate Parameters				Gate Size		Pipe Parameters	
C =	0.6	Area (ft ²) =	53.04 = $Q / (C(2gh)^{0.5})$	TYPE OF PIPE	CONCRETE		
g (ft/s ²) =	32.2	Width (ft) =	6	ROUGHNESS (n) =	0.015		
HWM =	4.510.5	Height (ft) =	8.84	PIPE DIA. (d) =	15		
FL @ Gate =	4.505.7			%SLOPE (s) =	5.74%		
h (ft) =	4.6			Q allow =	15.92		
PROVIDE:				Unity Check of Q (cfs)	ok		



CUT FILL QUANTITIES
CUT 3826 CYD
FILL 2689 CYD
NET 1137 CYD



LOCATED IN THE EAST HALF OF THE SOUTHWEST QUARTER OF SECTION 23 TOWNSHIP 3 SOUTH, RANGE 4 WEST, SALT LAKE BASE AND MERIDIAN SARATOGA SPRINGS, UTAH COUNTY, UTAH

SARATOGA SPRINGS 16A
CENTENNIAL STREET
SARATOGA SPRINGS, UTAH



FOR CONSTRUCTION 1/17/2014

GRADING & DRAINAGE PLAN

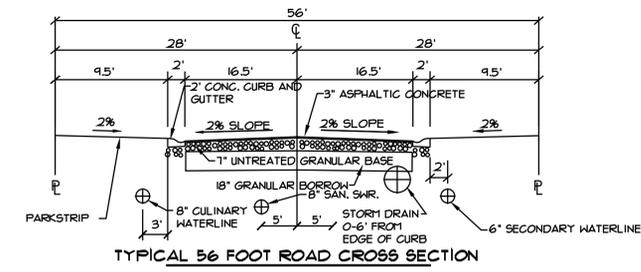
PROJECT NUMBER: U1237
PRINT DATE: 1/17/14
DRAWN BY:
CHECKED BY:

PROJECT MANAGER: D. KINSMAN

CALL BLUESTAKES ●
1-800-662-4111 AT
LEAST 48 HOURS PRIOR
TO THE COMMENCEMENT
OF ANY
CONSTRUCTION.

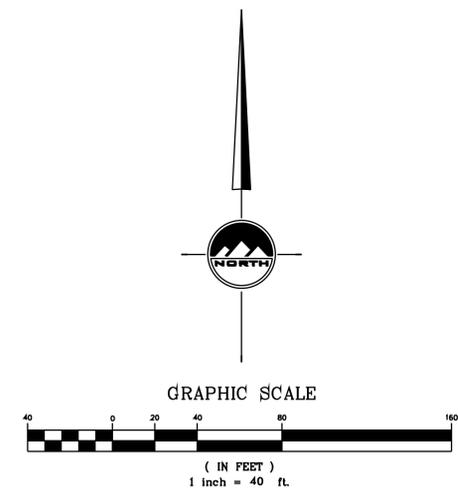
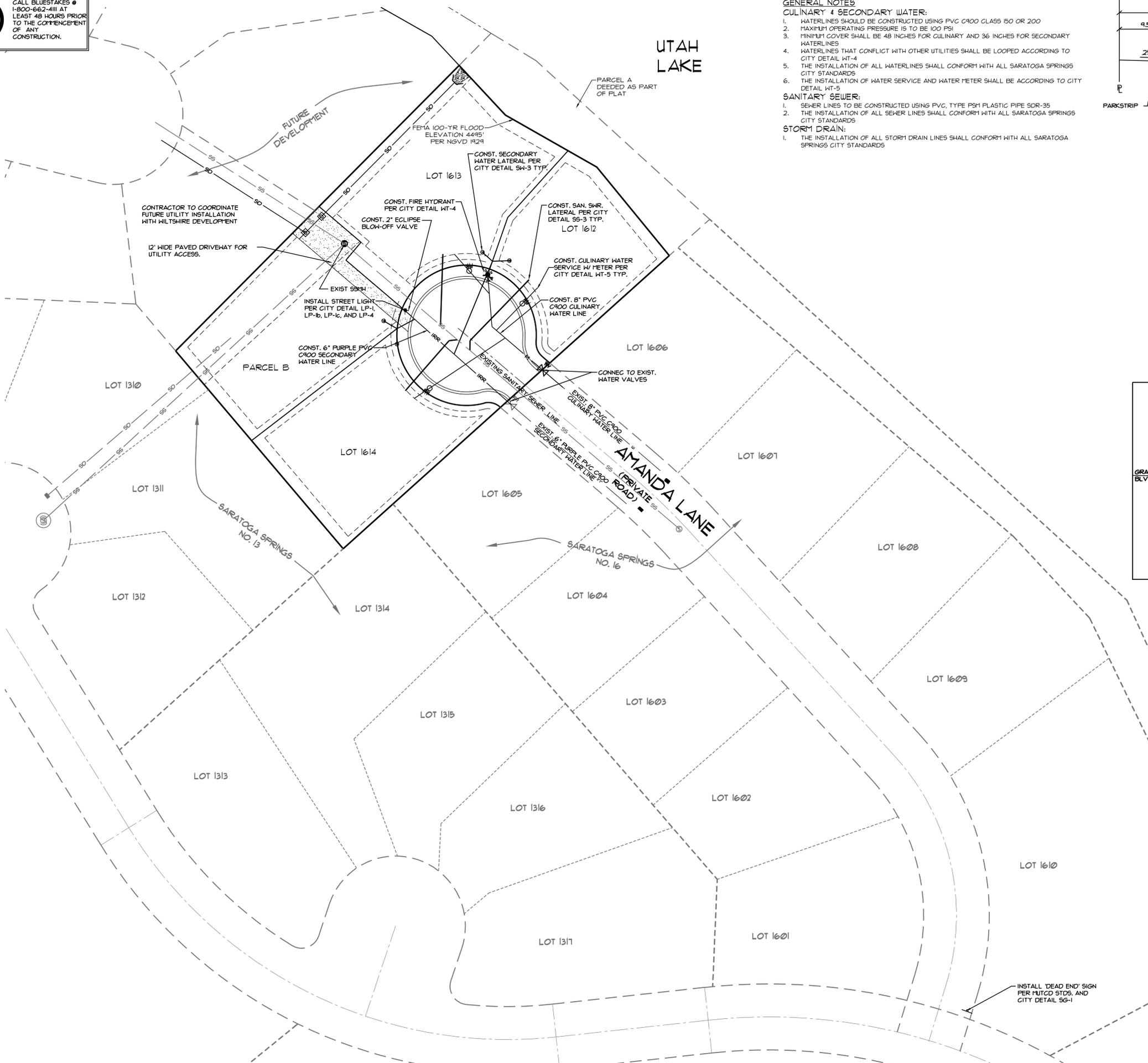
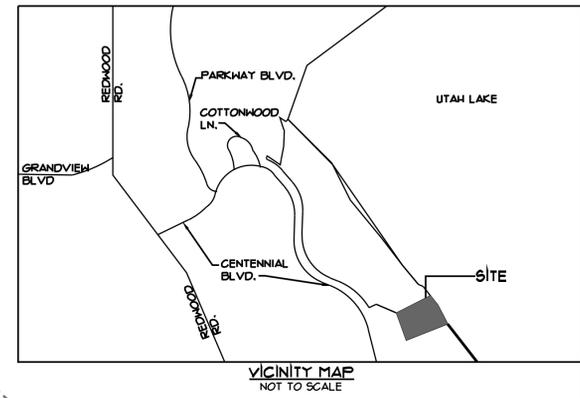
UTAH
LAKE

GENERAL NOTES
CULINARY & SECONDARY WATER:
1. WATERLINES SHOULD BE CONSTRUCTED USING PVC C900 CLASS 150 OR 200
2. MAXIMUM OPERATING PRESSURE IS TO BE 100 PSI
3. MINIMUM COVER SHALL BE 48 INCHES FOR CULINARY AND 36 INCHES FOR SECONDARY WATERLINES
4. WATERLINES THAT CONFLICT WITH OTHER UTILITIES SHALL BE LOOPED ACCORDING TO CITY DETAIL WT-4
5. THE INSTALLATION OF ALL WATERLINES SHALL CONFORM WITH ALL SARATOGA SPRINGS CITY STANDARDS
6. THE INSTALLATION OF WATER SERVICE AND WATER METER SHALL BE ACCORDING TO CITY DETAIL WT-5
SANITARY SEWER:
1. SEWER LINES TO BE CONSTRUCTED USING PVC, TYPE PS1 PLASTIC PIPE SDR-35
2. THE INSTALLATION OF ALL SEWER LINES SHALL CONFORM WITH ALL SARATOGA SPRINGS CITY STANDARDS
STORM DRAIN:
1. THE INSTALLATION OF ALL STORM DRAIN LINES SHALL CONFORM WITH ALL SARATOGA SPRINGS CITY STANDARDS



LEGEND

- EDGE OF ASPHALT
- EXISTING BUILDING
- PROPOSED CULINARY WATER LINE
- PROPOSED SECONDARY WATER LINE
- EXISTING SANITARY SEWER LINE
- EXISTING CULINARY WATER LINE
- EXISTING SECONDARY WATER LINE



LOCATED IN THE EAST HALF OF THE
SOUTHWEST QUARTER
OF SECTION 23
TOWNSHIP 3 SOUTH, RANGE 4 WEST,
SALT LAKE BASE AND MERIDIAN
SARATOGA SPRINGS, UTAH COUNTY, UTAH



SALT LAKE CITY
45 W. 10000 S., Suite 500
Sandy, UT 84070
Phone: 801.255.0529
Fax: 801.255.4449

LAYTON
Phone: 801.547.1100

TOOELE
Phone: 435.843.3590

CEDAR CITY
Phone: 435.865.1453

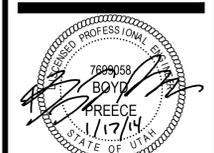
RICHFIELD
Phone: 435.590.0187

WWW.ENSIGNUTAH.COM

FOR:
WARDLEY DEVELOPMENT
5296 SOUTH COMMERCE DR.
MURRAY, UT

CONTACT:
PETER STAKS
PHONE: 801-293-9674
FAX:

SARATOGA SPRINGS 16A
CENTENNIAL STREET
SARATOGA SPRINGS, UTAH



FOR CONSTRUCTION 1/17/2014

UTILITY PLAN

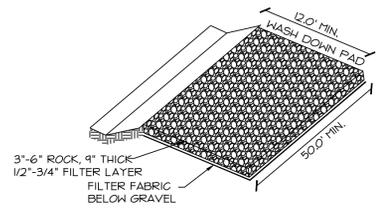
PROJECT NUMBER: UT237
PRINT DATE: 1/17/14
DRAWN BY:
CHECKED BY:

PROJECT MANAGER:
D. KINSMAN

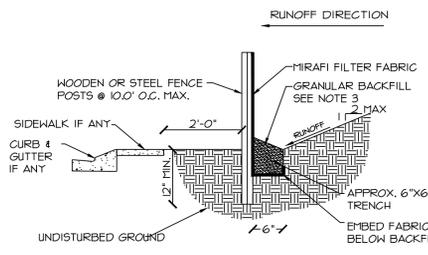
C-3

CALL BLUESTAKES
 1-800-662-4111 AT
 LEAST 48 HOURS
 PRIOR TO THE
 COMMENCEMENT OF
 ANY CONSTRUCTION.

BENCHMARK
 NORTH QUARTER CORNER
 SECTION 2,
 T6S, R1W,
 SLB41M
 ELEVATION = 4578.19 PER NGVD 1929
 PER UTAH COUNTY SURVEYORS OFFICE

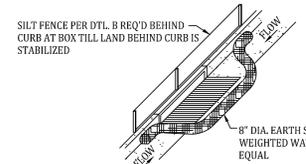


TEMPORARY VEHICLE WASHDOWN & STABILIZED CONSTRUCTION ENTRANCE
 SCALE: NONE

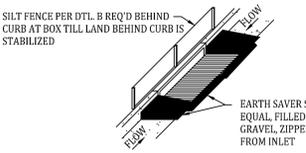


- EXCAVATE 6" X 6" TRENCH ALONG LIMITS OF DISTURBANCE AS SHOWN ON CONSTRUCTION DRAWINGS.
- POSTS SHALL BE POSITIONED ON DOWNSTREAM SIDE OF FENCE.
- LAY TOE-IN FABRIC FLAP IN BOTTOM OF TRENCH. BACKFILL TRENCH WITH FREE DRAINING GRANULAR MATERIAL. COMPACT TRENCH TO SATISFACTION OF THE ENGINEER OF RECORD.
- SILT FENCE GEOTEXTILE SHALL MEET AASHTO M288-12 REQUIREMENTS.
- REMOVE & DISPOSE OF SEDIMENT WHEN ACCUMULATION IS 50% OF EXPOSED FENCE HEIGHT.
- 10' MAX. SPACING BETWEEN STAKES.
- SILT FENCES SHALL BE INSTALLED ALONG CONTOURS, NOT UP AND DOWN SLOPES, WITH 10' OVERLAP AT BREAKS.

TEMPORARY SILT FENCE
 SCALE: NONE



WATTLE OPTION

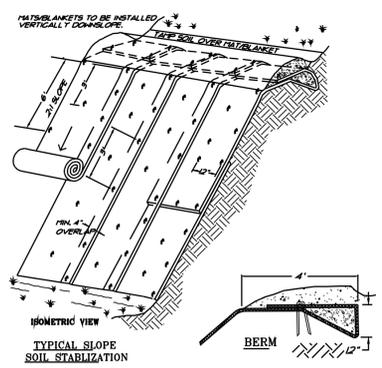


SANDBAG OPTION

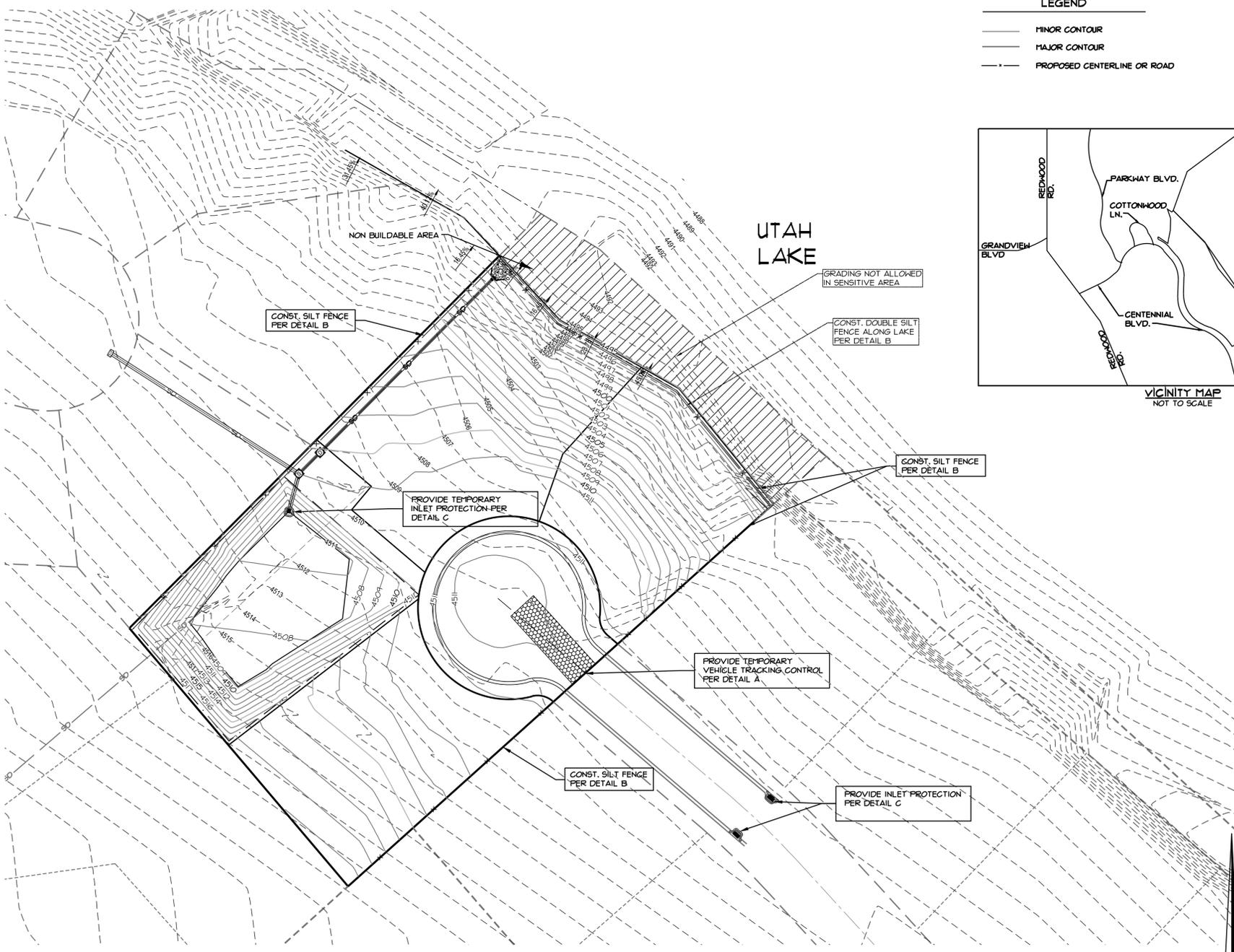
- NOTES:
- PLACE WATTLES OR GRAVEL BAGS TIGHT AGAINST CURB TO PREVENT SEDIMENT-LADEN WATER FROM GETTING BETWEEN CURB AND WATTLE/BAG.
 - PLACE WATTLES OR GRAVEL BAGS SUCH THAT FLOW DOES NOT OVERTOP CURB OR ROAD CENTERLINE.
 - INSPECT INLET PROTECTION AFTER EVERY LARGE STORM EVENT AND AT LEAST BI-WEEKLY, OR PER SWPPP REQUIREMENTS, WHICHEVER IS MORE STRINGENT, TO ENSURE THAT SEDIMENT CONTROL IS MEETING ITS DESIGN INTENT. MAINTAIN AND/OR REPLACE AS NEEDED.
 - REMOVE SEDIMENT ACCUMULATED WHEN IT REACHES 50% OF GRAVEL BAG OR WATTLE HEIGHT.
 - CONTRACTOR MAY SUBMIT AN ALTERNATIVE METHOD OF INLET PROTECTION. THE ALTERNATIVE METHOD SHALL BE APPROVED BY THE CITY INSPECTOR AND THE ENGINEER OF RECORD.
 - BEFORE PLACEMENT OF CURB, STABILIZATION OF LAND BEHIND CURB, AND/OR PAVING, MAINTAIN TOP OF INLET AT 6" ABOVE GRADE, AND SURROUND WITH SILT FENCE FOR SEDIMENTATION AROUND BOX. MAINTAIN SILT FENCE BEHIND BOX UNTIL LAND BEHIND CURB IS STABILIZED.

SAG INLET PROTECTION
 SCALE: NONE

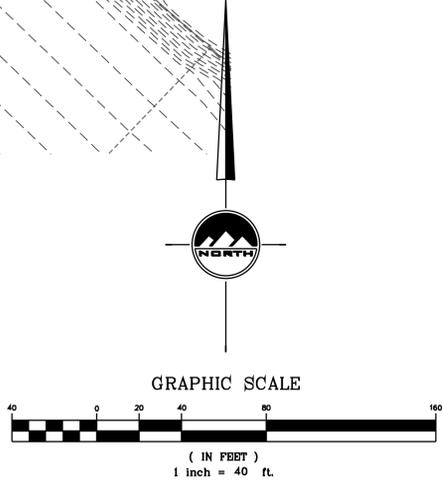
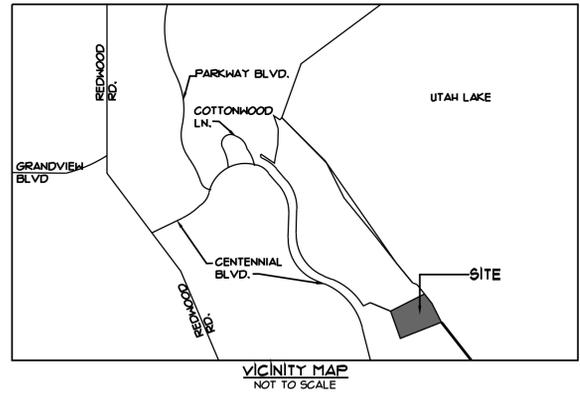
EROSION BLANKETS INSTALLATION DETAIL
 SCALE: NONE



- NOTES:
- SLOPE SURFACE SHALL BE FREE OF ROCKS, CLODS, STICKS, SNOW, AND GRASS. MATS/BLANKETS SHALL HAVE GOOD SOIL CONTACT.
 - APPLY PERMANENT SEEDING BEFORE PLACING BLANKETS.
 - LAY BLANKETS LOOSELY AND STAKE OR STAPLE TO MAINTAIN DIRECT CONTACT WITH THE SOIL. DO NOT STRETCH.
 - STAPLES LENGTH TO BE LONG ENOUGH TO BE EMBEDDED INTO UNDISTURBED SOIL.



LEGEND
 --- MINOR CONTOUR
 --- MAJOR CONTOUR
 --- PROPOSED CENTERLINE OR ROAD



LOCATED IN THE EAST HALF OF THE
 SOUTHWEST QUARTER
 OF SECTION 23
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 SALT LAKE BASE AND MERIDIAN
 SARATOGA SPRINGS, UTAH COUNTY, UTAH



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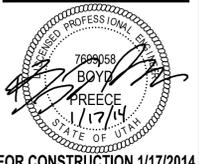
WWW.ENSIGNUTAH.COM

FOR:
 WARDLEY DEVELOPMENT
 5208 SOUTH COMMERCE DR.
 MURRAY, UT

CONTACT:
 PETER STAKS
 PHONE: 801-293-9674
 FAX:

SARATOGA SPRINGS 16A

CENTENNIAL STREET
 SARATOGA SPRINGS, UTAH



FOR CONSTRUCTION 1/17/2014

EROSION CONTROL PLAN

PROJECT NUMBER: U1237
 PRINT DATE: 1/17/14
 DRAWN BY: [blank]
 CHECKED BY: [blank]

PROJECT MANAGER:
 D. KINSMAN

C-4



SALT LAKE CITY
45 W. 10000 S., Suite 500
Sandy, UT 84070
Phone: 801.255.0529
Fax: 801.255.4449

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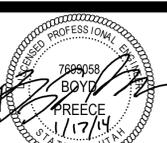
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FOR:
WARDLEY DEVELOPMENT
5208 SOUTH COMMERCE DR.
MURRAY, UT

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SARATOGA SPRINGS 16A

CENTENNIAL STREET
SARATOGA SPRINGS, UTAH



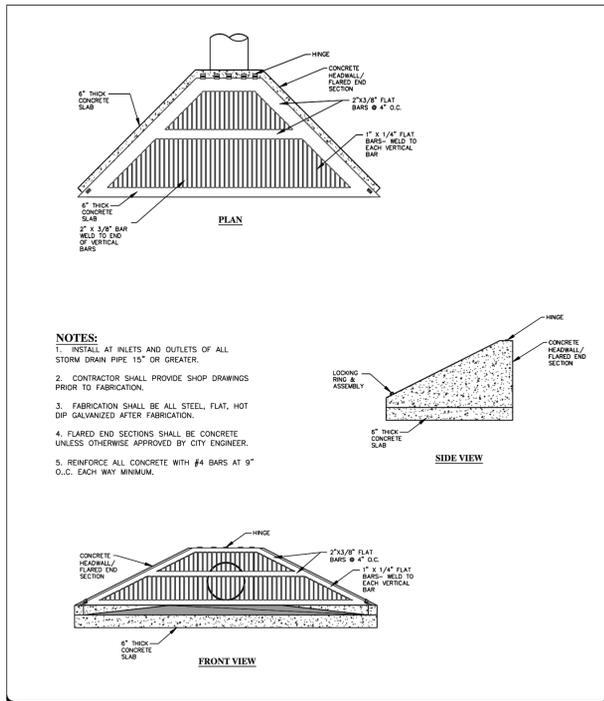
FOR CONSTRUCTION 1/17/2014

SITE DETAILS

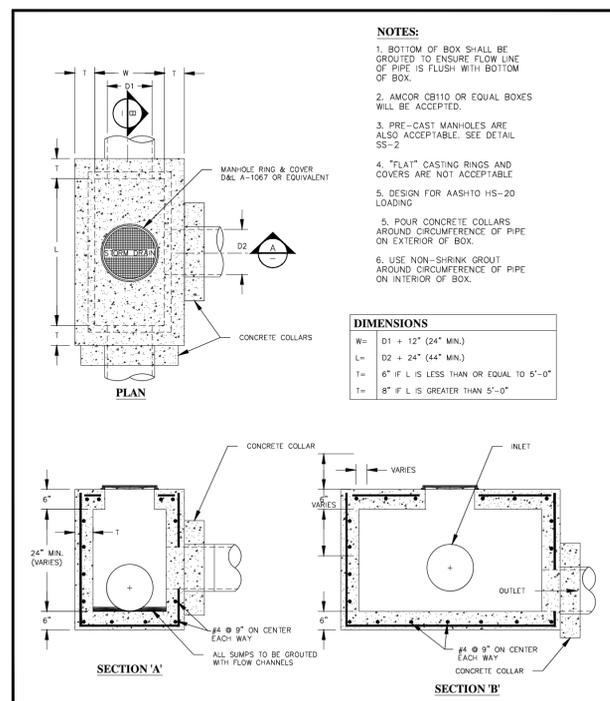
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PRINT DATE: 1/17/14
DRAWN BY: [Signature]
CHECKED BY:

PROJECT MANAGER: D. KINSMAN

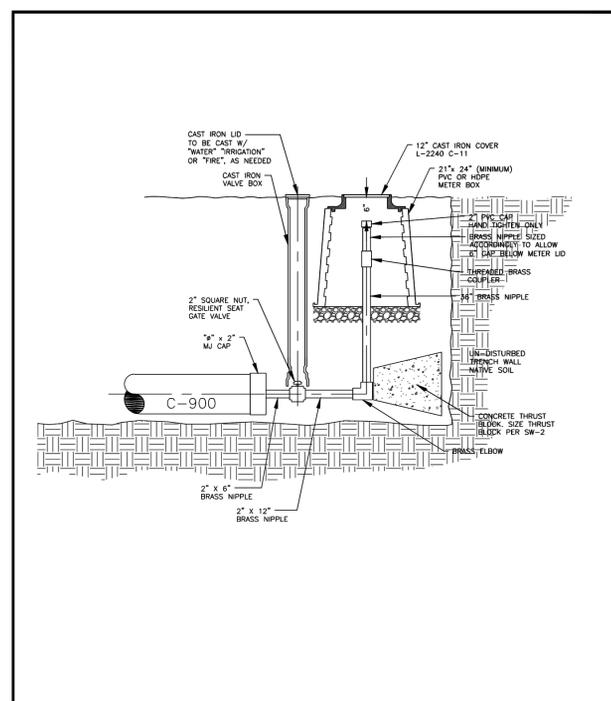
C-5.0



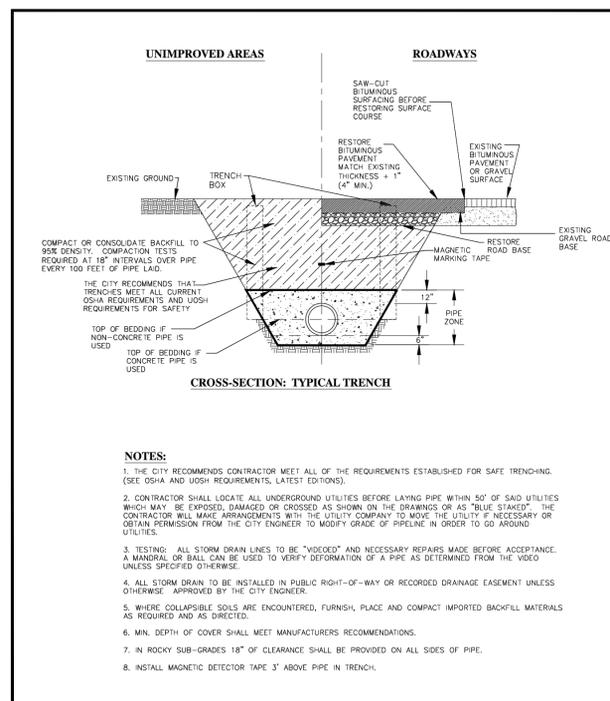
INLET/OUTLET TRASH GRATES	DATE: FEBRUARY 2013 DRAWING NAME: SD-4 DRAWN BY: CJK CHECKED: [Signature]	REVISED BY: [Signature] COMMENTS:	STANDARD DETAILS STORM DRAIN SD-5
SARATOGA SPRINGS CITY			



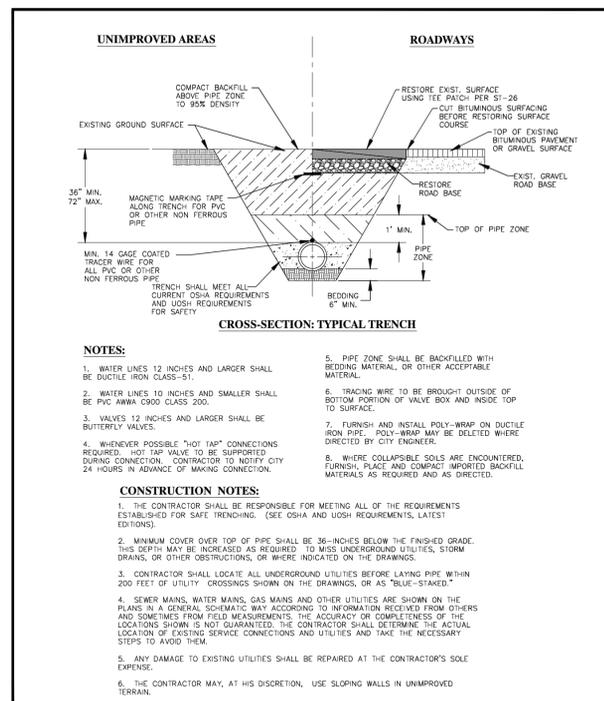
CLEANOUT BOX	DATE: FEBRUARY 2013 DRAWING NAME: SD-3 DRAWN BY: CJK CHECKED: [Signature]	REVISED BY: [Signature] COMMENTS:	STANDARD DETAILS STORM DRAIN SD-3
SARATOGA SPRINGS CITY			



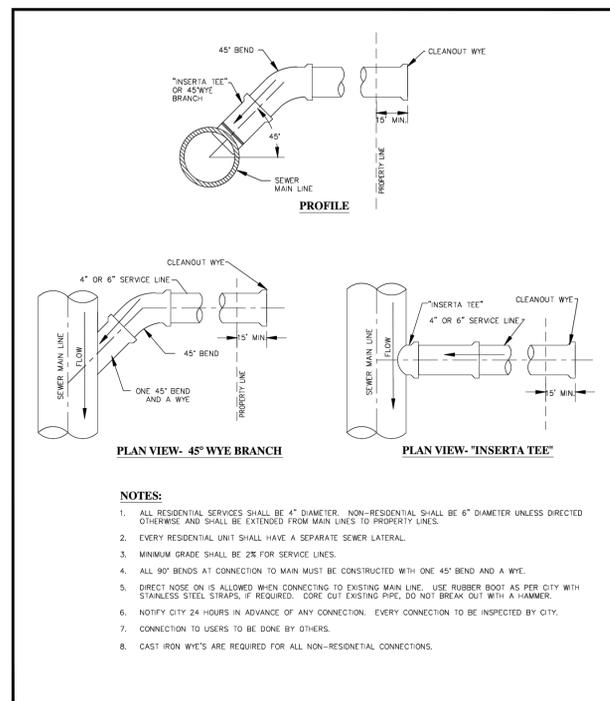
2 INCH BLOW-OFF VALVE	DATE: FEBRUARY 2013 DRAWING NAME: SW-12 DRAWN BY: CJK CHECKED: [Signature]	REVISED BY: [Signature] COMMENTS:	STANDARD DETAILS SECONDARY WATER SW-12
SARATOGA SPRINGS CITY			



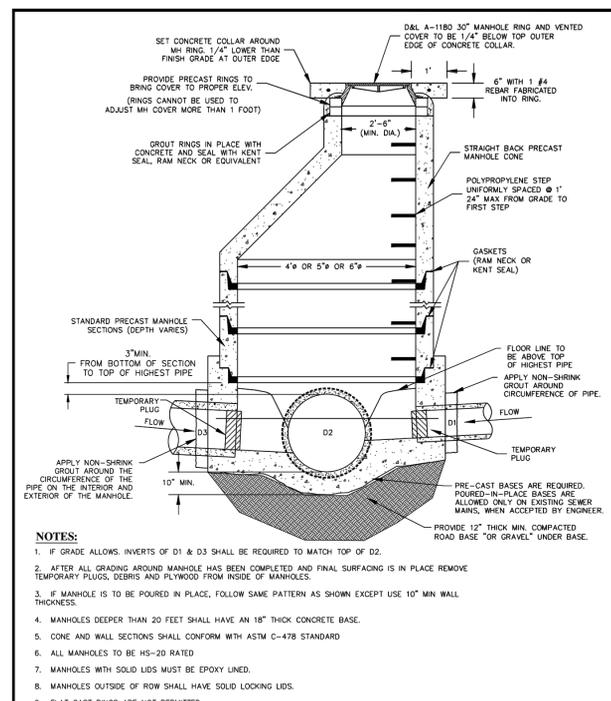
STORM DRAIN TRENCH	DATE: FEBRUARY 2013 DRAWING NAME: SD-1 DRAWN BY: CJK CHECKED: [Signature]	REVISED BY: [Signature] COMMENTS:	STANDARD DETAILS STORM DRAIN SD-1
SARATOGA SPRINGS CITY			



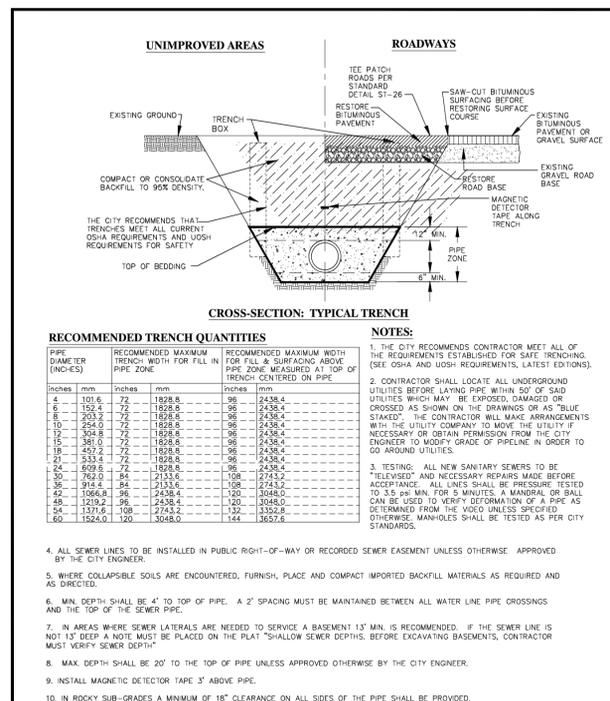
SECONDARY WATERLINE TRENCH	DATE: FEBRUARY 2013 DRAWING NAME: SW-1 DRAWN BY: CJK CHECKED: [Signature]	REVISED BY: [Signature] COMMENTS:	STANDARD DETAILS SECONDARY WATER SW-1
SARATOGA SPRINGS CITY			



SEWER SERVICE CONNECTION	DATE: FEBRUARY 2013 DRAWING NAME: SS-3 DRAWN BY: CJK CHECKED: [Signature]	REVISED BY: [Signature] COMMENTS:	STANDARD DETAILS SANITARY SEWER SS-3
SARATOGA SPRINGS CITY			



SANITARY SEWER MANHOLE	DATE: FEBRUARY 2013 DRAWING NAME: SS-2 DRAWN BY: CJK CHECKED: [Signature]	REVISED BY: [Signature] COMMENTS:	STANDARD DETAILS SANITARY SEWER SS-2
SARATOGA SPRINGS CITY			



STANDARD SEWER TRENCH	DATE: FEBRUARY 2013 DRAWING NAME: SS-1 DRAWN BY: CJK CHECKED: [Signature]	REVISED BY: [Signature] COMMENTS:	STANDARD DETAILS SANITARY SEWER SS-1
SARATOGA SPRINGS CITY			



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45 W. 10000 S., Suite 500
Sandy, UT 84070
Phone: 801.255.0529
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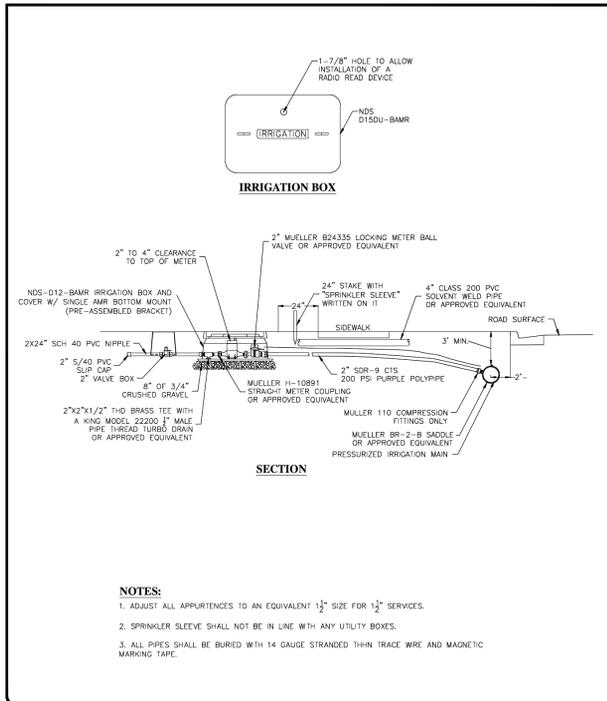
CEDAR CITY
Phone: 435.865.1453

RICHFIELD
Phone: 435.590.0187

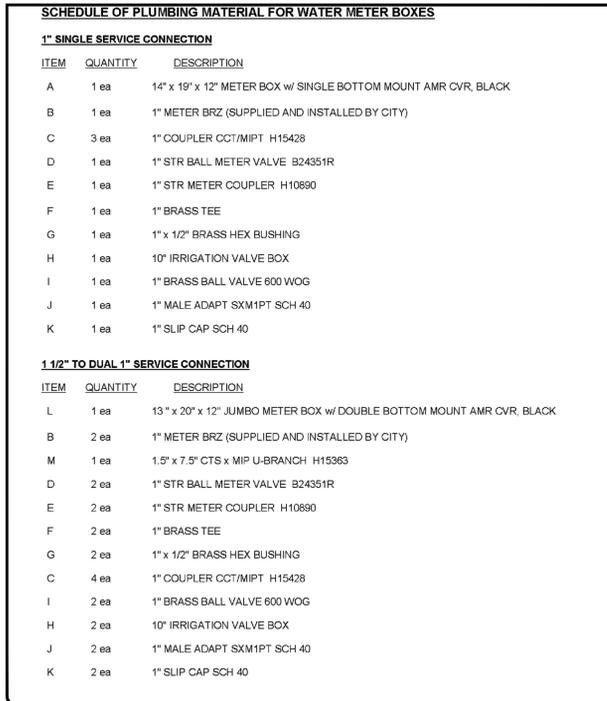
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FOR:
WARDLEY DEVELOPMENT
5208 SOUTH COMMERCE DR.
MURRAY, UT

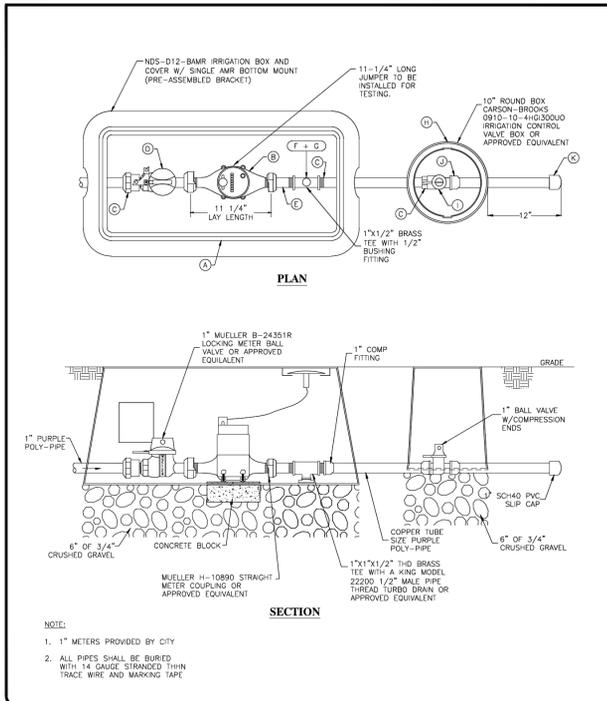
CONTACT:
PETER STAKS
PHONE: 801-293-9674
FAX:



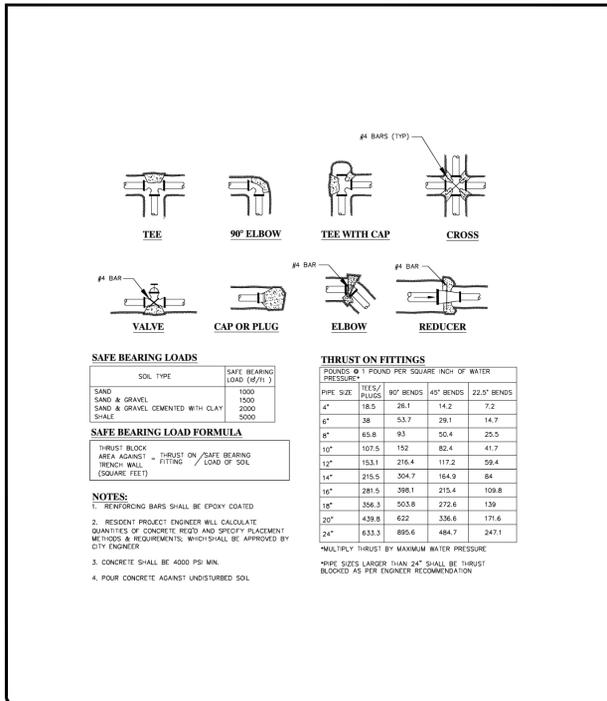
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	REVISIONS COMMENTS	
SARATOGA SPRINGS CITY		SW-6



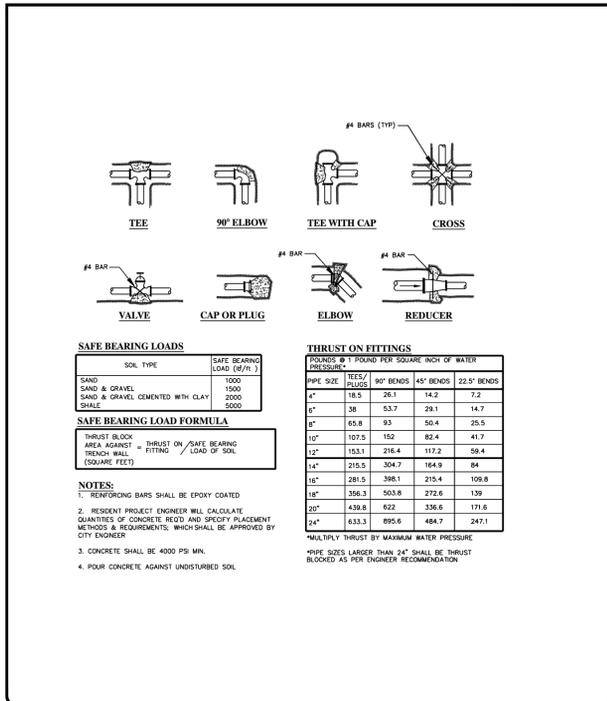
DATE: FEBRUARY 2013 DRAWING NAME: SW-5B DRAWN BY: CJK CHECKED: APPROVED	REVISIONS	STANDARD DETAILS SECONDARY WATER
	REVISIONS COMMENTS	
SARATOGA SPRINGS CITY		SW-5B



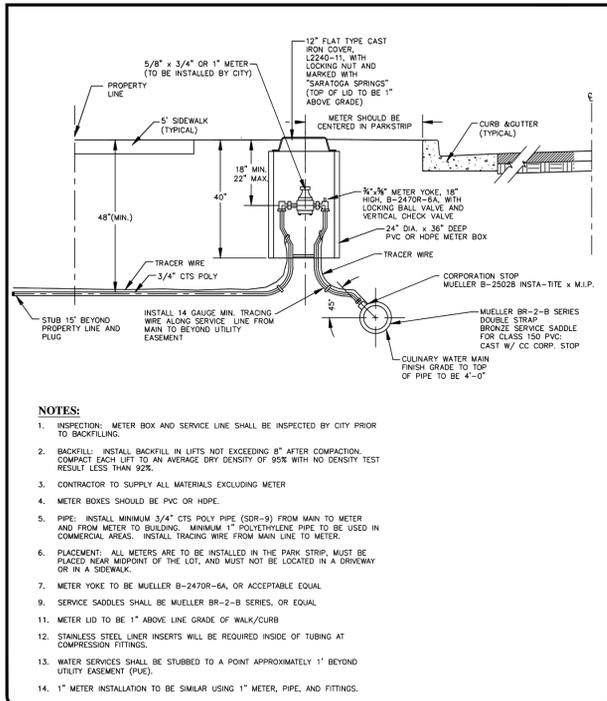
DATE: FEBRUARY 2013 DRAWING NAME: SW-5A DRAWN BY: CJK CHECKED: APPROVED	REVISIONS	STANDARD DETAILS SECONDARY WATER
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SARATOGA SPRINGS CITY		SW-5A



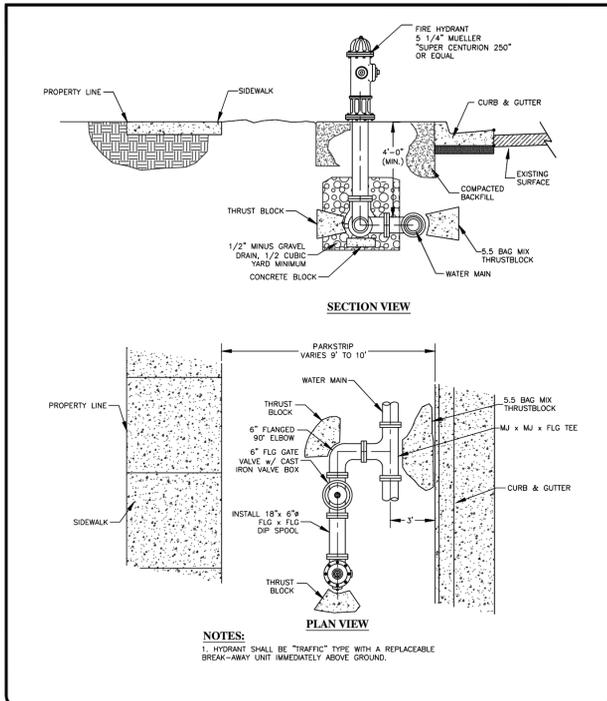
DATE: FEBRUARY 2013 DRAWING NAME: SW-2 DRAWN BY: CJK CHECKED: APPROVED	REVISIONS	STANDARD DETAILS SECONDARY WATER
	REVISIONS COMMENTS	
SARATOGA SPRINGS CITY		SW-2



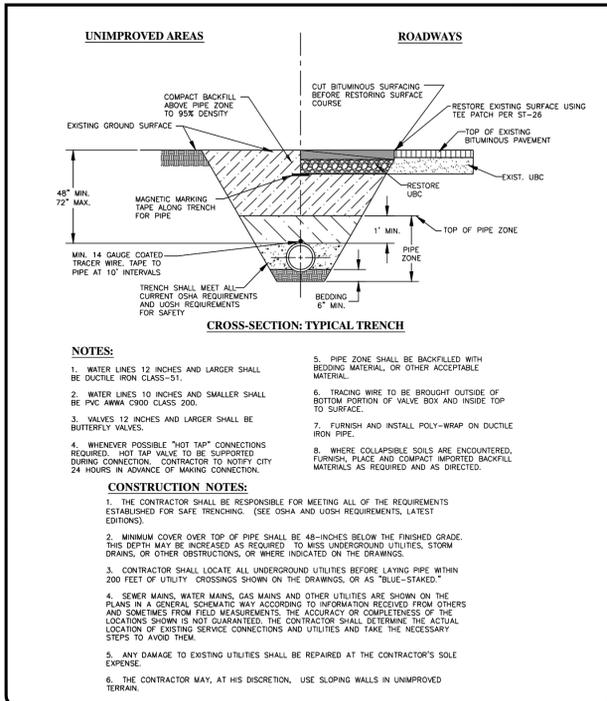
DATE: FEBRUARY 2013 DRAWING NAME: WT-2 DRAWN BY: CJK CHECKED: APPROVED	REVISIONS	STANDARD DETAILS CULINARY WATER
	REVISIONS COMMENTS	
SARATOGA SPRINGS CITY		WT-2



DATE: FEBRUARY 2013 DRAWING NAME: WT-5 DRAWN BY: CJK CHECKED: APPROVED	REVISIONS	STANDARD DETAILS CULINARY WATER
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SARATOGA SPRINGS CITY		WT-5

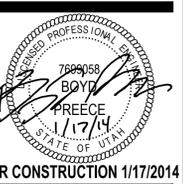


DATE: FEBRUARY 2013 DRAWING NAME: WT-4 DRAWN BY: CJK CHECKED: APPROVED	REVISIONS	STANDARD DETAILS CULINARY WATER
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SARATOGA SPRINGS CITY		WT-4



DATE: FEBRUARY 2013 DRAWING NAME: WT-1 DRAWN BY: CJK CHECKED: APPROVED	REVISIONS	STANDARD DETAILS CULINARY WATER
	REVISIONS COMMENTS	
SARATOGA SPRINGS CITY		WT-1

SARATOGA SPRINGS 16A
CENTENNIAL STREET
SARATOGA SPRINGS, UTAH



FOR CONSTRUCTION 1/17/2014

SITE DETAILS

PROJECT NUMBER: U1237
PRINT DATE: 1/17/14
DRAWN BY: CJK
CHECKED BY:

PROJECT MANAGER: D. KINSMAN

C-5.1

CALL BLUESTAKES @ 1-800-662-4111 AT LEAST 48 HOURS PRIOR TO THE COMMENCEMENT OF ANY CONSTRUCTION.

BENCHMARK
NORTH QUARTER CORNER SECTION 2, T6S, R14W, S1B41M
ELEVATION = 4518.19 PER NSVD 1929 PER UTAH COUNTY SURVEYORS OFFICE

- LEGEND**
- XXXX EXISTING ELEVATION
 - XX—X— PROPOSED ELEVATION
 - SS SANITARY SEWER LINE
 - SD STORM DRAIN LINE
 - W— CULINARY WATER LINE
 - PROPOSED FIRE HYDRANT
 - SANITARY SEWER MANHOLE
 - WATER VALVE
 - CATCH BASIN
 - STORM DRAIN MANHOLE



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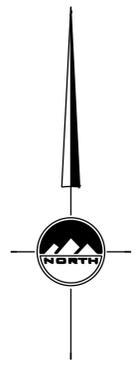
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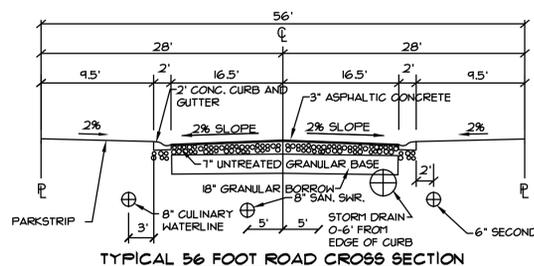
WWW.ENSIGNUTAH.COM

FOR:
WARDLEY DEVELOPMENT
5296 SOUTH COMMERCE DR.
MURRAY, UT

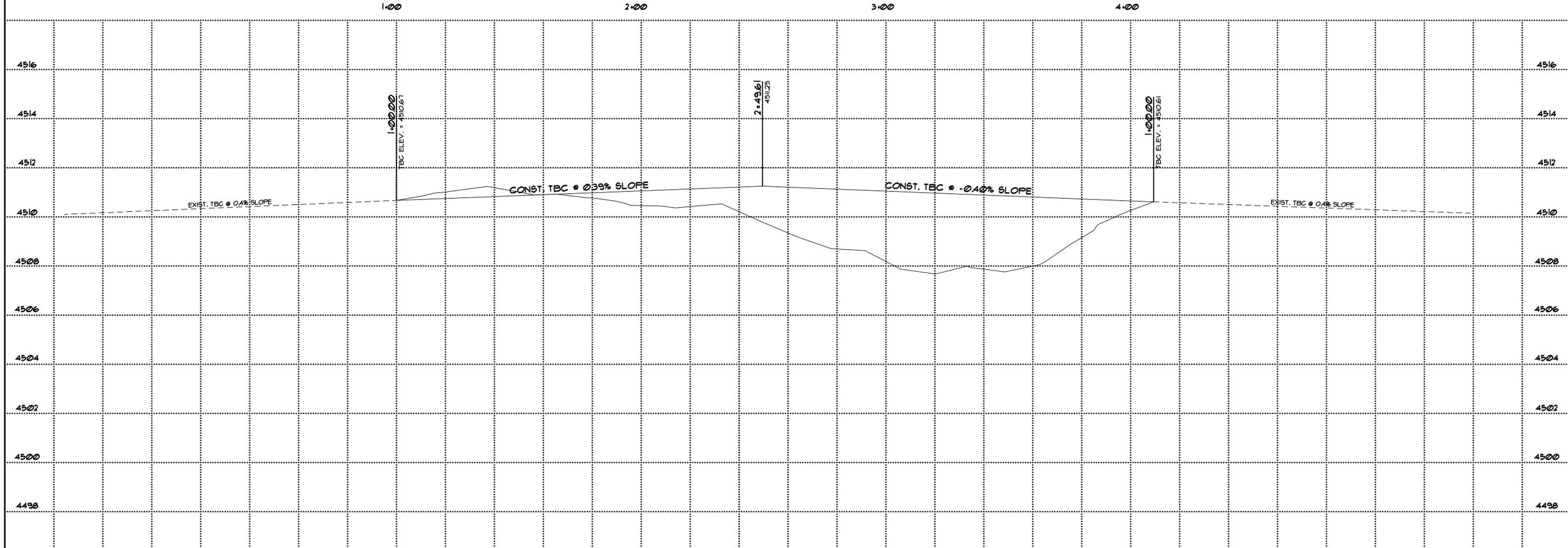
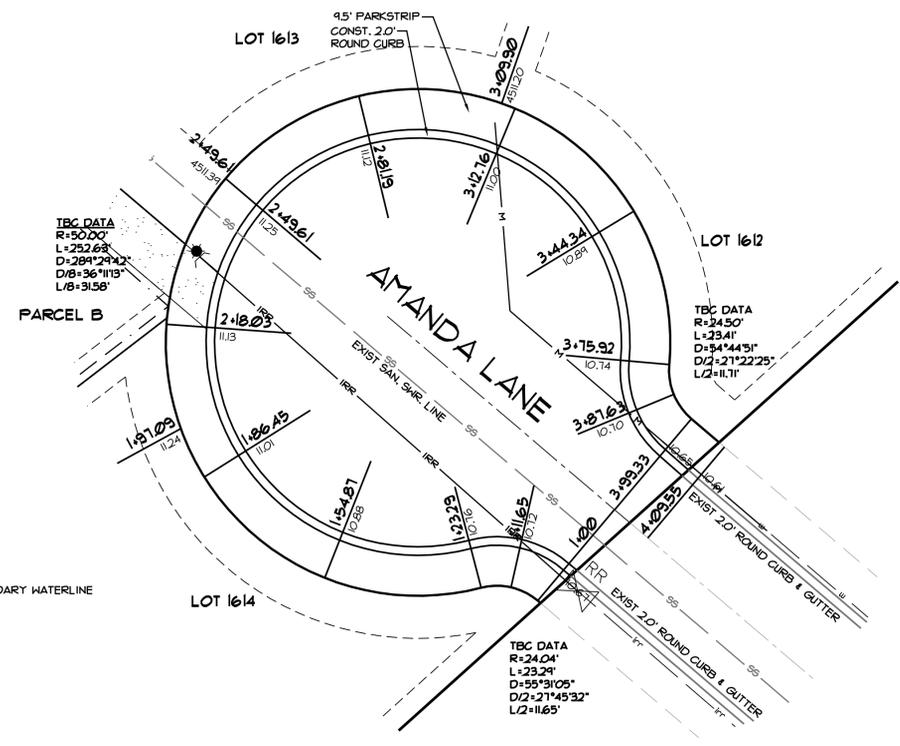
CONTACT:
PETER STAKS
PHONE: 801-293-9674
FAX:



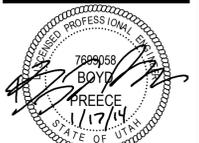
SCALE
HORZ: 1" = 20'
VERT: 1" = 2'



PAVEMENT SECTION BASED ON CBR VALUE OF 3 PER R14 G ENGINEERING INC. LETTER DATED OCTOBER 24, 2013 AND CITY ENGINEERING STANDARDS AND SPECIFICATIONS 00500-II



SARATOGA SPRINGS 16A
CENTENNIAL STREET
SARATOGA SPRINGS, UTAH



FOR CONSTRUCTION 1/17/2014

PLAN & PROFILE

PROJECT NUMBER: U1237
PRINT DATE: 1/17/14
DRAWN BY:
CHECKED BY:

PROJECT MANAGER:
D. KINSMAN

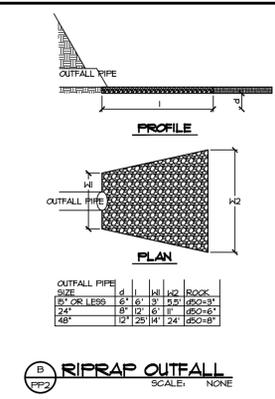
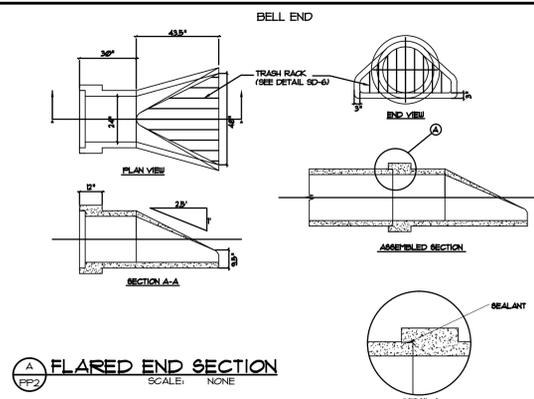
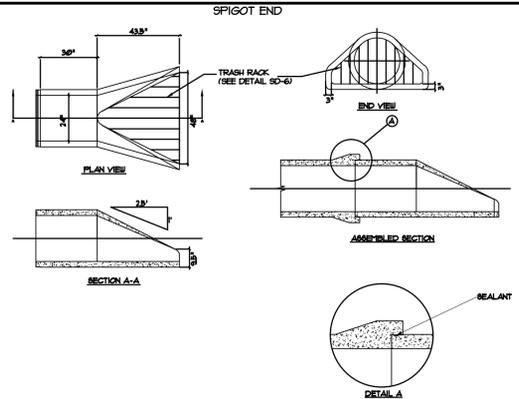
PP-1

CALL BLUESTAKES @ 1-800-662-4111 AT LEAST 48 HOURS PRIOR TO THE COMMENCEMENT OF ANY CONSTRUCTION.

BENCHMARK
NORTH QUARTER CORNER SECTION 2, T6S, R14, SLB41M
ELEVATION = 4518.14 PER NSVD 1929 PER UTAH COUNTY SURVEYORS OFFICE

LEGEND

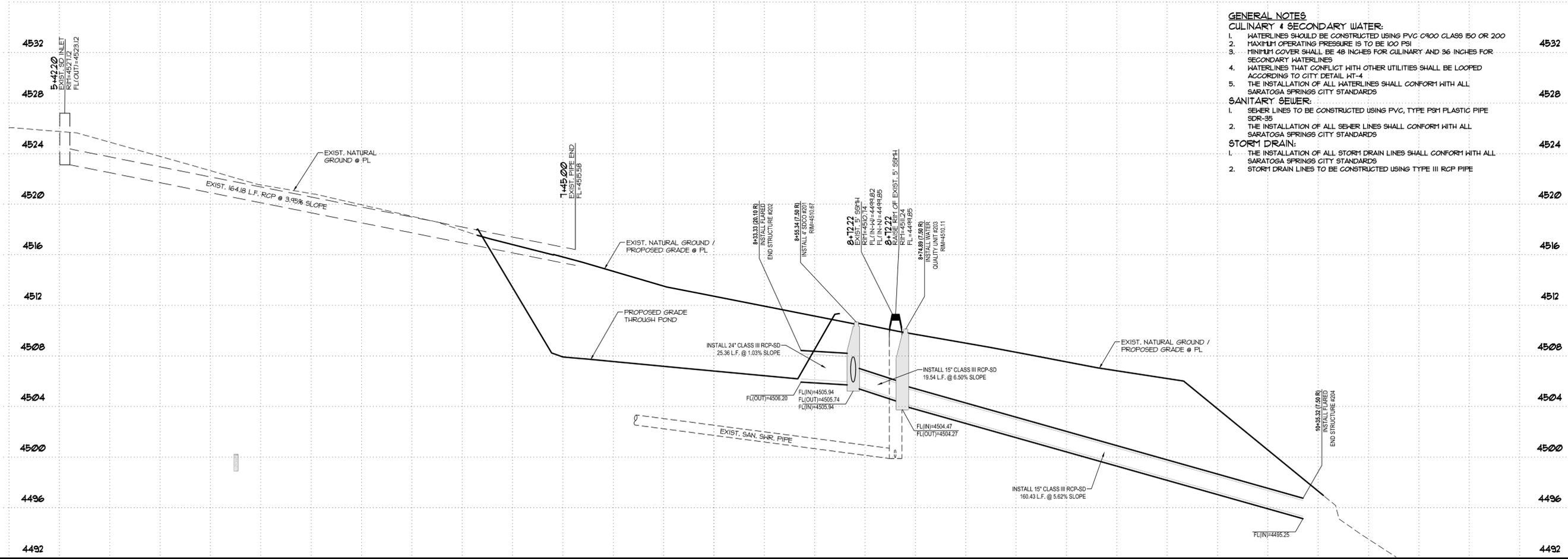
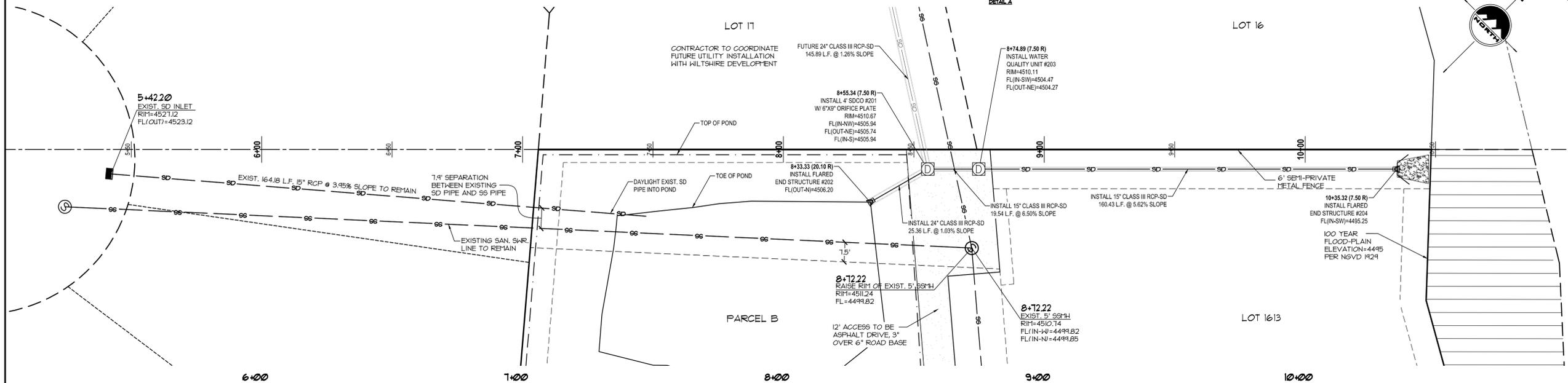
XXXX	EXISTING ELEVATION
SS	PROPOSED ELEVATION
SS	SANITARY SEWER LINE
SD	STORM DRAIN LINE
H	CULINARY WATER LINE
IRR	PRESSURIZED IRRIGATION LINE
⊕	PROPOSED FIRE HYDRANT
⊕	SANITARY SEWER MANHOLE
⊕	WATER VALVE
⊕	CATCH BASIN
⊕	STORM DRAIN MANHOLE
▨	100 YEAR FLOOD-PLAIN AREA



A FLARED END SECTION
SCALE: NONE

B RIPRAP OUTFALL
SCALE: NONE

SCALE
HORZ: 1" = 20'
VERT: 1" = 4'



- GENERAL NOTES**
- CULINARY & SECONDARY WATER:**
1. WATERLINES SHOULD BE CONSTRUCTED USING PVC C900 CLASS 150 OR 200
 2. MAXIMUM OPERATING PRESSURE IS TO BE 100 PSI
 3. MINIMUM COVER SHALL BE 48 INCHES FOR CULINARY AND 36 INCHES FOR SECONDARY WATERLINES
 4. WATERLINES THAT CONFLICT WITH OTHER UTILITIES SHALL BE LOOPED ACCORDING TO CITY DETAIL WT-4
 5. THE INSTALLATION OF ALL WATERLINES SHALL CONFORM WITH ALL SARATOGA SPRINGS CITY STANDARDS
- SANITARY SEWER:**
1. SEWER LINES TO BE CONSTRUCTED USING PVC, TYPE PSM PLASTIC PIPE SDR-35
 2. THE INSTALLATION OF ALL SEWER LINES SHALL CONFORM WITH ALL SARATOGA SPRINGS CITY STANDARDS
- STORM DRAIN:**
1. THE INSTALLATION OF ALL STORM DRAIN LINES SHALL CONFORM WITH ALL SARATOGA SPRINGS CITY STANDARDS
 2. STORM DRAIN LINES TO BE CONSTRUCTED USING TYPE III RCP PIPE

ENSIGN

SALT LAKE CITY
45 W. 10000 S., Suite 500
Sandy, UT 84070
Phone: 801.255.0529
Fax: 801.255.4449

LAYTON
Phone: 801.547.1100

TOOELE
Phone: 435.843.3590

CEDAR CITY
Phone: 435.865.1453

RICHFIELD
Phone: 435.590.0187

WWW.ENSIGNUTAH.COM

FOR:
WARDLEY DEVELOPMENT
5296 SOUTH COMMERCE DR.
MURRAY, UT

CONTACT:
PETER STAKS
PHONE: 801-293-9674
FAX:

SARATOGA SPRINGS 16A

CENTENNIAL STREET

SARATOGA SPRINGS, UTAH

PROFESSIONAL ENGINEER
7649058
BOYD
PREECE
1/17/14
STATE OF UTAH

FOR CONSTRUCTION 1/17/2014

STORM DRAIN PLAN & PROFILE

PROJECT NUMBER: U1237
PRINT DATE: 1/17/14
DRAWN BY:
CHECKED BY:
PROJECT MANAGER: D. KINSMAN

PP-2

AGREEMENT
OF
STIPULATION AND COMPROMISE
REGARDING UTAH LAKE BOUNDARY

This Agreement is entered into on the date of execution shown below between the STATE OF UTAH, by and through the Division of Forestry, Fire and State Lands, hereinafter the DIVISION, and Saratoga Joint Venture and Wardley/McLachlan Development, L.L.C., hereinafter the UPLAND LANDOWNERS.

RECITALS

1. The United States Supreme Court held on June 8, 1987 that the title to the bed of Utah Lake passed to the State of Utah under the equal footing doctrine upon admission of Utah to the United States on January 4, 1896.
2. The State of Utah's ownership and management of the bed of Utah Lake are subject to a duty to preserve and protect the public trust values reserved and established at common law and as established by Article XX of the Utah Constitution and the laws of Utah.
3. The DIVISION is authorized by the provisions of Sections 65A-1-2 and 65-A-10-1, Utah Code Annotated, as the state agency with management authority for the sovereign lands of the State of Utah. The DIVISION has been delegated responsibility to manage sovereign lands in the best interest of the State, and with authority to lease or sell sovereign lands but only quantities and for the purposes that serve the public interest and do not interfere with the public trust of these lands.

4. The DIVISION is further authorized by the provisions of Section 65A-10-3, Utah Code Annotated, to enter into agreements with the owners of lands adjoining navigable lakes for the purpose of establishing the boundaries of the sovereign lands of the State, subject to the requirements for consultation and notice as required by that section.

5. The DIVISION'S statutory predecessor, the Division of State Lands and Forestry, obtained approval of the Board of State Lands and Forestry of the procedures for the resolution of disputes over the location of these boundaries as required by the forgoing statutes.

6. The DIVISION has given notice, as required by the forgoing statutes, to the affected state agencies and to any person with an ownership interest in the lands affected by this Agreement establishing the boundary between the adjoining lands and the sovereign lands. The DIVISION has also consulted with the Attorney General's office concerning this Agreement.

7. The UPLAND LANDOWNERS acknowledge that the DIVISION claims ownership of the sovereign lands of Utah Lake which are those lands lying below the ordinary high water mark as of the date of statehood and owned by the State by virtue of its sovereignty. The DIVISION acknowledges that the UPLAND LANDOWNERS claims ownership of an interest in the lands adjacent and upward of said sovereign lands. The DIVISION'S claim of ownership includes lands lying below the surveyed meander line.

8. The unique historical and physical characteristics of Utah Lake and the lands near the boundary between the sovereign lands and the adjoining lands subject to this Agreement have limited the availability of evidence of any vegetative or erosion line which can now be clearly identified by either party in order to determine the ordinary high water mark for these lands at the

date of statehood.

9. The DIVISION and the UPLAND LANDOWNERS acknowledge that the location of the ordinary high watermark as of the date of statehood is not now known to the DIVISION or to the UPLAND LANDOWNERS and is not now capable of determination or survey by reference to a known monument.

10. The DIVISION and the UPLAND LANDOWNERS acknowledge that the location of the ordinary high water mark may be subject to determination by a proper adjudication of the relevant facts and issues. The parties to this Agreement disagree about the facts and issues relevant to such a determination.

11. The DIVISION and the UPLAND LANDOWNERS acknowledge that the location of the ordinary high watermark, as it may be located upon the lands which are subject to this Agreement, has not been adjudicated or otherwise determined by any judicial authority with jurisdiction to determine such matters.

12. The UPLAND LANDOWNERS claim ownership of the lands adjoining Utah Lake identified as the Saratoga Springs Development and as follows:

<u>OWNERS</u>	<u>PARCEL</u>	<u>INTEREST</u>	<u>SOURCE/DATE</u>
Saratoga Joint Venture	59:001:0005	½ interest -- Fee Simple	Warranty Deed 7/31/95
Wardley/McLachlan Development, L.L.C.	59:001:0005	½ interest -- Fee Simple	Warranty Deed 6/5/96
Saratoga Joint Venture	59:001:0012	½ interest -- Fee Simple	Warranty Deed 7/31/95
Wardley/McLachlan	59:001:0012	½ interest -- Fee Simple	Warranty Deed 6/5/96

Saratoga Joint Venture	59:001:0017	½ interest -- Fee Simple	Warranty Deed 7/31/95
Wardley/McLachlan	59:001:0017	½ interest -- Fee Simple	Warranty Deed 2/21/96
Utah & Salt Lake Canal Co; East Jordan Irrigation Co.;		Easements	Various, as Recorded at the Office of the Utah Utah Co. Recorder
So. Jordan Canal Co.; and			
No. Jordan Irrigation Co.			

13. The legal boundary of the lands as claimed by the DIVISION and the UPLAND LANDOWNERS is shown on maps and legal descriptions identified as Exhibits A and B to the Record of Decision No. 077 (attached hereto as Exhibit 2).

14. The location of the surveyed meander line, and other topographic information is also shown in Exhibit A2 to the attached Record of Decision No. 077.

NOW THEREFORE, IN CONSIDERATION OF THE MUTUAL COVENANTS AND RELEASES OF CLAIMS CONTAINED HEREIN, IT IS MUTUALLY AGREED AS FOLLOWS:

1. The DIVISION releases and quit claims to the UPLAND LANDOWNERS all of its title, ownership, claims, rights, chose in action, rights of way, easements, and all other rights appurtenant or separate to the real property located westward and above the boundary line as described on the attached Exhibit 1, and as proposed in the attached Record of Decision and accompanying Exhibits, subject to adjustment to the upper side of the trail (after construction of the trail) and subject to the reservation of the rights of access to the sovereign lands as set forth in this Agreement.

2. The UPLAND LANDOWNERS release and quit claim to the DIVISION for and on behalf of the STATE OF UTAH all of its title, ownership, claims, rights, chose in action, rights

of way, easements and all other rights appurtenant or separate to the real property located eastward and below the proposed boundary line as described on Exhibit 1 hereinafter, and as proposed in the attached Record of Decision, No. 077 (Exhibit 2).

3. The lands released and compromised by the UPLAND LANDOWNERS to the DIVISION by the terms of this Agreement shall be sovereign lands subject to the rights of the public to access the lands and to use the lands in manners consistent with the public trust. The UPLAND LANDOWNERS agree to provide and maintain public access through their property to sovereign lands by dedication of easements to the public as recorded in the Saratoga Springs Subdivision Plat and other such easements described in attached Record of Decision to include; restrooms, parking, fishing pier and bird-viewing tower. The UPLAND LANDOWNERS also agree to construct and maintain a public trail which will be located near the sovereign lands boundary. When the construction of the trail is completed, the sovereign land boundary will be the upper (landward) side of the trail and the legal description will be adjusted by survey if necessary. This Agreement is subject to the rights, if any, of the holders (listed in Paragraph 12 of RECITALS hereof) of any unrelinquished easements for the abandoned canal.

4. This Agreement is entered into in lieu of and under the threat of litigation to determine the location of the boundary between the sovereign lands and the adjoining lands. These parties reaffirm the facts as set forth in the recitals to this Agreement. It is understood that each party may claim boundaries that are different than the boundary line agreed to in this Agreement. This boundary is intended by the parties to reasonably approximate the boundary of the sovereign lands at the date of statehood based on the facts and arguments of the parties to this Agreement and based on the facts and arguments contained in the attached Record of Decision and



NOTE

accompanying Exhibits.

5. This Agreement is only intended to resolve the dispute between these parties with regard to the boundary between the properties. Any use of sovereign lands by the UPLAND LANDOWNERS including the encroachment upon sovereign lands by the existing Saratoga Boat Launch and Harbor will need to be resolved with the State by separate agreement. It is agreed that the UPLAND LANDOWNERS will construct and maintain a new public marina and harbor near the southern end of its development. Said new harbor and marina must be constructed to the State's satisfaction prior to the issuance of any future separate lease agreements between the DIVISION and the UPLAND LANDOWNERS for use of the existing harbor. The new public marina will include, at a minimum, restrooms, parking area and a boat ramp. The statements or agreements herein are not intended to pertain to the location of the ordinary high watermark on other areas of Utah Lake or in other disputes. The State reserves the right to dispute the location of the ordinary high watermark at other locations in other litigation with these or other parties. Any statements or agreements herein are for settlement purposes only and are not admissible as statements of fact or policy in any other litigation between the DIVISION and UPLAND LANDOWNERS pertaining to the boundary of Utah Lake or otherwise.

6. This Stipulation and Compromise Agreement shall be binding upon the heirs and assigns of the parties to this Agreement and shall be recorded at the office of the Utah County Recorder and is understood and intended to run with the land. This Agreement shall be effective upon execution by the State of Utah, Division of Forestry, Fire and State Lands.

STATE OF UTAH)
)
) ss.
COUNTY OF ~~SALT LAKE~~ Utah)

On this 30 day of September, 1999, personally appeared before me
WILLIAM DOUGLAS HORNE, known to me to be the person whose name is subscribed to the
foregoing instrument and who has acknowledged to me that he is the Member/Manager of
DOUMAR, a general Partner of
Saratoga Joint Venture and that executed the same on behalf of said corporation.

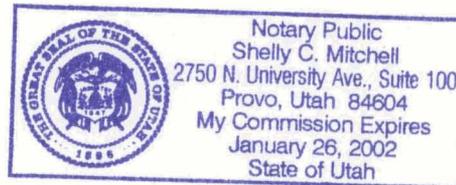
IN WITNESS WHEREOF, I have hereunto set my official signature and affixed
my notarial seal this 30 day of September, 1999.

My Commission Expires:
Jan. 26, 2002

Shelly C. Mitchell
NOTARY PUBLIC In and For the State of Utah,
County of Utah

UPLAND LANDOWNERS:

WARDLEY/McLACHLAN, L.L.C.



[Signature]
BY: LYNN E. WARDLEY,

STATE OF UTAH)
)
) ss.
COUNTY OF SALT LAKE)

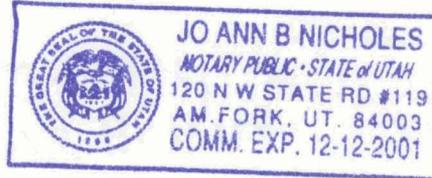
On this 14th day of September, 1999, personally appeared before me

LYNN E. WARDLEY, known to me to be the person whose name is subscribed to the foregoing instrument and who has acknowledged to me that he is the Member/Manager of Wardley/McLachlan, L.L.C. executed the same on behalf of said corporation.

IN WITNESS WHEREOF, I have hereunto set my official signature and affixed my notarial seal this 14th day of September, 1999.

My Commission Expires:
December 12, 2001

Jo Ann B. Nicholes
NOTARY PUBLIC In and for the
State of Utah, County of Utah.



UPLAND LANDOWNERS:

WARDLEY/McLACHLAN, L.L.C.

Scott C. McLachlan
BY: SCOTT C. McLACHLAN,

STATE OF UTAH)
 ss.
COUNTY OF)

On this 14th day of September, 1999, personally appeared before me SCOTT C. McLACHLAN, known to me to be the person whose name is subscribed to the foregoing instrument and who has acknowledged to me that he is the _____ of WARDLEY/McLACHLAN, L.L.C., and that he executed the same on behalf of said corporation.

EXHIBIT 1

Saratoga Springs Development, L.L.C. Phase III Agreed Boundary

Commencing at a point on the approximate centerline of an existing canal and a Stipulation and Compromise Line mutually agreed upon with the State of Utah, said point being located S 89°38'49" E 1185.54 feet from the northwest corner of Section 1, Township 6 South, range 1 West, SLB&M; thence along said canal and Compromise Line the following 21 courses and distances; S 58°40'50" E, 225.39 feet; thence S 47°44'15" E, 681.01 feet; thence S 24°26'38" E, 543.74 feet; thence S 04°33'01" E, 289.91 feet; thence S 34°36'14" E, 278.22 feet; thence S 38°01'08" E, 418.88 feet; thence S 07°33'33" E, 212.85 feet; thence S 28°31'07" E, 249.24 feet; thence S 03°56'43" E, 29.07 feet; thence S 09°20'47" W, 406.40 feet; thence S 03°16'30" E, 367.60 feet; thence S 06°42'35" E, 256.76 feet; thence S 13°41'02" E, 118.36 feet; thence S 44°11'30" E, 801.94 feet; thence S 38°15'09" E, 439.33 feet; thence S 44°44'47" E, 639.23 feet; thence S 49°58'11" E, 783.59 feet; thence S 37°45'47" E, 269.43 feet; thence S 22°55'06" E, 590.62 feet; thence S 28°15'56" E, 663.06 feet; thence S 40°15'52" E, 264.60 feet; to the intersection with the extension of the east line of section 12, Township 6 South, Range 1 West, said east line also being the easterly boundary of the subject property.



RECORD OF DECISION

RECORD NUMBER: 99-0128 077

DATE OF EXECUTION: 3/8/99

**UTAH LAKE BOUNDARY
AGREEMENT NO: 077**

UPLAND LAND OWNER:

CERTIFIED MAIL NO: _____

Saratoga Springs Development, L.L.C.
6394 North 10800 West
P.O. Box 35
Lehi, Utah 84043

Wardley/McLachlan Development, L.L.C.
Saratoga Joint Venture
P.O. Box 35
Lehi, Utah 84043

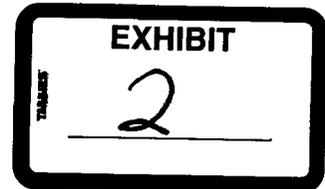
AFFECTED PARTIES & ADJACENT LANDOWNERS:

George & Mary Vosnos
3344 South 8525 West
Magna, Utah 84044-2713

Utah Lake Irrigation Company
c/o Sherwin Allred
115 South State # 202
Orem, Utah 84097-8235

Plum Tree Corporation
c/o Saratoga Springs Development
P. O. Box 35
Lehi, Utah 84043

Robert C. Beverly
8020 North 9550 West
Lehi, Utah 84043-3139



DESCRIPTION OF LANDS DIRECTLY AFFECTED:

This Record of Decision affects the sovereign land immediately adjacent to the upland property owned by Saratoga Springs Development, L.L.C. & Wardley/McLachlan Development L.L.C. as depicted on the attached maps (Exhibits A1 and A2) and identified by the following parcel designation:

Utah County Tax ID Number: 59:001:0011, 59:001:0005, 59:001:0012, and 59:012:0001

REQUESTED/PROPOSED ACTION

Approval of an agreement to determine the boundary between the sovereign lands of the State of Utah around Utah Lake and the lands owned by Saratoga Springs Development L.L.C. & Wardley/McLachlan Development L.L.C., hereinafter referred to as Phase III and the owners simply as "Saratoga". The general location of the agreement is the northwestern shore of Utah Lake (see "Subject" arrow on Exhibit A1).

I. RELEVANT FACTUAL BACKGROUND**A. Description of the Adjoining Land**

The Property owned by Saratoga is located adjacent to Utah Lake, approximately 2 miles south of the Utah Lake/Jordan River Pump Station on the west side of the lake, and southward (see Exhibit A2) . The property is the third phase of a comprehensive development being undertaken by Saratoga Springs Development. This phase will include a golf course, marina, residential, fishing pier, bird watch tower, public restrooms and public parking along with other improvements. The shoreline in this area is heavily vegetated with wetland species including canary reedgrass, cattail and bulrush. Immediately above the shoreline are the remains of an old canal which carried water to the Jordan River during extremely low lake levels. This canal extended from Pelican Point to the Jordan River inlet and is still visible in many locations along its original course. Although cultivation has occurred on much of the adjoining property, grazing has been the prominent use in recent years. Crops were cultivated to the north until displaced by recent development. The photographs included in Exhibit D characterize the existing shoreline of the area.

B. Description of the Land and Current Uses

The Phase III property contains remnants of several old foundations and buildings which are likely old homesteads and farms. A steep escarpment is present on the

lakeward side of the property. The escarpment drops off sharply to the old canal which is typically filled with water and contains obvious wetland features. The shoreline below the canal is covered with heavy stands of very tall canary reedgrass (*Phragmites*), cattail, bulrush and tamarisk. The area is heavily use buy waterfowl as well as upland game species. It is common to observe Deer, Red Fox, Coyote and a variety of song birds in the area. The area has traditionally been used for waterfowl and upland game hunting as well as fishing. The meander line below the Phase III property is generally located above the canal and compromise elevation through the entire property.

C. Description of the Proposed Boundary Line

(To be provided by Hubble Engineering)

II. CRITERIA/CHECKLIST FOR EVALUATION (RULE, POLICY, ETC.)

A. Limitations of the Public Trust.

At common law, lands beneath navigable waters could not be owned privately but were considered to be held by the sovereign in public trust for the benefit of the community. It was early held by the United States Supreme Court that such lands and waters were not granted by Constitution to the United States but were reserved to the states.

In order to place Utah on an "equal footing" with the existing states, title to the land beneath lakes and streams capable of navigation were among the rights of sovereignty confirmed upon the State of Utah at the time of statehood. These "sovereign lands" are therefore established under the United States Constitution as lands of the State subject to a common law trust obligation to the public.

Article XX of the Utah Constitution confirms the public trust nature of these lands by declaring that all lands of the state "are hereby accepted and declared to be the public lands of the state and shall be held in trust for the people,... to be disposed of as may be provided by law, for the respective purpose for which they have been... acquired."

The limitations and purpose of the public trust which constrain the use and disposal of sovereign lands has been elaborated by federal and state case law. The basic issues affected by the public trust doctrine are (1) determination of the sovereign lands boundary; (2) nature of the public trust limitations on use of sovereign lands; and (3) conditions permitting disposal.

1. **Determination of sovereign lands boundary.** The question is one of fact based upon evidence of the ordinary high water mark as of the time of statehood. There area a variety of factors or tests employed for this purpose including the following:
 - a. A mark impressed on the land by the waters' effect upon the soil so as to deprive it of vegetation and its value for agriculture, Provo v. Jacobson, 176 P.2d 130 (Utah 1947).
 - b. Water elevation data in the absence of other data, U. S. v. Cameron, 466 F. Supp. 1099 (M.D. Fla. 1978).
 - c. The surveyed meander line, if no other information is adequate, Utah v. United States, 403 U.S. 9 (1971).
 - d. On Utah Lake an additional factor affecting the sovereign land boundary is the federal reservation of land below the meander line for reservoir purposes. This was the basis of the federal claim of ownership in Utah v. U.S., supra. The land that may lie below the meander line and above the high water mark may be subject to the federal claim.
2. **Nature of the public trust limitations on use.**
 - a. "[T]itle is held in trust for the people [present and future generations] of the State that they may enjoy the navigation of the waters, carry on commerce over them, and have liberty of fishing therein freed from the obstruction or interference of private parties" Illinois Central Railroad v. Illinois, 146 U.S. 387 at 452.
 - b. **The state does not have the power to abdicate its role as trustee in favor of private parties**, Illinois Central, supra.
 - c. Public uses include **recreation**, NPCA v. Board of State Lands, 215 Utah Adv. Rep. 21 (1993); Arizona Center for Law in the Public Interest v. Hassell, 837 P.2d 158 (Ariz. 1991); **preservation**, NPCA, supra; State v. Lyon, 625 P.2d 239 (Cal.1981); National Audubon Society v. Superior Court, 33 Cal. 3d 419 (1983); and **public access**, Mathews v. Bay Head Improvement Assoc., 471 A.2d 355 (N.J. 1984).
3. **Conditions permitting disposal.** Sovereign lands can never be sold except to promote the interest of the public therein (purposes consistent with the public's right of use and enjoyment of the sovereign lands and waters) without any

substantial impairment of the public interest in the lands and waters remaining.
Illinois Central, supra; Arizona v. Hassell, supra.

III. Constitutional Limitations.

As discussed in the prior section, the Utah Constitution requires that the sovereign lands "shall be held in trust for the people, ... to be disposed of as may be provided by law, for the respective purposes for which they have been ... acquired." This limitation imposes obligations on the use of the lands as well as their disposal. See NPCA v. Board of State Lands, 215 Utah Adv. Rep. 21 (1993).

To date, the nature of the Utah Constitution's limitations appear to be similar to the public trust limitations.

A. Statutory Authority.

The authority of the Division of Forestry, Fire and State Lands to be responsible for policy for management of the sovereign lands is set forth in Utah Code Ann. 65-1-2. The authority for the Division to manage sovereign lands is set out in Utah Code Ann. 65A-1-4, 65A-2-1, and 65A-10-1.

The Division is required by Utah Code Ann. 65A-2-2 to develop planning procedures for natural and cultural resources. Utah Code Ann. 9-8-301 et seq. requires that the state protect paleontological, archeological, and cultural resources and Indian burial sites on sovereign lands.

The authority under Utah Code Ann. 65A-10-1 to sell or lease sovereign land is subject to "quantities and purposes that serve the public interest and do not interfere with the public trust."

The authority of the Division to establish boundaries is set forth in Utah Code Ann. 65-10-3 which provides:

1. The division, after consultation with the attorney general and affected state agencies, shall develop plans for the resolution of disputes over the location of sovereign land boundaries.
2. The division, after notice to affected state agencies and any person with an ownership interest in the land, may enter into agreements with owners of land adjoining navigable lakes and streams to establish sovereign land boundaries.

On July 21, 1993, pursuant to the authority of this statute, a plan was approved for the establishment of the sovereign land boundary for Utah Lake. The plan included a settlement agreement and information packet to be distributed to the landowners.

The resolution process requires that the Division meet with the adjoining land owners and that, if possible, a proposed boundary agreement be reached which is then the basis for a written decision document (Record of Decision). This proposed decision is subject to notice to the public, to adjacent land owners and to affected state agencies. Accordingly, this Record of Decision (ROD) will be distributed to the public, the state agencies and owners. If any parties file a petition for review, this agreement will be subject to review by the Division for consistency with the statute, rule and policy.

IV. EVALUATION OF FACTS

A. Boundary Location.

Saratoga has agreed to settle the boundary at a location which has been mutually agreed by the State which generally follows the center of the existing canal that traverses the property and to utilize this boundary as the permanent boundary between public and private property. Saratoga further agrees to construct and maintain, at its own expense, a public walking trail along the entire length of Phase III. This trail will connect with a similar trail which is being constructed through Phase II. Once the trail is completed, the ownership boundary will be relocated to the upper side of the trail and any private land located above the agreed boundary as described in this document will be donated to the State. Although the trail will eventually be located entirely upon State land, Saratoga agrees to maintain the trail through perpetuity. The location of the proposed agreed boundary is depicted on Exhibit B.

Saratoga also agrees to construct and maintain a public marina, fishing pier, bird-watch tower, public parking and public restrooms on the Phase III property. In exchange for the construction and maintenance of the new marina, the State agrees to issue a lease to Saratoga for use of the existing marina located on the northern end of the development for exclusive use by Saratoga resident. Such exclusive use will only apply to boat launching and use of improvements installed by Saratoga. The public will retain its right to access the marina below the agreed ownership boundary for fishing and other water related uses but will not be allowed to trespass across private property without permission.

The location of the agreed boundary is near the toe of an escarpment which is located above an abandoned canal. The construction of the canal changed the natural character of the shoreline along this portion of the lake making natural features difficult to

identify. Because of this, no high water mark is discernible on the surface. It is not likely that the ordinary high water mark at the time of Statehood was above the toe of the escarpment in this area, however. Given the lack of any discernible vegetation line, shore line or other means of determining the ordinary high water mark, the boundary between the Saratoga property and sovereign lands is proposed to be the agreed line.

The Proposed Agreement of Stipulation and Compromise regarding Utah Lake Boundary is attached to this ROD as Exhibit C. The agreement provides that the boundary between the sovereign lands and property belonging to Saratoga is the agreed boundary as described by the survey.

B. Access.

Access to the sovereign lands along the described boundary is available from the lake and has not been possible from the upland side without permission from the private property owners. Future access will be available through public access points which will be established at various locations along the property, including the marina. The public trail will also provide public access along the shoreline. The upland side of the trail will be the sovereign land boundary. The State does not assert public access across or upon upland private property except as provided by the trail and public access points.

C. Authority for agreement.

The proposed agreement has been pursued according to the plan for resolution of the sovereign lands boundary approved by the board on July 21, 1993. The owners of the adjacent properties, affected state agencies and the public will be advised that this decision document is complete and available for review. This will satisfy the requirements of the plan, as set forth, and Utah Code Annotated 65A-10-3.

This proposed boundary line is supportable based on historical evidence and based on the elevation changes and the differences in vegetation. The possible sovereign land values are all within the land and water below this line.

V. CONCLUSION/ACTION

Based upon the above analysis, the Division determines that the boundary between sovereign lands should be established between the bed of Utah Lake and the upland lands as set forth in this agreement, and as shown on the attached exhibits to this document. The Division shall execute the attached Agreement of Stipulation and Compromise

Saratoga Development, Phase III
Page 8

between the Division of Forestry, Fire and State Lands and Saratoga Springs Development, L.L.C. & Wardley/McLachlan Development, L.L.C. with the purpose of finally and fully resolving the boundary between the sovereign lands and the adjoining upland land owner.

VI. ADMINISTRATIVE APPEALS

A. Parties having an interest in this action may file a petition for administrative review by the director of the Department of Natural Resources. Said petition must be in writing and shall contain:

- 1. the statute, rule, or policy with which the division action is alleged to be inconsistent;**
- 2. the nature of the inconsistency of the division action with the statute, rule or policy;**
- 3. the action the petitioner feels would be consistent under the circumstances with statute, rule or policy; and**
- 4. the injury realized by the party that is specific to the party arising from division action. If the injury identified by the petition is not peculiar to the petitioner as a result of the division action, the director will decline to undertake consistency review.**

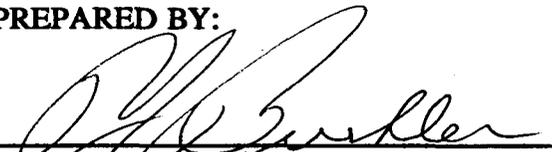
Said petition must be received by the Director of the Division of Forestry, Fire and State Lands by 5:00 p.m. on 3/31/99.

APPROVED BY:


ARTHUR W. DUFAULT, DIRECTOR
DIVISION OF FORESTRY, FIRE
AND STATE LANDS

DATE: 3/8/99

PREPARED BY:


RICHARD J. BUEHLER
WASATCH FRONT AREA MANAGER

DATE: 3/8/99

REVIEWED BY:


STEPHEN G. BOYDEN
ASSISTANT ATTORNEY GENERAL

DATE: 3/8/99

LIST OF EXHIBITS

- A. PROPERTY LOCATION MAPS**
 - A1. GENERAL LOCATION ON UTAH LAKE SHORELINE**
 - A2. PARCEL(S) LOCATION**
- B. LOCATION OF PROPOSED BOUNDARY LINE**
- C. PROPOSED AGREEMENT OF STIPULATION AND COMPROMISE**
- D. PHOTOGRAPHS**

EXHIBIT A
PROPERTY LOCATION MAPS

Utah Lake

Subject Parcel(s) Location



Utah Dept. of Natural Resources
Div. of Forestry, Fire & State Lands

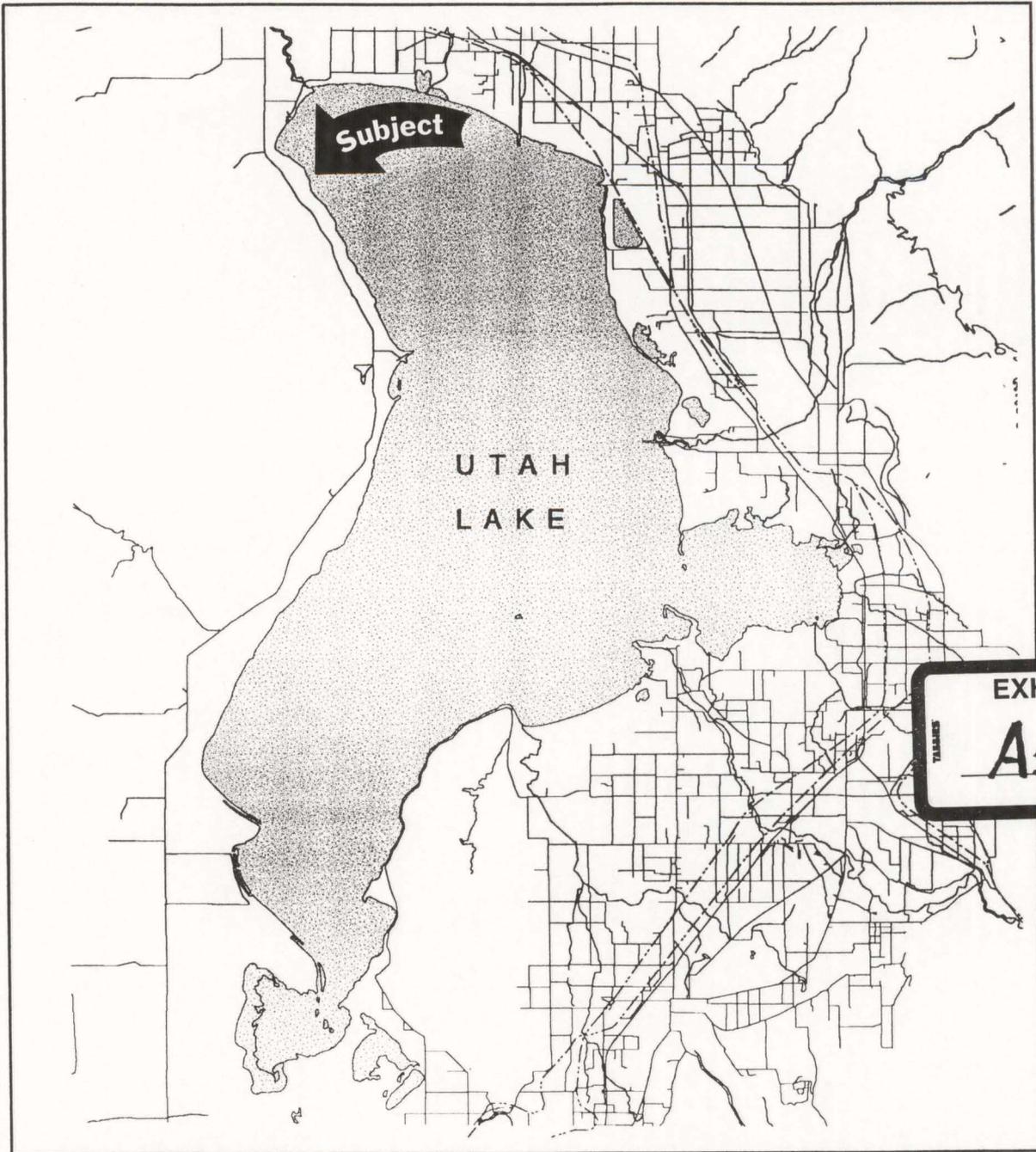


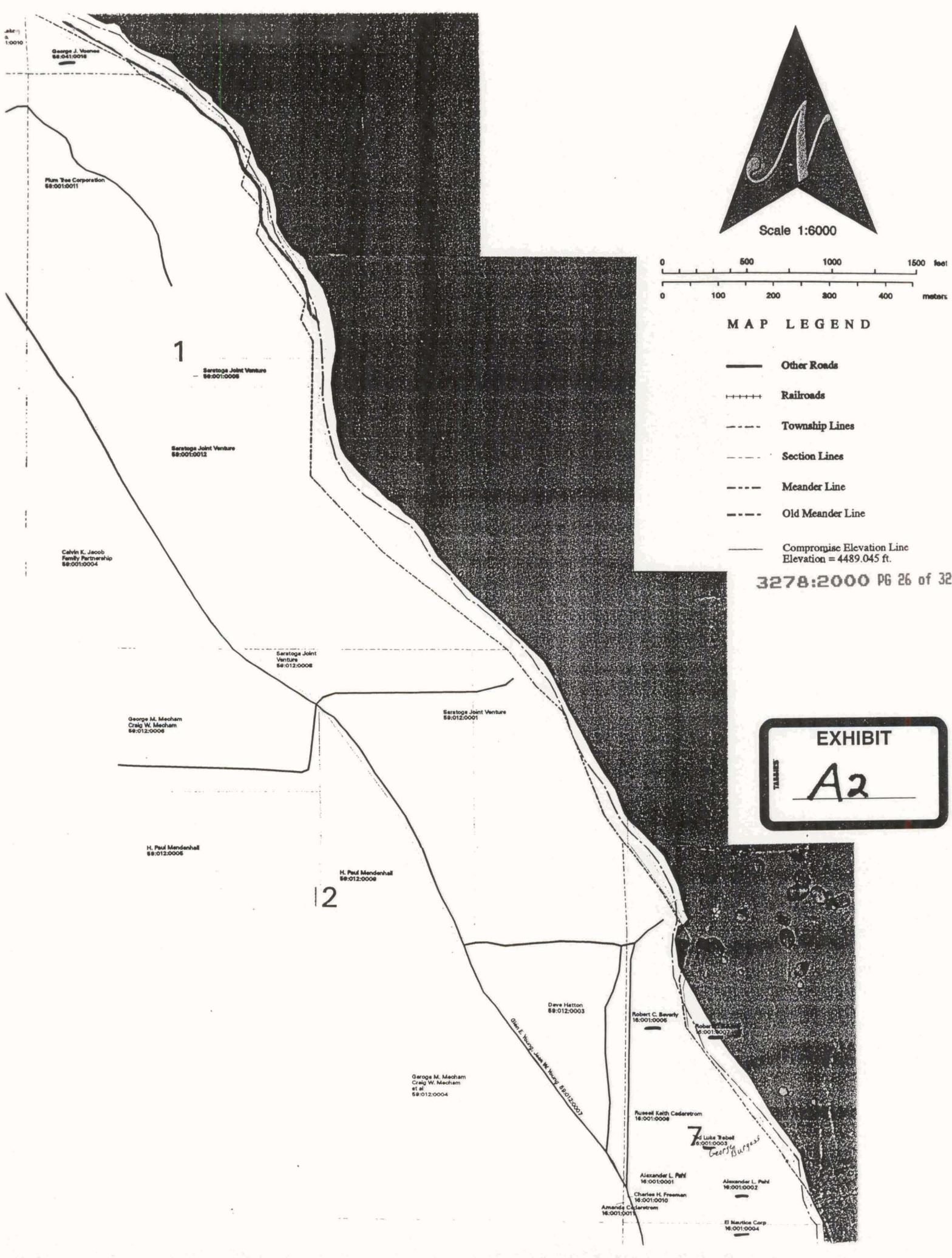
EXHIBIT
A1

-  Roads
-  Railroads
-  Water Courses
-  Water Bodies

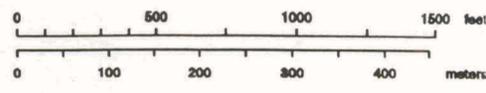
3.3 0 3.3 6.6 Miles



May 1997



Scale 1:6000



MAP LEGEND

- Other Roads
- ++++ Railroads
- - - Township Lines
- - - Section Lines
- - - Meander Line
- - - Old Meander Line
- Compromise Elevation Line
Elevation = 4489.045 ft.

3278:2000 PG 26 of 32

EXHIBIT
A2

1

2

7

George J. Vanden
88:041:0018

Flun Tax Corporation
88:001:0011

Saratoga Joint Venture
88:001:0008

Saratoga Joint Venture
88:001:0012

Calvin K. Jacob
Family Partnership
88:001:0004

Saratoga Joint
Venture
88:012:0008

George M. Meacham
Craig W. Meacham
88:012:0008

Saratoga Joint Venture
88:012:0001

H. Paul Mendenhall
88:012:0008

H. Paul Mendenhall
88:012:0008

Deve Hatton
88:012:0003

George M. Meacham
Craig W. Meacham
et al
88:012:0004

Robert C. Beverly
18:001:0006

Robert C. Beverly
18:001:0007

Alan E. Young, James W. Young
88:012:0002

Russell Keith Cedarstrom
18:001:0008

Luke Tebell
18:001:0003
George Burgess

Alexander L. Pehl
18:001:0001

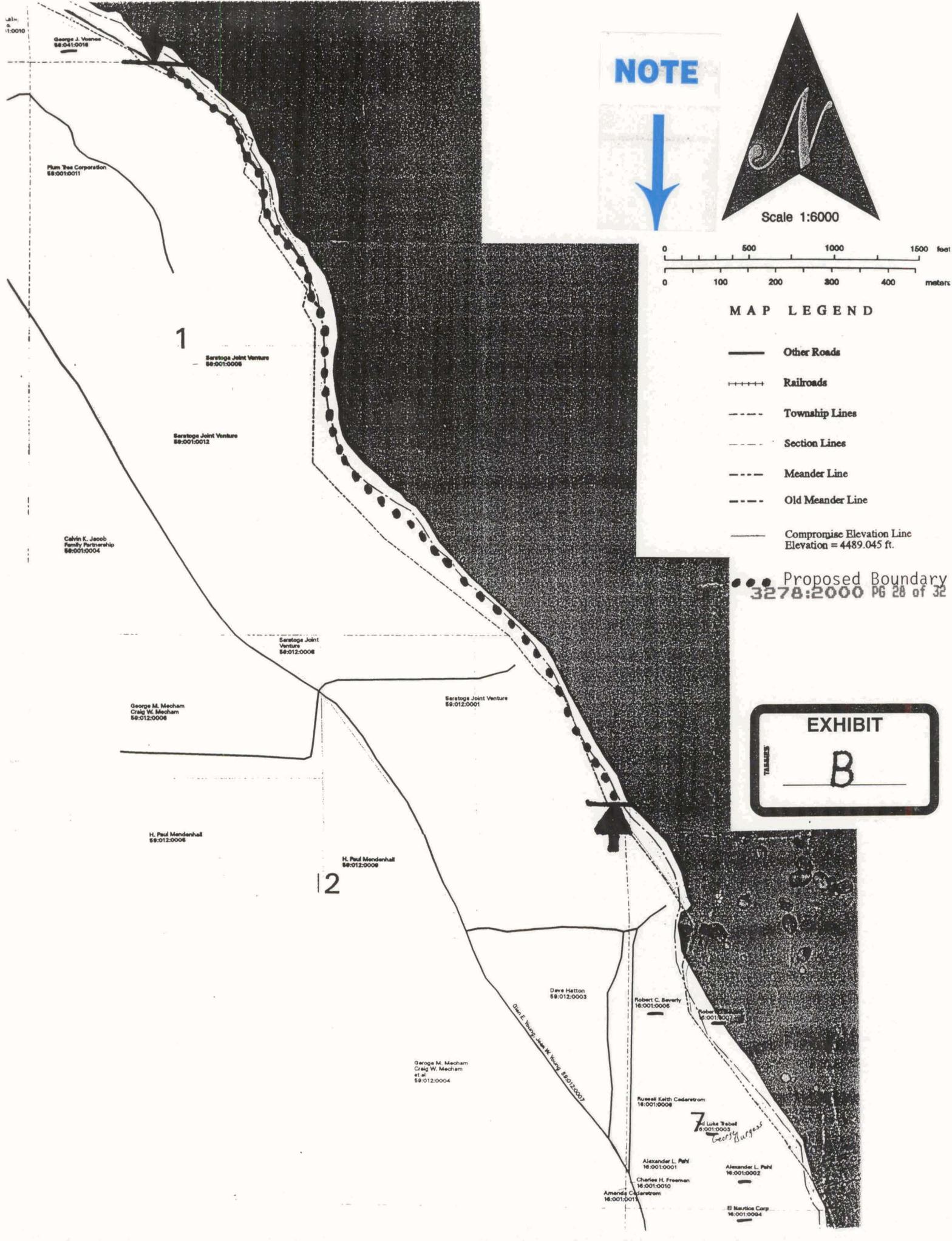
Alexander L. Pehl
18:001:0002

Charles H. Freeman
18:001:0010
Amanda C. Cedarstrom
18:001:0011

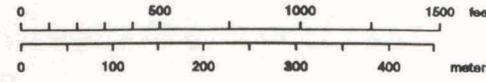
El Maurice Corp
18:001:0004

EXHIBIT B

MAP OF PROPOSED BOUNDARY



NOTE



MAP LEGEND

- Other Roads
- ++++ Railroads
- - - Township Lines
- - - Section Lines
- - - Meander Line
- - - Old Meander Line
- Compromise Elevation Line
Elevation = 4489.045 ft.

Proposed Boundary
3278:2000 PG 28 of 32

EXHIBIT

B

George J. Varnes
88:041:0018

Plan Tree Corporation
88:001:0011

1
Saratoga Joint Venture
88:001:0008

Saratoga Joint Venture
88:001:0012

Calvin K. Jacob
Family Partnership
88:001:0004

Saratoga Joint
Venture
88:012:0008

George M. Mecham
Craig W. Mecham
88:012:0008

Saratoga Joint Venture
88:012:0001

H. Paul Mendenhall
88:012:0008

H. Paul Mendenhall
88:012:0008

12

Deve Hatton
88:012:0003

Robert C. Beverly
18:001:0006

Robert C. Beverly
18:001:0007

George M. Mecham
Craig W. Mecham
et al.
88:012:0004

Oliver F. Young, et al.
Craig W. Mecham
88:012:0002

Russell Keith Cedarstrom
18:001:0008

7
Luke Bebel
18:001:0003
George Burgess

Alexander L. Pahl
18:001:0001

Charles H. Freeman
18:001:0010

Amanda Cedarstrom
18:001:0011

Alexander L. Pahl
18:001:0002

El Maurice Corp
18:001:0004

EXHIBIT C

**AGREEMENT OF STIPULATION &
COMPROMISE**

EXHIBIT D
PHOTOGRAPHS



Proposed site of the new public marina to be constructed by Saratoga.

ENT 3278:2000 PG 31 of 32



Looking northwest from near the southern boundary of the Saratoga III parcel.



Looking southeast from near northern boundary of Saratoga III. Proposed boundary is near the center of the abandoned canal.

ENT 3278:2000 PG 32 of 32



Looking north from approximately the center of the Saratoga III parcel.



Planning Commission

Staff Report

Concept Plan and Rezone

Sail House

February 13, 2014

Public Hearing and Concept Review

Report Date:	February 6, 2014
Applicant:	Paul Watson
Owner:	Western States Ventures, LLC
Location:	Approximately 4500 South Redwood
Major Street Access:	Redwood Road
Parcel Number(s) & Size:	16:003:0025, 57.955 acres
Parcel Zoning:	Agriculture (A)
Adjacent Zoning:	R-3 and PC (undeveloped Teguayo to the west)
Current Use of Parcel:	Vacant
Adjacent Uses:	Vacant (the undeveloped Teguayo is to the west across Redwood)
Previous Meetings:	None
Previous Approvals:	None
Land Use Authority:	City Council
Future Routing:	Planning Commission and City Council
Author:	Kimber Gabryszak, Planning Director

A. **Executive Summary:**

The applicant, Paul Watson on behalf of the property owner, is requesting a rezone to the Rural Residential (RR) zone, and input on a concept plan for a 40-unit subdivision. The applicant is proposing lot minimums of one acre, and as proposed, the subdivision would utilize septic tanks.

Staff Recommendation:

Staff recommends that the Planning Commission conduct public hearing to take comment on the rezone application, give the applicant feedback on the concept plan, and consider making a recommendation on the rezone to the City Council. Options for the rezone include a positive recommendation, negative recommendation, or continuance of the item, and are outlined in Section I of this report.

- B. BACKGROUND:** There are no previously approved applications on the subject property. The applicants have chosen to pursue approvals for a large-lot subdivision for the site. The application was reviewed by the DRC, comments returned to the applicants, and revisions made to the plan prior to scheduling the public hearing on the rezone.

C. SPECIFIC REQUEST:

The applicant is requesting a rezone of the parcel from A to RR to allow consideration of a 40-lot subdivision consisting of one-acre lots served by septic tanks. The property includes land adjacent to Utah Lake, and land adjacent to Redwood Road. All lots are a minimum of one acre.

The applicant is requesting consideration of a road cross section that is not currently permitted in the City standards. The applicant suggests that the City adopt an additional road standard for "rural roads" that does not include curb and gutter, and that is restricted to the A, RA, and RR zones. The proposed cross section is included as Exhibit 4, and the applicant has provided photos of example developments with a similar cross section (Exhibit 5).

The proposed subdivision will be served by septic tanks, rather than connecting to the City's wastewater system. Septic tanks are a unique request, and Staff's analysis is outlined in Section F of this report.

Community amenities include a proposed trail on a berm along Utah Lake, a 75' wide drainage corridor and trail, open space along the lake, and a clubhouse parcel.

D. PROCESS

Rezone

Section 19.17.03 of the City Code outlines the requirements for a rezone, requiring all rezoning application to be reviewed by the City Council after receiving a formal recommendation from the Planning Commission. An application for a rezone request shall follow the approved City format. Rezones are subject to the provisions of Chapter 19.13, Development Review Processes.

The development review process for rezone approval involves a formal review of the request by the Planning Commission in a public hearing, with a formal recommendation forwarded to the City Council. The City Council will then hold a public hearing and formally approve or deny the rezone request.

Concept Plan

Section 19.17.02 of the Code also states "*Petitions for changes to the City's Zoning Map to all land use zones shall be accompanied by an application for Concept Plan Review or Master Development Agreement approval pursuant to Chapter 19.13 of this Code.*"

The applicants have submitted a Concept Plan application for a 40-lot subdivision. The process for a Concept Plan currently includes informal review of the plan by both the Planning Commission and the City Council. No public hearing is required, and a recommendation is not required.

E. COMMUNITY REVIEW:

The rezone portion of this application has been noticed as a public hearing in the *Daily Herald*, and mailed notice sent to all property owners within 300 feet at least 10 days prior to this meeting. As of the date of this report, no public input has been received.

The Concept Plan does not require a public hearing.

F. REVIEW:

Septic Tanks

The applicants propose use of septic tanks for the development. Staff has contacted the Utah County Health Department, which regulates septic tanks in the County, and also researched State law concerning the proposal.

According to State Code Section 10-8-38, the City may only require connection to the sewer system if the development is within 300' of a sewer connection. The proposed development exceeds the distance of 300', and therefore is allowed, per State Code, to pursue an alternative. The City Code does not currently allow septic tanks, however amendments are underway to bring the City Code in line with State Code. Draft standards include a minimum lot size of one acre, required connection to sewer when it reaches the 300' threshold, and to stub sewer lines from homes to the street to avoid the cost of retrofitting homes to homeowners at a later date when sewer connection is required. A discussion about requiring installation of dry sewers in the street is also underway.

In the meantime, the development is subject to State and Health Department requirements. The Health Department will review the waste management proposal for the following factors:

- To determine if every proposed lot will contain an adequate drainfield for the septic tank. To this end, a percolation test will be required for every lot. The tests cannot be done during the winter, and will be done in mid-spring (after March 15) when the water table is the highest. Inadequate results will require repeated tests over the period of a year.
- To verify the water table. If a high water table is identified, the development will have to provide the Health Department with monitoring data for a full year prior to any approvals.
- To identify any collapsible soils or other unstable situations.
- If any lots fail any of the above tests, the Health Department may allow alternatives to be pursued. These may include enlargement of lots with inadequate drainfields, lot stabilization, alternative septic systems such as mound systems, drip filtration systems, package systems, or other non-traditional waste management systems.

Staff recommends that Health Department approval of the wastewater systems be a condition of approval of the subdivision prior to final plat recordation, and at a minimum, a requirement to stub sewer lines to the road to minimize future costs to the homeowners when sewer connection is both feasible and required. These conditions will not be placed on the rezone, but will be considered during the preliminary and final plat process.

Engineering comments

The applicants have provided a water study and infrastructure plans, which have been reviewed by the City Engineer. The City Engineer's comments are included as Exhibit 3. The water study indicates that an additional source of water would be necessary to support the proposal, as secondary water supply is not adequate. The City Council could consider allowing the use of culinary water for secondary water uses such as landscaping, however the City Engineer is not in support of this option as it significantly decreases the available culinary water available in the Zone 2 system. A list of additional conditions and requirements are included for consideration during the preliminary and final plat process.

G. GENERAL PLAN:

The site is designated partially as Low Density Residential on the adopted Future Land Use Map, and partially as Mixed Lakeshore.

The General Plan states that areas designated as Low Density Residential are "*designed to provide areas for residential subdivisions with an overall density of 1 to 4 units per acre. This area is to be characterized by neighborhoods with streets designed to the City's urban standards, single-family detached dwellings and open spaces.*"

The proposed Concept Plan associated with the proposed rezone shows that the property can be developed in a way that is consistent with this use in the General Plan.

The General Plan states that the Mixed Lakeshore designation "*guides development patterns at key locations along the Utah Lake Shoreline. This designation accommodates a wide range of land-uses so long as those land uses are combined and arranged to create destination-oriented developments that take full advantage of the scenic and recreational opportunities that their lakeshore locations provide. Appropriate mixtures of land-uses would include retail, residential, and/or resort properties. Low Density Residential, Medium Density Residential and Neighborhood Commercial land uses would be considered appropriate for this land use designation.*"

The applicant has requested low density residential, which is an appropriate land use in this designation.

H. CODE CRITERIA:

Rezoning

Section 19.17.04 outlines the requirements for a rezone, and states:

The Planning Commission and City Council shall consider, but not be bound by, the following criteria when deciding whether to recommend or grant a general plan, ordinance, or zoning map amendment:

1. the proposed change will conform to the Land Use Element and other provisions of the General Plan;
Complies. *The application conforms to the Low Density Residential category identified in the General Plan.*
2. the proposed change will not decrease nor otherwise adversely affect the health, safety, convenience, morals, or general welfare of the public;
Complies. *The proposal keeps low density development an option, and with appropriate conditions and management, no negative impacts will occur.*
3. the proposed change will more fully carry out the general purposes and intent of this Title and any other ordinance of the City; and
Complies. *The intent of the RR zone is to carry on the rural character of Saratoga Springs. The City is mostly low to medium density development, however there are few locations where true low density can occur. This proposal allows consideration of a true low density development.*
4. in balancing the interest of the petitioner with the interest of the public, community interests will be better served by making the proposed change.
Complies. *With appropriate conditions to ensure that the water system is not*

impacted, that the septic systems are managed appropriately, and that sewer connection is required at a future date when it becomes available, the interests will be balanced.

Concept Plan

Allowed / Conditional Uses – single family lots are an allowed use in the RR zone.

Lot Size - the RR zone has a maximum density of one unit per one acre, and a minimum lot size of one acre. The concept plan complies with these limits.

Open Space –The development does provide open space along the lake to preserve sensitive lands, however the RR zone does not have an open space requirement.

Setbacks – as currently proposed, it appears that the minimum requirements for the zone (35' front setback, 12' side setback, and 25' rear setback) will be met by the proposal.

Drainage – the City Engineer requires that drainage and stormwater information be provided.

Slopes – there is potential for slopes over 30% to be disturbed. The City Engineer is requiring further information to ensure that Code compliance is met.

Access – the pending ordinance requires a second access for developments exceeding 50 units. The proposal includes only 40 lots, so there is no requirement for a second access. The proposal does include two accesses onto Redwood Road, which will require UDOT approval. Staff has recommended that the developer consider extending one of the internal roads to the subdivision edge to the north to provide the potential for additional connection to future adjacent development.

I. Recommendation and Alternatives:

Staff recommends that the Planning Commission give the applicant informal feedback and direction on the Concept Plan.

Staff also recommends that the Commission conduct a public hearing on the rezone, take public comment, discuss the rezone, and then choose from the rezone outlined below:

Option 1

"I move to forward positive recommendation to the City Council for the rezone of the ~57.955 acre parcel 16:003:0025 from Agriculture to Rural Residential, as identified in Exhibit 1, with the Findings and Conditions below:"

Findings

- 1.** The rezone complies with Section 19.17.04 of the Code. Specifically:
 - a.** The rezone will conform to the Land Use Element and other provisions of the General Plan as it meet the Low Density Residential category identified in the General Plan.
 - b.** the proposed zone change will not decrease nor otherwise adversely affect the health, safety, convenience, morals, or general welfare of the public as it

makes low density development an option, and with appropriate conditions and management, no negative impacts will occur.

- c. the proposed zone change will more fully carry out the general purposes and intent of this Title and any other ordinance of the City, as the intent of the RR zone is to carry on the rural character of Saratoga Springs. The City is mostly low to medium density development, however there are few locations where true low density can occur. This proposal allows consideration of a true low density development.
- d. With appropriate conditions to ensure that the water system is not impacted, that the septic systems are managed appropriately, and that sewer connection is required at a future date when it becomes available, community interests will be better served by making the proposed change.

Conditions:

- 1. All requirements of the City Engineer shall be met.
- 2. Any conditions added by the Commission. _____
- 3. _____

Option 2

"I move to **continue** the rezone to another meeting, with direction to the applicant and Staff on information and / or changes needed to render a decision, as follows:

- 1. _____
- 2. _____
- 3. _____
- 4. _____
- 5. _____

Option 3

"I move to forward a negative recommendation to the City Council for the rezone of the ~57.955 acre parcel 16:003:0025 from Agriculture to Rural Residential, as identified in Exhibit 1, with the Findings below:

- 1. _____
- 2. _____
- 3. _____
- 4. _____
- 5. _____

I also move to continue the final decision to a later meeting, on [DATE], and direct Staff to return with official Findings as outlined in my motion."

J. Exhibits:

- 1. Location & Zone Map (page 7)
- 2. Proposed Concept Plan (page 8)
- 3. City Engineer's Report (page 9-10)
- 4. Proposed Rural Road cross section (page 11)
- 5. Applicant Rural Road examples (pages 12-13)

Sail House Subdivision Zoning & Location



CONCEPT SITE PLAN 1-14-14

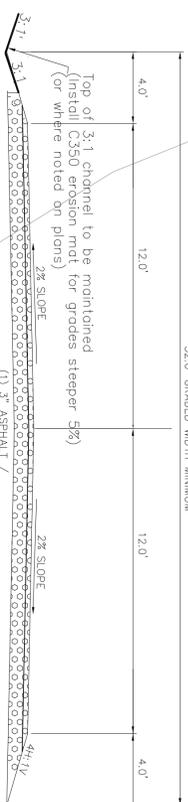
LIGHTHOUSE COVE
DEVELOPMENT, INC.
16-003-0008

PROPOSED
LIGHTHOUSE
CONNECTION

Legal description

Commencing N 78°05'45" E 71.64 feet and N 00°36'40" E 2,332.16 feet and along a curve to the left (chord bears: N 11°56'00" W 498.39 feet, Radius=1,178.14 feet) and N 00°18'06" E 1,227.38 feet and S 89°59'08" W 713.02 feet and N 31°4'56" W 242.75 feet from the West Quarter Corner of Section 29, Township 6 South, Range 1 East, Salt Lake Base & Meridian, thence N 31°4'56" W 623.47 feet; thence N 25°10'05" W 938.84 feet; thence N 89°55'55" E 1,660.92 feet; thence S 00°01'4" W 429.14 feet; thence N 89°41'49" E 584.73 feet; thence S 08°24'55" E 968.15 feet; thence S 89°55'55" W 1,666.71 feet to the point of beginning. Parcel contains 56.47 ac.

PROPOSED ROAD X-SECTION



EAST 1/4 CORN
SEC 19, FOUND
BRASS CAP
16-004-0003

LIGHTHOUSE COVE
DEVELOPMENT, INC.
16-004-0003

(1) 3" ASPHALT OVER
GRAVEL BASE OVER
PROPOSED ROAD OVER
SUITABLE SURFED AND/OR
SEE GEOTECH REPORT

LEGEND

- PROPERTY BOUNDARY
- EXISTING 10' CONTOUR
- EXISTING 2' CONTOUR
- PROPOSED SEWER (ON SEPTIC TANKS)
- DRAINAGE DIRECTION
- PROPOSED STORM DRAIN CHANNEL
- PROPOSED IRRIGATION LINE
- PROPOSED WATER LINE
- EXISTING IRRIGATION LINE
- EXISTING FENCE DRAIN
- EXISTING POWER LINE
- EXISTING IRRIGATION LINE
- EXISTING STORM DRAIN
- EXISTING SEWER LINE
- EXISTING WATER LINE
- EROSION CONTROL MAT
- 30% SLOPE AND GREATER
- PROPOSED OPEN SPACE
- PROPOSED TRAIL

CURVE TABLE

CURVE	LENGTH	RADIUS	CHORD DIST.	CHORD BEG.	DELTA
C10	145.88'	356.00'	144.86'	S19°13'36"E	237°8'40"
C15	23.86'	15.00'	21.38'	S14°04'26"W	90°53'35"
C16	23.33'	15.00'	21.05'	N2°55'34"W	89°36'35"
C17	24.99'	15.00'	22.20'	S8°31'39"E	95°28'10"
C18	13.64'	15.00'	13.17'	S8°54'09"W	52°06'00"
C20	20.32'	15.00'	18.80'	N81°07'08"E	77°37'35"
C22	100.84'	55.00'	87.29'	S72°54'4"W	105°23'39"

PROJECT LOCATION



VICINITY MAP

Redwood Road (Utah Hwy 68)

40 LOTS @ 1 AC MIN

ZONE 1 WATER SYSTEM

ZONE 2 WATER SYSTEM

Adjusted Location of Point of Beginning

9.96' Deed Overlap

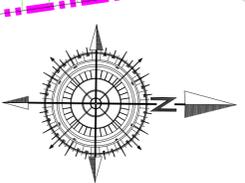
Deed Location of Point of Beginning

TAYLOR, MAE MENDENHALL
16-005-0015

SECTION LINE

NOTES

- Overall ac=56.46 ac
- current open space=6.45 ac
- 30% and greater slope = 1.45 ac
- 40 total lots planned
- typ. lot 150' x 290' = 1 AC



SAIL HOUSE (MENDENHALL #2) CONCEPT

OVERALL SITE PLAN

Saratoga Springs, Utah

1-14-14
PLOT DATE

PROJECT NUMBER

DBASE - SAIL HOUSE
DRAWING FILE

GATEWAY CONSULTING, inc.

P.O. BOX 951005 SOUTH JORDAN, UT 84095
PH: (801) 694-5848 FAX: (801) 432-7050
paul@gatewayconsultingllc.com

CIVIL ENGINEERING • CONSULTING • LAND PLANNING
CONSTRUCTION MANAGEMENT

ORIG. DATE:	12-14-11
SURVEY BY:	DRS
DRAWN BY:	GPW
DESIGNED BY:	GPW
CHECKED BY:	GPW
SCALE:	1"=80'

NO.	DESCRIPTION	DATE	APP'D

SARATOGA CITY

SHEET NO. 1

City Council Staff Report

Author: Jeremy D. Lapin, City Engineer
Subject: Sailhouse – Concept Plan
Date: February 13, 2014
Type of Item: Concept Plan and Rezone



Description:

A. Topic: The applicant has submitted a concept plan application. Staff has reviewed the submittal and provides the following recommendations.

B. Background:

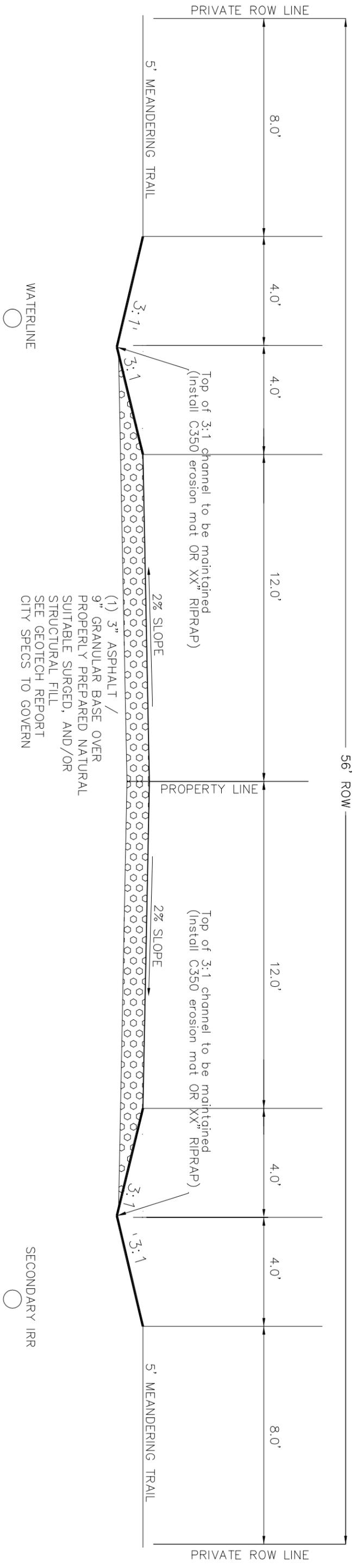
Applicant: Western States Ventures – Paul Watson
Request: Concept Plan and Rezone
Location: Approximately 4500 S. Redwood Road
Acreage: 56.47 acres - 40 lots

C. Recommendation: Staff recommends the applicant address and incorporate the following items for consideration into the development of their project and construction drawings.

D. Proposed Items for Consideration:

- 1) Prepare construction drawings as outlined in the City's standards and specifications and receive approval from the City Engineer on those drawings prior to receiving Final approval from the City Council.
- 2) Comply with the Land Development Codes regarding the disturbance of 30%+ slopes.
- 3) Incorporate a grading and drainage design that protects homes from upland flows.
- 4) Developer shall provide a traffic study to determine the necessary improvements to existing and proposed roads to provide an acceptable level of service for the proposed project.
- 5) 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.

- 6) Developer shall meet all applicable city ordinances and engineering conditions and requirements in the preparation of the Construction Drawings.
- 7) Project bonding must be completed as approved by the City Engineer prior to recordation of plats.
- 8) All review comments and redlines provided by the City Engineer are to be complied with and implemented into the construction drawings.
- 9) All work to conform to the City of Saratoga Springs Standard Technical Specifications, most recent edition.
- 10) Developer shall prepare and record easements to the City for all public utilities not located in a public right-of-way.
- 11) Developer is required to ensure that there are no adverse effects to adjacent property owners and future homeowners due to the grading and construction practices employed during completion of this project.
- 12) Developer shall complete a preliminary jurisdictional wetland delineation prior to Final Plat to ensure none of the proposed lots contain sensitive lands.
- 13) Developer shall provide documentation, prior to Final Plat, from the Utah County Health Department stating each lot can feasibly support a septic system.
- 14) Project shall meet all open space requirements outlined in the Land Development Code.
- 15) The existing secondary water system cannot support this project. An additional source is required in the area to alleviate the extreme pressure swings that the current system would experience if this project is added. Although the culinary system could support both the indoor and outdoor demand for this project, this would use up significant amounts of the remaining capacity in the system and is not recommended.









Community Plan and Village Plan

Legacy Farms

February 13, 2014

Public Hearings

Report Date:	February 6, 2014
Applicant:	D.R. Horton
Owner:	Corporation of Presiding Bishopric Church of Jesus Christ of LDS
Location:	SE corner intersection of Redwood and 400 south, extending to Saratoga Dr.
Major Street Access:	Redwood Road and 400 South
Parcel Number(s) & Size:	66:058:0007, 176.44 acres 58:041:0185, 5.497 acres Total: 181.937 acres
Parcel Zoning:	Planned Community (PC)
Adjacent Zoning:	PC and Low Density Residential (R-3)
Current Use of Parcel:	Agriculture
Adjacent Uses:	Agriculture, Residential
Previous Meetings:	PC Work Sessions December 12, 2013 and January 9, 2014 CC Work Session January 14, 2014
Previous Approvals:	Annexation Agreement (2010) Rezone to PC zone (2010) City Center District Area Plan (2010)
Land Use Authority:	City Council
Future Routing:	City Council
Author:	Kimber Gabryszak, Planning Director

A. EXECUTIVE SUMMARY

The applicants are requesting approval of a Community Plan and Village Plan pursuant to Section 19.26 of the Land Development Code (Code) and the City Center District Area Plan (DAP). The proposal allocates a maximum of 1000 units of density to ~182 acres within the DAP.

The Community Plan lays out the broader guidelines for the development while the Village Plan provides the specifics for the first phase of development. The application proposes the use of Form Based Code to implement specific standards for blocks, subzones, unit layout and type, transition of density, building setbacks, architecture, roadways, open space, landscaping, lighting, and other applicable standards.

Staff recommends that the Planning Commission conduct two public hearings, take public comment, review and discuss the proposed Community Plan and Village Plan 1, and choose from the options in Section I of this report. Options include forwarding a positive or negative recommendation on either or both the Community Plan and Village Plan as proposed, forwarding recommendations with changes as outlined by the Commission, or continuing the hearing to another date with specific direction to the applicant on information or changes needed for the Commission to make recommendations.

B. BACKGROUND

The City Center District Area Plan (DAP) was approved in 2010 following annexation of just under 3000 acres into the City. As part of the annexation agreement and DAP, the 2883 acres is approved for 16,000 residential units and 10,000,000 square feet of non-residential density:

Land Use Table

Type of Land Use	Quantity
Residential Housing	16,000 Units
Non-residential Area	10 million sq. ft.
Equivalent Residential Units	20,620 Units

The DAP has also approved Place Types ranging in density from 5-75 dwelling units per acre:

Place Types	Dwelling Unit Density Range	Range of FAR *
Urban Center	14-75	0.39–2.34
Transit Oriented Development	8–75	1.25–2.4
Town Neighborhood	6–34	0.36–1.82
Business Park	0	0.39–0.93
Office Warehouse	0	0.39–0.93
Neighborhood Commercial	5–14	0.39–1.5
Regional Retail	0	0.36–0.47
Traditional Neighborhood	5 –32	0.47–1.04
Master Planned Subdivision	4–14	0.35–0.50
Resort/Hospitality	6–8	.36–.93

* FAR = Floor Area Ratio

(Note: the DAP can be found by visiting www.saratogaspringscity.com/planning then clicking on “Master Plans” and then “City Center District Area Plan.”)

While the DAP includes several conceptual scenarios for the distribution of various place types, both the DAP and Code allow the place type for individual developments to be identified and finalized at the time of Community Plan approval.

The DAP does not specify how to allocate the 16,000 Residential and 10,000,000 s.f. of non-residential development (total of 20,620 ERUs) to each phase, however there are several ranges to act as guidelines:

- The Traditional Neighborhood Place Type under the DAP would permit a range of 900-5760 units.
- Utilizing a “fair share” approach, imagining that the 20,620 residential and commercial ERUs were allocated evenly across the entire DAP, the ~182 acre Community Plan would be eligible for up to 1324 units, a density of 7.27 units per acre. (Note: the DAP does not require density to be evenly allocated across the property. Some phases will be denser while others are less dense.)
- The Community Plan proposes block specific limits for densities, further decreasing the potential density to 842-1782.

C. SPECIFIC REQUEST

The Community Plan covers the entire ~182 acre project, and the applicants are proposing the Traditional Neighborhood place type for the entire Community Plan.

The applicants are proposing a maximum limit of 1000 units on the entire property, governed by the Community Plan. The 1000 unit limit is well below the maximums permissible in the Traditional Neighborhood place type and the proposed Block Types.

Village Plan 1 covers the western blocks of the Community Plan and contains 47.95 acres. Within this first Village Plan, the applicants are proposing a range of 278 and 558 units. Village Plan 1 contains several higher density blocks closer to Redwood and 400 South, and therefore contains a higher proportion of the density than the remaining Village Plans to come. As the project moves away from Redwood Road, future Village Plans will transition to a lower density. In no case will more than 1000 units be permitted in the entire Community Plan area.

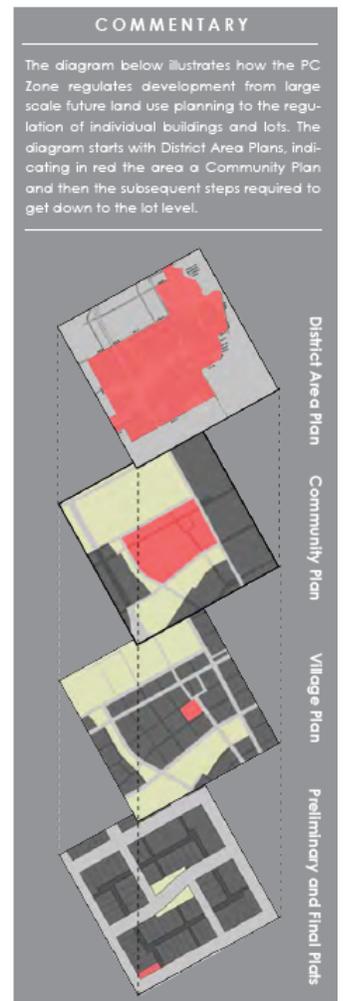
D. PROCESS / HOW IT WORKS

Section 19.26 of the Code describes development in the PC zone, and the graphic to the right shows the hierarchy of the different plans:

1. For a large-scale planned community district, an overall governing document is first approved, known as the District Area Plan (Section 19.26.13).
 - *The City Center DAP was approved in 2010.*
2. A Community Plan is then proposed and approved (Sections 19.26.03-19.26.08). The Community Plan lays out the more specific guidelines for a sub-district within the DAP.
 - *The Legacy Farms Community Plan will govern only the ~182 acres of the Legacy Farms development.*
3. Following and / or concurrently with the Community Plan, a Village Plan is proposed and approved (Sections 19.26.09 – 19.26.10). The Village Plan is the final stage in the Planned Community process before final plats, addressing such details specific to the sub-phase as open space, road networks, and lots for a sub-phase of the Community Plan.
 - *The applicants are currently proposing Village Plan 1 for the westernmost blocks (47.95 acres) of the Community Plan.*

The approval process for the Community Plan and Village Plan 1 includes:

1. A public hearing and recommendation by the Planning Commission
2. A public hearing and final decision by the City Council (19.26 states that the process is per Section 19.17, which is Code amendments / rezones, and requires hearings with the Council.)



E. COMMUNITY REVIEW

This item is a public hearing in the *Daily Herald*; and mailed notice sent to all property owners within 300 feet. A community open house was also held at which time neighbors and City residents had the opportunity for an initial look at the proposed development.

F. REVIEW

Place Type

The Community Plan designates the entire ~182 acre Legacy Farms development as Traditional Neighborhood, which is described in the DAP as follows:

TRADITIONAL NEIGHBORHOOD

Range of Average Dwelling Units/Acre	5-32 du/ac
Range of Average FAR	0.47-1.04
Range of Open Space	18 - 24%

Open Space Types:

- Plaza
- Entrance park
- Pocket park
- Neighborhood park
- Community park
- Regional park
- School park
- Sports complex
- Special use
- Community garden
- Parkway (Boulevard)
- Greenway

Traditional neighborhoods in this district are medium-density residential areas typically comprised of many small lot single-family dwellings, some townhomes and small scale apartments. Houses in these neighborhoods are close enough to the street to encourage interaction among neighbors and create a “front porch” culture. Houses are closer together and on smaller lots than in a master planned subdivision. There are small neighborhood serving parks and connections to trails. Street connectivity is relatively favorable, allowing for a walkable environment and transit options. On-street parking slows traffic and creates a buffer between traffic and pedestrians on the sidewalks.

Density

The Community Plan proposes a maximum of 1000 units, which results in an average of 5.49 units per acre. The distribution of units is not even, however, with some blocks containing larger lots and other blocks containing small lots, twin homes, and townhomes. Such a varied distribution is allowed and contemplated by the DAP.

The densities of adjacent existing residential properties (to the south) contain approximately 3.5 – 5 units per acre. To transition density appropriately within the Legacy Farms development, the Community Plan and Village Plan propose 10,000 s.f. and 8,000 s.f. lots in the blocks closest to these existing neighborhoods, with lot size decreasing and densities increasing as the blocks move north and farther away from these existing neighborhoods.

Unit Type

Legacy Farms proposed a mixture of large-lot single family homes, small-lot and cottage single family homes, twin homes, and several types of townhomes. The DAP anticipated and permitted this type of development. While also permitted by the DAP, “small scale apartments” are not proposed.

Traffic and Infrastructure

The applicants have provided a traffic study and infrastructure plans, which have been reviewed by the City Engineer. See the Engineer’s report (Exhibit XX).

Form Based Code / Development Standards

City Staff has been working with the applicants on the governing standards and principles of the project, which are contained in the Community Plan and Village Plan 1.

The Community Plan contains the general standards for the entire ~182 acre project:

- Community Plan Process

- Place Type Designation
- Block Types
- Transition in density from existing residential development
- Equivalent Residential Unit (ERU) allocation
- Thoroughfare Plans (street / road standards)
 - Frontage Types
 - Utility Easements
 - Turning Radii
 - Pedestrian Crossings
 - Planting Information
- Parking
- Lighting Standards
- Architectural Styles
- Open Space types and conceptual layout
- Landscape Guidelines
- Signage Standards
- Fencing Standards
- Phasing
- Infrastructure
- Constraints
- Traffic Study
- Definitions

Village Plan 1 contains additional standards to implement the Community Plan on a particular sub-phase. While these topics were addressed at a higher level in the Community Plan, the information in the Village Plan is more specific and applies only to the 47.95 acres contained in the Village Plan:

- Village Plan Process
- Sub-districts
- Private Frontages
- Conceptual Lotting Plan (lot layout)
- Product types (10,000 s.f. lots, 8,000 s.f. lots, 6,000 s.f. lots, cottages and rear lane cottages, twin homes, and several townhome types)
- Thoroughfares
- Street Names
- Pedestrian Plan
- Architectural details / materials
- Color Palette
- Open space
- Phasing
- Infrastructure and Utilities

More detail on the standards above are found in the proposed Legacy Farms Community Plan and Village Plan 1, obtained by visiting www.saratogaspringscity.com/planning, and clicking on “pending applications”.

G. GENERAL PLAN

The General Plan Land Use map identifies this area as Planned Community, which states:

- k. **Planned Community.** The Planned Community designation includes large-scale properties within the City which exceed 500 acres in size. This area is characterized by a mixture of land uses and housing types. It is subject to an overall Community Plan that contains a set of regulations and guidelines that apply to a defined geographic area. Required Village Plans contain regulations that apply to blocks of land and provide specific development standards, design guidelines, infrastructure plans and other elements as appropriate. Development 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.

The 2883 acre DAP was approved in 2010 in compliance with the General Plan and the intent of the Planned Community designation. The proposed Community Plan includes trail connections and parks in compliance with the related master plans.

H. CODE CRITERIA

The property is zoned PC, and is subject to the standards and requirements in Section 19.26 of the Code, and its several sub-sections.

19.26.04 – Uses Permitted within a Planned Community District

- The application includes multi-family and single family homes, school and church sites, parks, and trails. All of these uses are permitted in the PC zone.

COMMUNITY PLAN CODE REQUIREMENTS

Section 19.26.06 – Guiding Standards of Community Plans

The standards for a Community Plan are below:

1. Development Type and Intensity. The allowed uses and the conceptual intensity of development in a Planned Community District shall be as established by the Community Plan.
Staff finding: complies. Subdivision plats and building permits will be reviewed for compliance with the Community Plan.
2. Equivalent Residential Unit Transfers.
Staff finding: complies. The Community Plan contains a maximum of 1000 units, and a provision for density to be transferred between Village Plans within the development area.
3. Development Standards. Guiding development standards shall be established in the Community Plan.
Staff finding: complies. The Form Based Code in the Community Plan has established common standards and architectural guidelines, and will be the governing standards for the development. Any conflicts between the Code and the Community Plan will be governed by the Community Plan, while any topics not addressed in the Community Plan will be governed by applicable regulations and standards of the City.
4. Open Space Requirements.

Staff finding: complies. While the Code currently requires 30% open space, the DAP is the governing document for the proposed Community Plan, and the proposed open space meets the standards and range of 18-24% as identified in the DAP.

5. No structure (excluding signs and entry features) may be closer than twenty feet to the peripheral property line of the Planned Community District boundaries.
 - a. The area within this twenty foot area is to be used as a buffer strip and may be counted toward open space requirements, but shall not include required back yards or building set back areas.
 - b. The City Council may grant a waiver to the requirement set forth in this Subsection upon a finding that the buffer requirement will result in the creation of non-functional or non-useable open space area and will be detrimental to the provision of useful and functional open space within the Project.

Staff finding: up for discussion. The applicants are requesting a waiver to this requirement to allow them to provide a trail corridor along Sherwood Drive instead of a buffer at the back of homes.

19.26.07 – Contents of Community Plans

The items summarized below are required to be part of a Community Plan:

1. Legal Description. **Provided**
2. Use Map. **Provided**
3. Buildout Allocation. **Provided**
4. Open Space Plan. **Provided**
5. Guiding Principles. **Provided**
5. Utility Capacities. **Provided**
6. Conceptual Plans. Other elements as appropriate - conceptual grading, wildlife mitigation, open space management, hazardous materials remediation, fire protection. **Pending**
8. Additional Elements.
 - a. responses to existing physical characteristics of the site **Provided**
 - b. findings statement **Provided**
 - c. environmental issues **Provided**
 - d. means to ensure compliance with standards in Community Plan **Provided**
9. Application and Fees. **Provided**

19.26.05 – Adoption and Amendment of Community Plans

The criteria for adoption of a Community Plan are below:

- a. is consistent with the goals, objectives, and policies of the General Plan, with particular emphasis placed upon those policies related to community identity, distinctive qualities in communities and neighborhoods, diversity of housing, integration of uses, pedestrian and transit design, and environmental protection;

Staff finding: complies. See Section G of this report.

- b. does not exceed the number of equivalent residential units and square footage of nonresidential uses of the General Plan;

Staff finding: complies. The General Plan does not identify ERUs or square footage, however the DAP does. The project is well below the maximum allowed per the DAP.

- c. contains sufficient standards to guide the creation of innovative design that responds to unique conditions;
Staff finding: complies. The proposed standards are innovative and will permit the proposed densities and maintain quality.
- d. is compatible with surrounding development and properly integrates land uses and infrastructure with adjacent properties;
Staff finding: complies. Adjacent developed residential properties contain similar densities to those densities proposed along the southern edge of the development, and the proposal transitions into higher density only once no longer adjacent to existing residential development.
- e. includes adequate provisions for utilities, services, roadway networks, and emergency vehicle access; and public safety service demands will not exceed the capacity of existing and planned systems without adequate mitigation;
Staff finding: still under review. The applicants have provided information to staff for review, however finalization of the utility plan is awaiting finalization of the Tickville Wash floodplain remediation and determination with FEMA. The applicants request that the Commission consider forwarding a motion with conditions concerning the utilities and floodplain; Staff recommends that the Commission continue the decision to another meeting to allow the FEMA process to continue, and to allow Staff to review plans in accordance with said process.
- f. is consistent with the guiding standards listed in Section 19.26.06; and
Staff finding: up for discussion. The application complies with standards 1-4, however the project is requesting an exemption from standard 5.
- g. contains the required elements as dictated in Section 19.26.07.
Staff finding: complies. The application contains the minimum required items.

VILLAGE PLAN CODE REQUIREMENTS

19.26.03.2 – Additional Village Plan Requirements

Additional requirements for a Village Plan are summarized below:

- a. A detailed traffic study - **Provided.**
- b. A map and analysis of backbone infrastructure systems - **Provided.**
- c. Detailed architectural requirements and restrictions - **Provided**
- d. If applicable, details regarding the creation of an owners' association, master association, design review committee, or other governing body. - **Provided.**

19.26.09 – Village Plan Approval

The criteria for a Village Plan approval are summarized below:

- a. is consistent with the adopted Community Plan;
Staff finding: complies. The Village Plan has been reviewed for compliance with the densities, uses, block types, conceptual layout, and standards of the Community Plan.
- b. does not exceed the total number of equivalent residential units dictated in the adopted Community Plan;

Staff finding: complies. The proposed density for Village Plan 1 is 278 to 558 units. This falls within the density ranges contemplated in the Community Plan for the Block Types in the Village plan. Regardless, in no case may the density in the entire Community Plan exceed 1000 unit equivalents.

- c. for an individual phase, does not exceed the total number of equivalent residential units dictated in the adopted Community Plan unless transferred per the provisions of the Community Plan;

Staff finding: complies. The densities within the phases also comply with the density ranges for the Block Types of each phase.

- d. is consistent with the utility, infrastructure, and circulation plans of the Community Plan; includes adequately sized utilities, services, and roadway networks to meet demands; and mitigates the fair-share of off-site impacts;

Staff finding: still under discussion. The street layout and utility plans are consistent with the plans provided in the Community Plan. The drainage and storm water plans are still being finalized.

- e. properly integrates utility, infrastructure, open spaces, pedestrian and bicycle systems, and amenities with adjacent properties; and

Staff finding: up for discussion. The project does properly integrate utility and infrastructure; however there may be some discussion of pedestrian and bicycle systems and the integration of such systems with adjacent properties. The requested exception from the perimeter buffer, through lack of expansion to a shared trail corridor, may minimize such integration. Staff requests Commission input and direction. Additionally, most parks and open spaces are intended for the Legacy Farms community and are not public in nature.

- f. contains the required elements as dictated in Section 19.26.10.

Staff finding: in process. See below. Nearly all required topics have been included, and remaining topics are being prepared by the applicant.

19.26.10 – Contents of a Village Plan

The required contents of a Village Plan are summarized below:

1. Legal Description - **Provided**
2. Detailed Use Map - **Provided**
3. Detailed Buildout Allocation - **Provided**
4. Detailed Development Standards - **Provided**
5. Design Guidelines - **Provided**
6. Owners' / Governing Associations - **Provided**
7. Phasing Plan - **Provided**
8. Lotting Map - **Provided**
9. Landscaping Plan - **Provided**
10. Utility Plan - **Pending**
11. Vehicular Plan - **Provided**
12. Pedestrian and Bicycle Plan - **Provided – however Commission discussion has indicated that there may not be enough emphasis on bicycles.**

13. Additional Detailed Plans. Other elements as necessary (grading plans, storm water drainage plans, wildlife mitigation plans, open space management plans, sensitive lands protection plans, hazardous materials remediation plans, and fire protection plans) - **Pending**
14. Site Characteristics - **Provided**
15. Findings Statement - **Provided**
16. Mitigation Plans. (Protection and mitigation of significant environmental issues) - **Pending**
17. Offsite Utilities - **Pending**
18. Development Agreement – **Pending (draft provided to applicants for revision)**

I. Recommendation and Alternatives:

Staff recommends that the Planning Commission conduct two public hearings, take public comment, review and discuss the proposed Community Plan and Village Plan 1, and choose from the options below.

Note that the Commission may choose to select the same option for both the Community Plan and Village Plan or may choose to take separate actions on each application. For example, the Commission could choose Option 1 and make a recommendation on only the Community Plan and choose Option 2 and continue only the Village Plan, or choose Option 2 and continue both the Community and Village Plans, or make other combinations of the Commission’s choice.

Option 1

“I move to **continue** both items to another meeting, with direction to the applicant and Staff on information and / or changes needed to render a decision, as follows:

1. _____
2. _____
3. _____
4. _____
5. _____

Option 2

“I move to forward a **positive** recommendation to the City Council for the Legacy Farms Community Plan with the Findings and Conditions below:”

Findings

1. The application complies with Section 19.26.05 of the Development Code as outlined in Section H of this report. Particularly:
 - a. The application is consistent with the goals, objectives, and policies of the General Plan, through particular emphasis placed upon policies related to community identity, distinctive qualities in communities and neighborhoods, diversity of housing, integration of uses, pedestrian and transit design, and environmental protection;
 - b. The 1000 units maximum does not exceed the number of equivalent residential units and square footage of nonresidential uses of the General Plan;
 - c. The application contains sufficient standards to guide the creation of innovative design that responds to unique conditions;
 - d. The application is compatible with surrounding development and properly integrates land uses and infrastructure with adjacent properties;
 - e. The application includes adequate provisions for utilities, services, roadway networks, and emergency vehicle access; and public safety service demands will not exceed the capacity of existing and planned systems without adequate mitigation;

- f. The application is consistent with the guiding standards listed in Section 19.26.06; with the exception of an approved exemption from standard 5.
- g. The application contains the required elements as dictated in Section 19.26.07.

Conditions:

- 1. All requirements of the City Engineer shall be met.
- 2. All requirements of FEMA shall be met.
- 3. The Community Plan shall be edited as directed by the Commission.
- 4. Any additional conditions articulated by the Commission.
- 5. _____

“I also move to forward a positive recommendation to the City Council for the Legacy Farms Village Plan 1 with the Findings and Conditions below:”

Findings

- 1. The application complies with the criteria in section 19.26.09 of the Development Code, as articulated in Section H of this report and as articulated by the Commission. Particularly:
 - a. The application is consistent with the adopted Community Plan;
 - b. The range of density in the application does not exceed the total number of equivalent residential units dictated in the adopted Community Plan;
 - c. For an individual phase, the density will not exceed the total number of equivalent residential units dictated in the adopted Community Plan unless transferred per the provisions of the Community Plan;
 - d. The application is consistent with the utility, infrastructure, and circulation plans of the Community Plan; includes adequately sized utilities, services, and roadway networks to meet demands; and mitigates the fair-share of off-site impacts **as articulated by the Commission** _____;
 - e. The application properly integrates utility, infrastructure, open spaces, pedestrian and bicycle systems, and amenities with adjacent properties **as articulated by the Commission** _____; and
 - f. The application contains the required elements as dictated in Section 19.26.10 **as articulated by the Commission** _____.

Conditions:

- 1. All requirements of the City Engineer shall be met.
- 2. All requirements of FEMA shall be met.
- 3. The Village Plan shall be amended as directed by the Planning Commission.
- 4. Any other conditions as articulated by the Commission.
- 5. _____

Option 3

“I move to forward a negative recommendation to the City Council for the Legacy Farms Community Plan with the Findings below:

- 1. _____
- 2. _____
- 3. _____
- 4. _____
- 5. _____

“I also move to forward a negative recommendation to the City Council for the Legacy Farms Village Plan with the Findings below:

1. _____
2. _____
3. _____
4. _____
5. _____

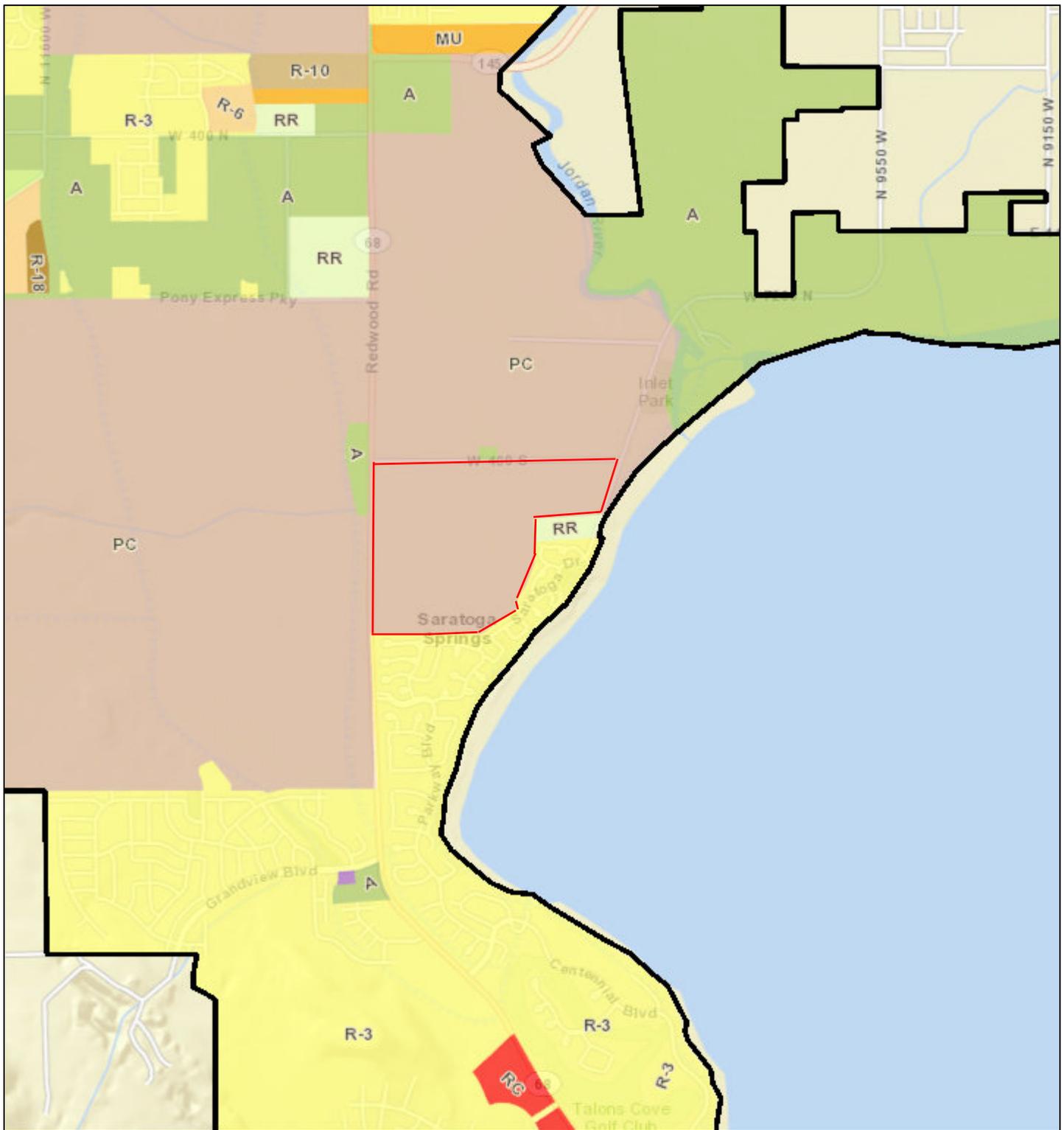
I also move to continue the final decisions to a future meeting, on [INSERT DATE], and direct Staff to return with official Findings as outlined in my motion.”

J. Attachments:

- A. Location & Zone Map (page 13)
- B. Aerial Photo (page 14)
- C. City Engineer’s Report dated February 10, 20124 (provided separately and available upon request)
- D. Community Plan: www.saratogaspringscity.com/planning, then “Pending Applications”
- E. Village Plan: www.saratogaspringscity.com/planning, then “Pending Applications”

Zoning & Planning

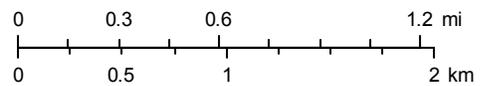
Exhibit A -
Location / Zone



February 11, 2014

1:36,112

 City Boundary



Sources: Esri, DeLorme, NAVTEQ, USGS, Intermap, iPC, NRCAN, Esri Japan, METI, Esri China (Hong Kong), Esri (Thailand), TomTom, 2013

Exhibit B - Aerial





CITY OF SARATOGA SPRINGS

Planning Commission Meeting **Thursday, December 12, 2013** **Meeting held at the Saratoga Springs City Offices** **1307 North Commerce Drive, Suite 200, Saratoga Springs**

DRAFT MINUTES

Work Session 6:35 P.M.

Present:

Commission Members: Jeff Cochran, Sandra Steele, Eric Reese, Jarred Henline, Kristen Hood, Kara North and Hayden Williamson

Staff: Lori Yates, Scott Langford, Kevin Thurman

Others: Lance Shields, Trey MacKay, Kacy Kilpatrick, David Cannon, Mike Hathorne, Krisel Travis, Jacob Jensen, Boyd Martin

Pledge of Allegiance led by Kara North

Jeff Cochran opened the public input.

No public input at this time.

Jeff Cochran closed the public input.

4. Public Hearing: Site Plan for America First Credit Union located at approximately

Scott Langford presented the Site Plan for America First Credit Union which also included the proposed signs. Staff recommends forwarding a positive recommendation to the City Council.

Lance Shields, applicant thanked staff for their work with the site plan. They hope to begin breaking ground at the beginning of the year and is happy to be apart of Saratoga Springs.

Jeff Cochran opened the public input.

No public input at this time.

Jeff Cochran closed the public input.

Jarred Henline had no comments or concerns at this time.

Kristen Hood had no comments or concerns at this time.

Kara North asked if the lighting on site met the City's Code. Scott Langford stated that the Code would allow for the type of lighting that is being requested.

Eric Reese looks forward to seeing this building at this location. He asked staff to provide an understanding of the current fence on the property. Scott Langford stated that the current fence creates a visibility issue and staff is currently working with the applicant to resolve those concerns. Eric asked if the current retaining wall would stay in

place. Kurt Randall, Engineer stated that the retaining wall would be relocated and placed along the west side of the property aligning the fence.

Hayden Williamson stated that all his concerns have been addressed.

Sandra Steele has a problem with the proposed lighting. There is a dark sky ordinance that will be approved here in the future and according to this proposal the lights doesn't meet the Code. What type of light is going to be installed? Lance Shield stated that cool white lighting would be installed; this type of lighting doesn't create any lighting population. Sandra is against cool lighting and would suggest that the applicant go with the City's standards.

Jeff Cochran asked the applicant why they chose to use lighting that wasn't allowed by City standards. Lance Shield stated that this type of light provides an even distribution along with longevity. Jeff asked the applicant if he felt that the current lighting standards wouldn't provide the same eminence. Lance stated that they could make changes to accommodate those standards. He welcomes the business to the City and is pleased with the building concept plan.

Sandra Steele is concerned with the up lighting of the flag and the impact this might bring to the night operations from Camp Williams. She feels that this issue needs to be addressed.

Kara North feels that holding up an applicant to standards that don't exist; isn't right.

Kevin Thurman indicated that the Code at this time doesn't reference any lighting limits or restriction regarding flag poles.

Scott Langford since the dark sky ordinance has yet to be approved it is our job to comply with the current Code and since the Code doesn't address this matter there aren't any regulations that can be put in place at this time.

Kristen Hood is against light pollution and would like to keep the light pollution to a minimum.

Hayden Williamson asked if it would it be possible to give direction to staff to light the flag pole probably. Kevin Thurman stated that since there is nothing in the Code that addresses flag pole lighting we can't enforce this issue.

Motion was made by Sandra Steele and seconded by Kristen Hood to forward a positive recommendation to the City Council to approve the America First Credit Union Site Plan located at approximately 180 East Commerce Drive, Nathan Shepherd, applicant based on the findings and conditions listed in the staff report dated December 12, 2013. Subject to: That the City standard light fixtures will be used for this project. Aye: Sandra Steele, Kristen Hood, Hayden Williamson, Kara North, Eric Reese, Jarred Henline and Jeff Cochran. Motion was unanimous.

5. Public Hearing: Code Amendment updates to the Temporary Use requirements and definitions to Section 19.05 and 19.02 of the City of Saratoga Springs Land Development Code.

Scott Langford presented the Code Amendments from Section 19.05 and 19.02 which includes the Mobile Vendor and Ice Cream Vendors.

Jeff Cochran opened the public input.

No public input at this time.

Jeff Cochran closed the public input.

Sandra Steele concerned with the allowing a temporary use to be approved in an area that has existing parking issues. She asked that while staff is reviewed such application that the parking is address and the parking accommodates such permit. She would like to see that curb and gutter be required for all uses except for road side stands. The Code doesn't have language that addresses regulations of mobile vendors in parks and would suggest language be added. Also there is no reference to vendors on school property as well. Kevin Thurman stated that language could be added to accommodate that request. Sandra feels that there are many issues that still need to be reviewed and suggests this item be tabled. Sandra felt that the bonding would need to vary for the many types of uses that would be allowed.

Hayden Williamson asked what section lemonade stands would fall under and would we want to regulate those here within the City. He echoed the comment Sandra made with regards to curb and gutter for certain uses. He would like to see that section be revisited. The proposed bonding seems to be low should this be increased. He feels that if it is for City owned property the fee should be \$1000 and for private property should potentially be \$500.

Eric Reese agreed that this item be tabled at this time, there needs to be additional time for review. He agrees with the requested revision to the bonding.

Kara North would like to make it easy on the mobile vendors. Allowing the vendor to only participate in the City 4 days a month is too short. She would also agree that the language for the bonding needs to be revised making it suitable for all types.

Kristen Hood also feels that restriction a mobile vendors to only 4 days a month is a little much. The vendors should be allowed in the parks when there are events taking place that would also include private parks.

Jarred Henline doesn't understand why these types of vendors aren't allowed in parks and why the Code wouldn't allow for exceptions. We as a city should be open minded to these types of uses. There shouldn't be a time limit as well. He feels that a \$1000 bond might be too much for smaller businesses.

Jeff Cochran there needs to be a balance with permitted uses, but would agree that further discuss regarding this matter would be best. A \$500 bond would be feasible but would suggest a small fee for vendors that attend an event only once.

Motion was made by Kristen Hood and seconded by Sandra Steele to table this item until staff has the adequate time to make revisions to the sections of the Land Development Code. Aye: Kristen Hood, Sandra Steele, Eric Reese, Hayden Williamson, Kara North, Jarred Henline and Jeff Cochran. Motion was unanimous.

6. Amended Site Plan for New Haven Located at 258 West 400 North, Solacium Real Estate, applicant.

Scott Langford presented the amended Site Plan for New Haven.

Kacy Kilpatrick, applicant briefly explained the previous approval of the site plan and unexpected expenses that changed the proposed plan. During a previous inspection by a prior employee we were told that a shoe box style light was acceptable and met the City's standards. There have been a number of inspections since then and not at any time was the lighting mentioned.

Jarred Henline asked staff what the options are available with this situation. Kevin Thurman stated that they need to amend the site plan, that the architectural standards are also met. Jarred expressed frustration with this amended site plan.

Kristen Hood likes the amended building plans but knows that the lighting needs to be correct and that it meets the City's standards.

Kara North is concerned with the advice that was given by staff regarding the lights, but asked that the light meet current City standards. She is fine with the revisions to the building.

Eric Reese had no comments at this time.

Hayden Williamson is fine with the changes to the building but asked that the applicant work with staff on the lighting issue and brings them to standards with City Code.

Sandra Steele asked at what point the extra engineering and fire sprinklers took place. Ky Valentor, Architect stated that the cost expenses changed after the permit was issued.

Jeff Cochran understands that mistakes happen but asked that the developer change the lights back to the standard lights.

Motion was made by Jarred Henline and seconded by Kristen Hood to forward a positive recommendation to the City Council for the approval of the New Haven Site Plan located at 258 West 400 North, Solacium Real Estate, applicant; based on the findings and conditions listed in the staff report dated December 12, 2013. Subject to: That the applicant change the existing lights back to the standard lighting required by City Code. Aye: Jarred Henline, Kristen Hood, Kara North, Eric Reese, Sandra Steele, Hayden Williamson and Jeff Cochran. Motion was unanimous.

7. Approval of Minutes:

- 1. October 10, 2013.**
- 2. October 24, 2013.**
- 3. November 14, 2013.**

Motion was made by Kristen Hood and seconded by Kara North to approve minutes from the October 10, 2013, October 24, 2013 and November 14, 2013 Planning Commission meeting. Aye: Kristen Hood, Kara North, Jarred Henline, Eric Reese, Hayden Williamson and Jeff Cochran.

8. Work Session Item: DR Horton Community Plan and Village Plan.

Scott Langford provided the Commission with a brief overview of the Community Plan and Village Plan.

Boyd Martin, applicant introduced those that are present tonight representing the project.

Greg Haws it's been pleasure to work with staff. The project has become better over time. He briefly touched on the ERU allocation within the District Plan and Community Plan. There have been 1,000 ERU's assigned, 55 ERU's have been allocated for the school and churches. He indicated that the proposed apartments have been removed from the land plan. The proposed neighborhood parks have increased in size. The plan shows an upgrade to Tickville wash. There is a mile and a half proposed trail. The plans also show multimodal lanes, woonerf, architecture, walk ability, and maintenance from both the City and HOA.

Jeremy Fillmore, Landscape Architect discussion with the Planning Commission the open space amenities.

Jarred Henline had no comments at this time regarding the proposed plan.

Kristen Hood thanked the applicant for the presentation, this proposal is well done. She loves the entry way to the development, the proposed open space and trail. The layout of the development is well designed. Overall the applicant has done a great job.

Kara North loves the proposed plans and is excited to see this move forward.

Eric Reese asked if the trail would match the width of the current trail along Redwood Road. Jeremy Lapin stated that it would. Eric asked why the density of this plan is being removed. Mike Hathorne stated that there isn't a driving market for such density, but this plan gives us flexibility with the future market.

Hayden Williamson this is a great product. He asked where the community gardens would be located. Jeremy Fillmore our plan was to have several located throughout the community. Hayden asked if the current and future transportation plan would accommodate the traffic needs along 400 South. Ryan Hales stated that a traffic study has been completed and the report indicated that 400 South would be able to handle the amount of traffic traveling in the area.

Sandra Steele concerned that we may be with underestimating the traffic along 400 South and asked that we get the dedication of the substation land to the west of this project. Jeremy Lapin stated that staff has yet to review the traffic study at this time. Sandra asked if curb and gutter along 400 South was going to be implemented. Jeremy stated that they would be required to meet City standards regarding that matter.

Sandra felt that trail needs to have 20 foot buffer which would give those using the trail a shield from the vehicles travel near the trail. She asked what type of fencing would be installed. Krisel Travis stated that a privacy fence would be installed. Sandra felt that an additional work session would be best to review this plan.

Kristen Hood stated that she disagrees with trail behind the homes.

Jeff Cochran suggested to staff that another work session be held to review this plan. He also suggested additional parking be added to the plan.

Fire Chief, Jess Campbell briefly reported on the proposed Community and Village Plan and is pleased with the proposal and is excited to see this move forward.

9. Commission Comment.

No Commission comments were given at this time.

10. Director's report.

No Director's report was given at this time.

Motion to adjourn at 10:20 p.m. was unanimous.

Date

Lori Yates, City Recorder



CITY OF SARATOGA SPRINGS

Planning Commission Meeting **Thursday, January 9, 2014** **Meeting held at the Saratoga Springs City Offices** **1307 North Commerce Drive, Suite 200, Saratoga Springs**

DRAFT MINUTES

Work Session 6:35 P.M.

Present:

Commission Members: Jeff Cochran, Sandra Steele, Eric Reese, Jarred Henline, Kara North, Hayden Williamson and Kirk Wilkins

Absent Members:

Staff: Lori Yates, Kimber Gabryszak, Scott Langford, Kevin Thurman, Jeremy Lapin

Others: David Cannon, Ken Berg, Krisel Travis, Loma McKinnon, Boyd Martin

No discussion occurred for the work session.

Pledge of Allegiance was led by Hayden Williamson.

Jeff Cochran recognized Earl Halvas for his years of service on the Planning Commission. A plaque was presented to Earl by Jeff.

Kirk Wilkins was appointed as the new member of the Planning Commission. He took a moment to briefly introduce himself.

Jeff Cochran opened the public input.

No public input at this time.

Jeff Cochran closed the public input.

4. Election of Chair and Vice Chair for the Planning Commission.

Kimber Gabryszak stated that the current Planning Commission bylaws require that a Chair and Vice Chair be elected yearly.

Sandra nominated Jeff Cochran as the Planning Commission Chair. The Planning Commission members agreed with the nomination. The motion was unanimous.

Sandra nominated Eric Reese as Planning Commission Vice Chair. The Planning Commission members agreed with the nomination. The motion was unanimous.

5. Public Hearing: Preliminary Plat for Harvest Point Commercial located approximately at the southwest corner of Redwood Road and Spring Hill Drive, Ken Berg, applicant.

Scott Langford presented the Harvest Point Commercial, but due to error with noticing the public hearing will be held on January 23, 2014.

Ken Berg, applicant stated that he has no concerns at this time. Staff has done a good job on this item.

Sandra Steele asked the applicant why the sidewalks being shown are wider than normal. Ken Berg stated that UDOT had purchase additional 10 feet of the existing 30 feet of easement along Redwood Road. Sandra asked if the existing power pole would be moved. Ken stated that the existing power will be buried underground.

Hayden Williamson had no comments at this time.

Eric Reese asked if there would be any traffic control onto Redwood Road from this location. Ken Berg stated that the proposed road in this development would be lined up with the existing road across from Redwood Road. Eric stated that he is concerned with that. Eric asked why the roundabout was removed from the Concept plan. Ken stated that the roundabout within such a smaller development was not going to function.

Kirk Wilkins concerned with the traffic flow and the safety when entering and existing this property.

Kara North had no comments at this time.

Jarred Henline had no comments at this time.

Jeff Cochran echoed with what has been said about the access into the project. This is a drive approach but is an unsafe condition. He understands that this meets the basic standards from UDOT but asked staff if they could approach UDOT with their concerns regarding this project.

Kimber Gabryszak stated that staff would be happy to approach UDOT regarding this matter.

Jeff Cochran asked what the time frame was for completing the road and improvements. Scott stated that the Code requires that all improvements be completed with each phase.

6. Discussion and possible action amending the Planning Commission Bylaws.

Kimber Gabryszak reviewed the amendments of the Bylaws. Code requires the Planning Commission Bylaw be approved. These will be taken to the City Council for approval.

Jarred Henline is fine with the proposed changes, but would not recommend allowing for electronic meetings.

Kara North felt that an eight year term might be much. She would like to see that the electronic meetings be allowed. That there is affective way to allow for comments but keep the timeline brief. Kimber stated that could be an option with how comments and time is permitted.

Kirk Wilkins pleased with the proposed Bylaws.

Eric Reese pleased with the proposed bylaws. He stated that wouldn't favor the electronic meetings feels that this would be too easy for Commissioners not to show up to the meetings.

Hayden Williamson stated that he is fine with the electronic meeting under the consent of the Commission. He asked staff to clarify the conflict of interest.

Kevin Thurman stated that the conflict of interest is the bases of overturning of a decision which is standard to State Code. Hayden stated that as a Planning Commission member there is potential liability.

Kevin Thurman stated that is correct. He stated that he would like to educate the Planning Commission as to those potential liabilities in a future meeting or training session.

Sandra Steele likes the way that 5a of the bylaws are written. She favors allowing for electronic meetings. She would suggest removing the language "abstain" from the bylaws. Kevin stated that it's listed in bylaws for a Commission to refrain from the vote.

Jeff Cochran stated that in D1E it speaks of a public comment card and asked why it is listed. Staff stated that notation could be removed or worded differently. He stated that he isn't opposed to electronic meeting but the right technology must be used. He asked that we are mindful of the comments and the length of those. He is fine with the proposed changes.

7. Work Session Item: Continued discussion of the DR Horton Community Plan and Village Plan.

Kimber Gabryszak indicated that this item is a continuation from the previous meeting and if the Planning Commission had further items to discuss they could do so. The applicants are here to answer any questions they might have.

Sandra Steele stated that her concerns are with the funers which could create several safety issues. She feels that they could be designed to prohibit potential safety concerns. She asked the applicant how a funer would drain. Krisel Travis stated that it would function as a gutter. Sandra stated that there would be potential danger of vehicles backing into the street and as they do so they would be backing right into the other side of the street as well. Sandra asked if the area would have pavers. Krisel Travis stated no there would be no pavers installed; the street would be just asphalt. Sandra feels that pavers would bring attention to drivers to possibly slowdown in the area. Adding curbs would also help with potential safety concerns. Do the proposed gutters meet the City's standards? She feels that what is being proposed are not in compliance with Code standards. She asked why there is a width difference to the proposed roads. She doesn't want to see parking allowed on either side of the smaller streets. She would like to see this plan have the standard intersections added. Sandra expressed concerns with allowing the landscaping to have large amounts of rock. Krisel Travis indicated that they don't plan to landscape all areas with just rock. Sandra stated that the City Code requires the trees to be 2 ½ inch caliber trees and the plan shows the trees to be 1 ½ inch caliber trees. The winds in the area are rather strong and feel that the trees have a lesser chance of survival. Jeremy Fillmore stated that yes there are high winds in the area and smaller sized tree could be a problem, but if trees are damaged or don't survive; they will be replaced.

Sandra asked if the landscaping bond could be extended to cover the trees that might be either damaged or didn't survive. Kevin Thurman stated that as a city we are allowed to only carry a bond for one year. Sandra is willing to be flexible with the tree caliber.

Sandra asked where the detention basin would be located at. Krisel Travis pointed out that they are located in the green sections of the map. Sandra was wondering if this plan would allow for snow staking. Krisel stated that concern would be addressed. Sandra expressed concerns with allowing a community garden. Krisel indicated that the gardens would be maintained by the HOA.

Hayden Williamson feels that the proposed funer may create some safety to the area. He asked if a speed bump could be an option. Krisel Travis stated that it hasn't been an option of discussion yet.

Eric Reese had no comments at this time.

Kirk Wilkins stated that the egress near the development may be a concern.

Kara North stated that she loves the proposed plan.

Jarred Henline stated that he too loves the proposed plan but appreciates Sandra's comments. This will be something new to the community

Jeff Cochran this offers a lot to our community. This is a large community to review and asked the applicants to be patient with the Planning Commission on the review of this plan. He is pleased with the community being walkable. He stated that the funers need to be safe and have an appropriate site distance to prevent any incidents.

8. Work Session Item: Discussion of Code Amendments pertaining to 2nd access requirements, Conditional Use permits, approval processes, and signs

Kimber Gabryszak reviewed the Code amendments to Section 19.12, second access requirements, conditional use permits, approval processes, and signs.

The Planning Commission and staff discussed those revisions and received clarification.

Hayden Williamson has heard from several residents that the current communication with the community is poor. He would like to see that the community/citizens are involved. Hayden feels that the office buildings should be limited to only 50 percent of the building for signage.

Kara North has heard that the applicants have been frustrated with our sign Code and would favor the third sign request.

Eric Reese as Commissioners our duty is to limit the amount of signs on business and following the City's Code.

Kirk Wilkins stated that sign requests all depend on the nature of the business. There are some businesses that don't need additional signage to attract clients. He asked that we try to be business friendly.

Sandra Steele stated that she likes option #2 from staff's recommendations. She feels that a building identification doesn't need to come from multiple signs.

Jarred Henline stated that he likes staff recommendation of option #3 the best. Business advertising can be too much for a particular business. He expressed frustration with the sign Code.

Jeff Cochran feels that there should be standards for signs and that each applicant follow those standards stated in the City's ordinance. Signs can create clutter to a building. He feels that one sign over the business door is appropriate.

9. Commission Comment.

Kara North stated that the street light on Redwood Road and 1140 North has been out for some time, she asked staff to pass this issue along to the correct staff member. Kimber Gabryszak stated that she would pass this issue along staff in Public Works.

Sandra Steele expressed concern with the lack of service from the City's Code Enforcement. Kimber Gabryszak stated that she has been working with COE and is address those complaints that have been made.

10. Director's report.

Kimber Gabryszak stated that she would like to schedule a retreat with the Planning Commission which at that time we would be reviewing the Land Use law and answering questions the Planning Commission might have. She then reviewed the upcoming project for the January 23rd meeting. The next few meeting will be full due to the high volume of applications.

Motion to adjourn at 9:00 p.m. was unanimous.

Date

Lori Yates, City Recorder