

Town of Leeds

Agenda Town of Leeds Town Council Wednesday, April 13, 2016

PUBLIC NOTICE is hereby given that the Town of Leeds Town Council will, after a brief public opening hold a **CLOSED MEETING** on Wednesday, April 13, 2016 at 6:00pm and a **PUBLIC MEETING** on Wednesday, April 13, 2016 at 7:00pm. The Town Council will meet in the Leeds Town Hall located at 218 N Main, Leeds, Utah.

NOTE: IF YOU WISH TO SPEAK DURING CITIZEN COMMENT, PLEASE SIGN IN WITH THE RECORDER.

Closed Meeting 6:00pm

A Closed Meeting may be held for the discussion of the character, professional competence, or physical or mental health of an individual as allowed by Utah State Law 52-4-205(1)(a); or for the discussion of pending or imminent litigation; as allowed by the Utah State Law 52-4-205(1)(c); or for the discussion of the purchase, sale, exchange, or lease of real property, including any form or a water right or water shares; as allowed by Utah Code 52-4-205(1)(d).

Regular Meeting 7:00pm.

1. Call to Order/Roll Call
2. Pledge of Allegiance
3. Declaration of Abstentions or Conflicts
4. Consent Agenda:
 - a. Tonight's Agenda
 - b. Meeting minutes of March 9, 2016.
5. Citizen Comments: No action may be taken on a matter raised under this agenda item. (Three minutes per person).
6. Announcements:
 - a. Open Public Meetings Act Training, April 15, 9:30am – 3:00pm in Virgin
 - b. Celebration of our National Parks presentation, Silver Reef Museum, April 23 at 10:00am
 - c. Dumpster Days May 6th - 8th
7. Public Hearings:
 - a. Ordinance 2016-02, Compensation of the Clerk/Recorder
8. Action Items:
 - a. Discussion and possible action regarding proposed Ordinance 2016-01, Repeal of Land Use Ordinance 2011-03, Chapter 23, Mixed-Use Zoning, Amendments to the Land Use Ordinance 2012-02, Chapter 26, Site Development Plan and Amendment to the Land Use Ordinance 2008-04, Chapter 12, Zoning District, to address the language related to the repeal of the Mixed-Use Zone
 - b. Discussions and possible action regarding Zoning Agreement for the Grapevine Wash properties.
 - c. Discussion and possible action regarding Zone Change for Parcels L-3282-G and L-3284-B for Tuscan Lenders Group LC from Mixed Use (MXD) to Multiple Residential R-M-7, Residential R-1-10 (10,000 sq. ft.), Residential R-1-20 (20,000 sq. ft.), Residential R-1-1 (1 acre) on approximately 77 acres
 - d. Discussion and possible action regarding Zone Change for Parcel L-3281-A for Capital Funding LTD CO LLC from Mixed Use (MXD) to Residential R-1-10 (10,000 sq. ft.), Residential R-1-20 (20,000 sq. ft.) on approximately 25 acres.
 - e. Discussion and possible action regarding Zone Change for Parcels L-3281, L-3285, L-3284-A-1, L-3286, L-3287 and L-3289 for MSH Investments LLC from Mixed Use (MXD) to Multiple Residential R-M-7, Residential R-1-10 (10,000 sq. ft.), Residential R-1-20 (20,000 sq. ft.), Residential R-1-1(1 acre) on approximately 199 acres.

- f. Discussion and possible action regarding Zone Change for Parcels L-3282-F, L-3282-D-2 and L-3179-A-3-B for MISI Investments LLC from Mixed Use (MXD) to Multiple Residential R-M-7, Residential R-1-10 (10,000 sq. ft.), Residential R-1-20 (20,000 sq. ft.), Residential R-1-1 (1 acre) on approximately 68
 - g. Ordinance 2016-02, Compensation of the Clerk/Recorder
9. Discussion Items:
- a. Local Option Gas Tax
 - b. Ash Creek follow-up
 - c. Old Highway 91
 - d. 2016 Roadworks
 - e. Zoning Map
 - f. Cemetery Plots

10. Citizen Comments: No action may be taken on a matter raised under this agenda item. (Three minutes per person).

11. Staff Reports

Closed Meeting- A Closed Meeting may be held for the discussion of the character, professional competence, or physical or mental health of an individual as allowed by Utah State Law 52-4-205(1)(a); or for the discussion of pending or imminent litigation; as allowed by the Utah State Law 52-4-205(1)(c); or for the discussion of the purchase, sale, exchange, or lease of real property, including any form or a water right or water shares; as allowed by Utah Code 52-4-205(1)(d).

12. Adjournment

The Town of Leeds will make reasonable accommodations for persons needing assistance to participate in this public meeting. Persons requesting assistance are asked to call the Leeds Town Hall at 879-2447 at least 24 hours prior to the meeting.

The Town of Leeds is an equal opportunity provider and employer.

Certificate of Posting:

The undersigned Deputy Clerk/Recorder does hereby certify that the above notice was posted April 11, 2016 at these public places being at Leeds Town Hall, Leeds Post Office, the Utah Public Meeting Notice website <http://pmm.utah.gov>, and the Town of Leeds website www.leedstown.org.



Kristi Barker, Clerk/Recorder

**TOWN OF LEEDS
ORDINANCE 2016-02
COMPENSATION OF THE CLERK/RECORDER**

AN ORDINANCE PROVIDING FOR THE COMPENSATION OF THE STATUTORY OFFICE OF
CLERK/RECORDER OF THE TOWN OF LEEDS, UTAH

BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF LEEDS THAT:

1. **Repealer.** All previous salary or compensation ordinances regarding Clerk/Recorder hereby are repealed.
2. **Compensation.** The hourly compensation of the Clerk/Recorder shall be as follows:

Present	Proposed	Decrease
\$19.00/Hour	\$16.50/Hour	\$2.50/Hour

3. **Payment.** The treasurer shall pay the Clerk/Recorder and Treasurer twice monthly by delivery of a check drawn on the municipal checking account.
4. **Effective Date.** The ordinance shall become effective on April 13th, 2016

ORDINANCE 2016-02 WAS ADOPTED BY THE TOWN COUNCIL OF THE TOWN OF LEEDS,
WASHINGTON COUNTY, STATE OF UTAH, ON THE

_____ DAY OF _____, 2016.

ROLL CALL VOTE:

	Yea	Nay	Abstain	Absent
MAYOR: WAYNE PETERSON	_____	_____	_____	_____
COUNCILMAN: RON CUNDICK	_____	_____	_____	_____
COUNCILMAN: ANGELA ROHR	_____	_____	_____	_____
COUNCILMAN: ELLIOTT SHELTMAN	_____	_____	_____	_____
COUNCILMAN: NATE BLAKE	_____	_____	_____	_____

Signed: _____
Wayne Peterson
Mayor

Attest: _____
Kristi Barker
Clerk/Recorder

Ordinance Number 2016-01

AN ORDINANCE OF THE TOWN COUNCIL OF LEEDS, UTAH, ADOPTING AMENDMENTS, REVISIONS AND MODIFICATIONS TO SPECIFIED PROVISIONS OF THE LEEDS LAND USE ORDINANCE TO MAKE SUCH PROVISIONS CONSISTENT WITH THE NEWLY ADOPTED REPEAL OF ORDINANCE 2011-03 MIXED-USE ZONING

WHEREAS, the Town has repealed the Mixed-Use Zoning Ordinance of the Leeds Land Use Ordinance; and

WHEREAS, the Town Council desires to make the changes and revisions to Chapters 12, 23 and 26, to make such sections consistent with the repeal of the Mixed-Use Zoning Ordinance; and

WHEREAS, the Town Council also desires to amend and change certain definitions in the Leeds Land Use Ordinance which are used in the Mixed-Use Zoning Ordinance; and

WHEREAS, Utah State Code Sections 10-9a-501 through 10-9a-520, set forth procedures for the adoption and content of a Land Use Ordinance; and

WHEREAS, a public hearing was held at the Planning Commission Meeting on April 6, 2016 with appropriate notice being properly posted for the public.

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF LEEDS, UTAH AS FOLLOWS:

1. Section 12.1 of Chapter 12 (Establishment of Zoning Districts) of the Leeds Land Use Ordinance 2008-04 is hereby amended to delete the following:

~~12.1.14. Mixed-Use — MXD~~

2. Chapter 23 (Mixed Use Zoning) of the Leeds Land Use Ordinance 2011-03 is hereby repealed in its entirety:
3. Chapter 26 (Site Development Plans) of the Leeds Land Use Ordinance 2015-05 is hereby amended the follows:

26.1. PURPOSE

This Chapter sets forth requirements and procedures for site development plans for development to commercial, public, civic, ~~mixed-use~~ and multi-family sites or properties. These requirements are established to encourage adequate advanced planning and assure a good quality environment for the Town.

26.3.2.3. Any ~~mixed-use (Chapter 23)~~, or multi-family use governed by the International Building Code (Chapter 15).

26.4.2.2. Public Hearing.

The Planning Commission shall schedule a public hearing to hear discussion on the proposed development and Site Analysis for any

commercial, ~~mixed-use~~, or multi-family project which involves new construction of a building of 10,000 sq. feet or more.

THE REVISED ORDINANCE, PASSED AND ADOPTED by the Town Council, of Leeds Town, Utah this 13th day of April, 2016.

ROLL CALL VOTE:

	Yea	Nay	Abstain	Absent
MAYOR: WAYNE PETERSON	_____	_____	_____	_____
COUNCILMEMBER: ANGELA ROHR	_____	_____	_____	_____
COUNCILMEMBER: RON CUNDICK	_____	_____	_____	_____
COUNCILMEMBER: ELLIOTT SHELTMAN	_____	_____	_____	_____
COUNCILMEMBER: NATE BLAKE	_____	_____	_____	_____

This Ordinance shall be effective April 13, 2016.

Mayor, Wayne Peterson

ATTEST:

Kristi Barker, Clerk/Recorder

LAND USE ORDINANCE 2008-04

CHAPTER 12

ZONING DISTRICTS

Amended by Ordinance 2016-01

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12.1. ESTABLISHMENT OF ZONING DISTRICTS.

The purpose of the various zoning districts is to allow the Town of Leeds to develop and grow in a manner that keeps some of the ways of the past such as agricultural and farming while allowing for the desires of other residents who prefer not to live next to a farming or agricultural area. The zoning categories shown below are for the zoning districts in the Town of Leeds to which this Ordinance applies. These Zoning Categories are also used when projecting future zoning beyond the Town of Leeds.

12.1.1.	Rural Residential	R-R-5 (5 acres)
12.1.2.	Rural Residential	R-R-2 (2 acres)
12.1.3.	Rural Residential	R-R-1 (1 acre)
12.1.4.	Rural Residential	R-R-20 (20,000 sq ft)
12.1.5.	Residential	R-1-5 (5 acres)
12.1.6.	Residential	R-1-2 (2 acres)
12.1.7.	Residential	R-1-1 (1 acre)
12.1.8.	Residential	R-1-20 (20,000 sq ft)
12.1.9.	Residential	R-1-10 (1/4 acre)
12.1.10.	Multiple Residential	R-M-7
12.1.11.	Mobile Home (Includes Mobile Home and RV Park)	M-H
12.1.12.	Commercial	C
12.1.13.	Open Space	OS
12.1.14.	Mixed Use	MXD

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12.1.1514. In accordance with the desires of the majority of the Leeds residents and of the Town Officials there is no Industrial Zone within the Town of Leeds. This decision was based on inputs from members of the Town who wanted Leeds to remain a residential community with commercial enterprises that would provide jobs for some of the residents and would provide the services that the community desired. This will prevent those activities that would create noises, odors, environmental problems and unsightly areas in an attempt to keep the Town an attractive residential community.

12.2. OVERLAY ZONES.

In addition to these Zoning Districts, overlays may be applied to all or portions of each district. The overlays are as follows:

12.2.1. Hillside Protection Overlay (HPO).

This Overlay applies to all Zoning Districts.

12.2.2. Lot size (L-X).

This overlay applies to all Zoning Districts and is to be used where a request for an alternate method of land use is desired. An example would be if a Planned Unit Development concept were to be used. In applying the lot size overlay the X is replaced by a number representing the maximum percentage amount that any lot in the development can be reduced below the Zoning District in which it is located. Examples are (L-0) all lots must meet the full size of a lot in the specific Zoning District. In an R-R-1 zone all lots must be one acre or larger. If an alternate development concept is authorized in an R-R-1 zone and the lot size is listed as (L-10), then the minimum lot size authorized would be 0.9 acres, which is 10% less than the normal one-acre zoning. The default for this overlay is L-0 meaning that all lots must meet or exceed the lot size specified in the zoning district. This concept is intended for large tracts of land approximately forty (40) acres and larger, not for ten (10) or fewer lots.

12.2.3. Environmental (E-X).

This overlay may be applied to land, which may have building difficulties or restrictions due to either natural or manmade environmental conditions that exist. The X is to be replaced by either an N (No) or Y (Yes). Yes would indicate that environmental conditions exist. These areas may require zoning that would allow building which would be compatible with the environmental condition. The default for this overlay is E-N, meaning no environmental conditions are known to impact this property.

LAND USE ORDINANCE 2012-02

CHAPTER 26

SITE DEVELOPMENT PLANS

Amended by Ordinances 2015-05, 2016-01

26.1. PURPOSE.

This Chapter sets forth requirements and procedures for site development plans for development to commercial, public, civic, ~~mixed-use~~ and multi-family sites or properties. These requirements are established to encourage adequate advanced planning and assure a good quality environment for the Town. The procedures are intended to provide for orderly, harmonious, safe, and functionally efficient development consistent with priorities, values, and guidelines stated in the various elements of the Leeds General Plan, this title, and the general welfare of the community.

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26.2. AUTHORITY.

The Town Council upon receiving the recommendation from Planning Commission and the Joint Utility Committee, may approve a site development plan for development as provided in this Chapter.

26.3. REQUIREMENTS.

26.3.1. Applicant.

A property owner, or the owner's agent, may initiate a request for approval of a site development plan as provided in this Chapter.

26.3.2. Uses.

A site development plan shall be required for all development on a site or property for:

26.3.2.1. Any public or civic use.

26.3.2.2. Any commercial use (for multi-use commercial complexes see additional requirements outlined in this Chapter in section 5.4); or

26.3.2.3. Any ~~mixed use (Chapter 23)~~, or multi-family use governed by the International Building Code (Chapter 15).

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26.3.3. Plan Components.

A complete site development plan consists of a three major components: 1) Site Development Plan Application and required fees approved by Town Staff, 2) Site Analysis approved by the Town Council, and 3) construction drawings and requirements approved by the Joint Utility Committee. The individual component requirements are:

26.3.3.1. APPLICATION.

Site Development Plan Application and required fees (ask Town Staff for Application and Fee Schedule);

26.3.3.2. SITE ANALYSIS.

Consists of a Development Plan, Preliminary Utility Plan, Preliminary Grading and Drainage Plan, Preliminary Landscaping Plan, and Preliminary Building Elevations for all Buildings and/or Dwellings. A Site Analysis is intended to merely represent how the property or site could be developed, if and when approved. The Site Analysis does not require complete engineering, but shall consist of the following minimum components:

26.3.3.2.1. DEVELOPMENT PLAN.

On a minimum of 22" x 34" paper and electronic .pdf version:

- 26.3.3.2.1.1. Containing the proposed name of the development together with the name, address and telephone number of the owner and the owner applicant agent if different than the owner;
- 26.3.3.2.1.2. Drawn to scale and illustrating a realistic layout of how property reasonably will be developed considering existing and envisioned conditions on the subject property and adjoining properties, and the development standards of the zone in which the property is located;
- 26.3.3.2.1.3. Oriented with a north arrow and tie to a section monument;
- 26.3.3.2.1.4. Identifying the current zoning classification of the property on which the site development plan is located and the uses for which site development plan approval is requested;
- 26.3.3.2.1.5. Illustrating the existing topography showing two foot (2') contours, identification of twenty percent (20%) or greater slopes as shown in different colors corresponding to increments of ten percent (10%) slope, and layout of proposed uses including all facilities related to the project both on and off site;

- 26.3.3.2.1.6. Designating the locations and dimensions of proposed features such as bicycle racks, dumpsters, trash cans, fences, benches, tables, mechanical equipment, etc.;
- 26.3.3.2.1.7. Depicting the location of open space(s);
- 26.3.3.2.1.8. Identifying the proposed access to the property, and to the development within the property, including traffic circulation patterns within and to the site and parking lot layouts;
- 26.3.3.2.1.9. Identifying the layout, dimensions and names of existing and future road rights of way;
- 26.3.3.2.1.10. Identifying setback lines as required by Leeds Land Use Ordinances;
- 26.3.3.2.1.11. Identifying proposed parks, playgrounds, schools, and other public facility sites, if any;
- 26.3.3.2.1.12. Identifying the property located within the same ownership parcel not proposed as part of the same site development plan, if any; and the adjoining property uses and ownership;
- 26.3.3.2.1.13. Containing a summary table of the number of acres in the proposed site development and proposed use(s); showing total gross acreage, square footage of street rights of way, square footage of building footprints, square footage of total building floor area, square footage of landscaping, number of parking spaces, and the number and type of buildings and/or dwellings, if any, in addition to the percentage devoted to each building and/or dwelling type and overall building and/or dwelling unit density; and
- 26.3.3.2.1.14. Containing a phased development plan, if applicable, including the proposed sequences of development.
- 26.3.3.2.1.15. Identify proposed signage to meet the requirements of Sign Chapter (Chapter 22)

26.3.3.2.2. PRELIMINARY UTILITY PLAN.

On a minimum of 22" x 34" paper and electronic .pdf version showing:

- 26.3.3.2.2.1. North arrow, scale, and site development plan underlay;
- 26.3.3.2.2.2. All existing and proposed utilities including, but not limited to: sewer, culinary water, secondary water, fire hydrants, storm drains, subsurface drains, gas lines,

power lines, communications lines, cable television lines, and streetlights;

26.3.3.2.2.3. Minimum fire flow required by the uniform fire code for the proposed buildings, and fire flow calculations at all hydrant locations;

26.3.3.2.2.4. Location and dimensions of all utility easements; and

26.3.3.2.2.5. A letter from utility providers, addressing the feasibility and their requirements to serve the project.

26.3.3.2.3. PRELIMINARY GRADING AND DRAINAGE PLAN.

On a minimum of 22" x 34" paper and electronic .pdf version showing:

26.3.3.2.3.1. North arrow, scale, and site development plan underlay;

26.3.3.2.3.2. Existing and proposed topography contours at two foot (2') intervals;

26.3.3.2.3.3. Areas of substantial earth moving;

26.3.3.2.3.4. Location of existing watercourses, canals, ditches, springs, wells, culverts, and storm drains, and proposed method of dealing with all irrigation and waste water;

26.3.3.2.3.5. Location of any designated floodplain and/or wetland boundaries and designated flood zones;

26.3.3.2.3.6. Direction of storm water flows, catch basins, inlets, outlets, waterways, culverts, detention basins, outlets to offsite facilities, and off site drainage facilities when necessary based on adopted town requirements;

26.3.3.2.4. PRELIMINARY BUILDING ELEVATIONS.

For all buildings and/or dwellings on the property or site on a minimum of 22" x 34" paper and electronic .pdf version showing:

26.3.3.2.4.1. Accurate front, rear, and side elevations drawn to scale;

26.3.3.2.4.2. Exterior surfacing materials and colors, including roofing material and color;

26.3.3.2.4.3. Outdoor lighting, furnishings and architectural accents; and

26.3.3.2.4.4. Location and dimensions of signs proposed to be attached to the building or structure. Signs must conform to Chapter 22 of the Leeds Land Use Ordinance.

AND

26.3.3.3. CONSTRUCTION DRAWINGS in accordance with the Leeds Design and Construction Standards and Specifications, the approved Site Analysis will be required as one of the final components of the site development plan, but are not required until after approval of the Site Analysis. Construction Drawing requirements are discussed in more detail in section 4.3 of this Chapter.

26.3.4. COMPLETE APPROVAL REQUIRED BEFORE PERMITS ISSUED AND WORK COMMENCING.

When site development plan approval is required under this Chapter, no building permit for the construction of any building, structure, or other improvements to the site shall be issued without prior approval of a site development plan. Additionally, it shall be unlawful to undertake cleaning, grubbing, drainage work, parking lot construction, or other site improvements without prior approval of a site development plan. In addition to the penalties outlined in the Leeds Land Use Ordinance, the Town of Leeds may enter legal proceedings to require any person who violates this section to return a site to the condition found prior to any disturbance.

26.4. APPROVAL PROCEDURES.

26.4.1. TOWN STAFF REVIEW AND APPROVAL.

26.4.1.1. Submittal.

Applicant shall submit to Town Staff:

- (1) The Site Development Plan Application (3.3.1. above),
- (2) The required fees (3.3.1. above), and
- (3) A complete Site Analysis (3.3.2.1 through 3.3.2.5 above) (on a minimum of 22" x 34" paper and electronic .pdf versions for each component of the Site Analysis).

26.4.1.2. Town Staff Review.

Town Staff shall:

- (1) Determine the completeness of the submitted Site Development Plan Application and Site Analysis and whether it conforms to the Leeds Land Use Ordinance;
- (2) Identify potential challenges of the development of the subject property as proposed in the Site Analysis;
- (3) If necessary, Town Staff shall request a meeting with the applicant to discuss the Site Analysis.

(4) Place the Site Analysis plan item on the next Planning Commission review agenda and report findings and/or recommendations to the Planning Commission to consider during its review process.

26.4.1.3. Effect of Town Staff Approval. Submittal, review, and initial approval of required components of a Site Analysis by Town Staff shall not create any vested rights to development as submitted by the applicant.

26.4.2. PLANNING COMMISSION REVIEW AND TOWN COUNCIL APPROVAL.

26.4.2.1. Planning Commission Review.

The Planning Commission shall review the Site Analysis for compliance with the Leeds Land Use Ordinance, General Plan, Town Staff's recommendations and reports, and the Standards for approval outlined in this Chapter.

26.4.2.2. Public Hearing.

The Planning Commission shall schedule a public hearing to hear discussion on the proposed development and Site Analysis for any commercial, ~~mixed-use~~, or multi-family project which involves new construction of a building of 10,000 sq. feet or more.

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26.4.2.3. Town Council Approval.

After the public hearing, the Planning Commission shall make a recommendation to Town Council at its next scheduled meeting, shall either approve, approve with conditions, or deny, the Site Development Plan Application and Site Analysis pursuant to the standards set forth in Sections 3.3.1. and 3.3.2. of this Chapter. Any conditions of approval shall be limited to conditions needed to modify the Site Analysis and site development plan so as to conform to approval standards set forth in the Leeds Land Use Ordinance and the standards set forth in this Chapter.

26.4.2.4. Nonconformance to Standards.

If the Town Council finds the proposed Site Analysis component of the site development plan fails to conform to the standards referenced in this Chapter, the Town Council shall direct the applicant to redesign the project with specific direction regarding the nonconforming elements of the project. The applicant will revise the Site Analysis based on the Town Council's direction and submit the revised Site Analysis to Town Staff. Town Staff shall review the revised Site Analysis for completeness with the nonconforming elements outlined by the Town Council, and schedule the item for the next available Town Council meeting for re-review and approval. This process will be repeated until the proposed Site Analysis component of the site development plan conforms to applicable standards.

26.4.2.5. Effect of Town Council Approval.

TOWN OF LEEDS

ORDINANCE 2011-03

MIXED USE ZONING ORDINANCE
Chapter 23 of the Land Use Ordinance

Repealed by Ordinance 2016-01

~~AN ORDINANCE AMENDING CHAPTER 23— MIXED USE ZONING
OF THE LEEDS 2008-04 LAND-USE ORDINANCE INCLUDING REPLACING ALL PREVIOUS
AMENDMENTS THERETO.~~

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~~WHEREAS, the purposes of Chapter 23 (Mixed Use Zone) of the Leeds Land Use and Zoning Ordinance (hereinafter, referred to as "Mixed Use Zone"), include 1) establishing areas that are safe, comfortable, and attractive to pedestrians; 2) providing flexibility in the setting and design of new developments and redevelopment; 3) reinforcing streets as public places that encourage pedestrian and bicycle travel; and 4) encouraging efficient land use by facilitating more compact development and minimizing the amount of land that is needed for surface parking; among other purposes, and~~

~~WHEREAS, the Leeds Standard Specifications for Design and Construction adopted by the Leeds Town Council pursuant to Ordinance 2005-04 sets forth, among other things, roadway designs for development within the Town of Leeds, and~~

~~WHEREAS, the purposes of the Mixed Use Zone may not be met by strict adherence to the Leeds Standard Specifications for Design and Construction, and~~

~~WHEREAS, the Leeds Planning Commission held a Public Hearing on October 19, 2011, to seek public input regarding the amendment of the Mixed Use Zone, and~~

~~WHEREAS, following the public hearing, the Planning Commission recommended an amendment to the Mixed Use Zone, and~~

~~WHEREAS, the Town Council met on October 26, 2011 to consider the recommended amendment to the Mixed Use Zone, and~~

Planning Commission agenda report for March 2, 2016

By Bob Nicholson, AICP, Consulting Town Planner

Agenda Items # A thru D; Four zone change requests for the properties within the Grapevine Wash project area.

Background: In 2009 the Leeds Town Council approved an annexation and development agreement for 369 acres in what is known as the Grapevine Wash development project. Upon annexation to Leeds the property was zoned Mixed Use Development which is described in Chapter 23 of the Leeds Town Zoning code. The Mixed Use zone and the Development Agreement called for a conceptual development plan for the property which was provided by the development group. The Development Agreement allowed for approximately 2,400 housing units in various forms, ie, attached units in 3 story buildings, townhomes, detached homes, etc. Also allowed in the Development Agreement was the development of 300,000 sq ft of commercial space, as well as development of parks, civic and other uses. Due to both public opposition to the project and an error in the Development Agreement documents, the Town Council never granted final approval for the project. After attempts at mediation, the four partners (4 property owners) comprising the Grapevine Wash sued Leeds Town and for the past 2 years or so, the project has been in litigation or in legal settlement attempts. Recently the four partner groups that comprise the Grapevine Wash project area (369 acres) offered to settle with Leeds Town if the subject property could be rezoned from the present Mixed Use zone to four residential zones. The four residential zones are R-1-1 (1 acre minimum lot size), R-1-20 (half acre lot size), R-1-10 (10,000 sq ft minimum lot size), and R-M-7 zone which allows multi-family units with a maximum density of up to 5 dwelling units per acre. (see attached summary of zoning requirements for each of the four zones). The zoning districts alone would not authorize development and the property would be required to go through the subdivision plat approval process which requires the provision of necessary utilities to serve the development (ie, sewer, culinary water, power, streets, etc). The subdivision improvement requirements are spelled out in both the Leeds Town subdivision ordinance (chapter 21 of the Zoning code) and in the Leeds Town Standard Specifications for Design and Construction.

Current Proposal: The current rezone proposal would eliminate the Mixed Use zoning on all 369 acres and be replaced by the four residential zones mentioned above (R-1-1, R-1-20, R-1-10, or R-M-7). The four zones above would allow for approximately 1, 032 dwelling units over the 369 acres which translates to an overall density of 2.8 units per acre. With approval of the rezone request, the Grapevine Wash Development Agreement of 2009 for the 2,400 housing

units, plus 300,000 sq ft of commercial floor area development would also go away. In order to develop the property a State-approved wastewater disposal system (ie, sewer) would need to be provided by a developer, as well as other necessary utilities including culinary water, streets, power, telephone service, etc. The proposed zoning plan provides for an average density of 2.8 dwelling units per acre for each property owner group. Note that the four property owners all have different size parcels ranging from 199 acres for MSH Investments, to 25 acres for Capital Funding LTD.

Staff Recommendation: This is an unusual rezone situation in that the proposal is part of a settlement of litigation over the previously approved annexation agreement of 2009. The proposed zoning seems reasonable and even the multi-family zone R-M-7 only allows for a maximum density of 5 dwelling units / acre, or 10,000 sq ft lots for individual homes. This density is generally considered low density in most jurisdictions. The developer(s) will have the sole responsibility for providing the necessary infrastructure to the property prior to any development approval. This will include public streets and utilities, with sewer service being the major investment item. Staff recommends approval of the proposed rezoning as a positive outcome for the Town in this settlement matter.

Summary of Zoning Requirements for the Four Zoning Districts in the Proposed Grapevine Wash Area

1. **R-1-10 (10,000 sq ft minimum lot size) Chapter 14 Residential Districts**
 - a. 10,000 sq ft minimum lot size for a single family dwelling, which is the main Permitted Use in this zone.
 - b. Lot width must be a minimum of 70' with standard setbacks of 25' front, 10' side, and 10' rear.
 - c. Conditional Uses allow for churches, schools, home occupation, and similar uses under a conditional use permit process.
2. **R-1-20 (20,000 sq ft minimum lot size) Chapter 14 Residential Districts**
 - a. 20,000 sq ft minimum lot size for a single family dwelling, which is the main Permitted Use in this zone.
 - b. Lot width must be a minimum of 75' with same setbacks as the R-1-10 zone, except that the rear setback is 20' minimum.
 - c. Conditional Uses are the same as for the R-1-10 zone.
3. **R-1-1 (1 acre minimum lot size) Chapter 14 Residential Districts**
 - a. One acre minimum lot size for a single family dwelling, which is the main Permitted Use in this zone.
 - b. Lot width must be 100' minimum with setbacks of 25' front, 20' side, and 35' rear.
 - c. Conditional Uses are the same as for the R-1-10 zone.
4. **R-M-7 (Multi-Family Residential) Chapter 15 M F Residential Districts**
 - a. Permitted uses include 1 & 2 family dwellings (ie, single-family and duplex dwellings), and Conditional Uses allow for 3, 4, and 5 family dwellings, and for Planned Unit Developments.
 - b. 10,000 sq ft minimum lot size is required for **each** single-family dwelling. A duplex requires a minimum lot size of 20,000 sq ft, and a tri-plex requires 28,000 sq ft minimum lot size. A four-plex requires a minimum lot size of 36,000 sq ft, and five-plex requires a minimum lot size of 43,560 sq ft (1 acre).
 - c. More than 1 dwelling on a one acre lot will require a sewer system.
5. **Other Development Standards that apply.**
 - a. Hillside Protection Overlay Zone. Chapter 20 of Zoning Code. Among the standards is a prohibition of development on slopes of 30% or more.

- b. Subdivision Requirements. Chapter 21 of the Zoning Code. The Subdivision requirements include the review by the Town Planning Commission and Town Council of both a Preliminary and Final Plat. Also required under the Subdivision ordinance is the provision of all necessary utilities (water, sewer, power, etc) and streets by the subdivision developer. All utilities and streets must meet the standards contained in the “Leeds Standard Specifications for Design and Construction” as well as other state and federal codes that apply to various utility systems.



FILING FEE: \$1,000.00

NON-REFUNDABLE

Date _____ Received by _____

Town of Leeds.

218 North Wlain Street, PO Box 460879, Leeds, VT 84746-0879

Phone: 435-879-2447 Fax 435-879-6903

E-mail clerk@leedstowntv.org // Website: www.leedstowntv.org

ZONE CHANGE/AMENDMENT APPLICATION

Project Name Grapevine Wash
Number of Lots Proposed 216 Acreage 77
Project Location Parcel Tax ID #(s) L-3282-G, L-3284-B

Applicant Name TUSCAN LENDERS GROUP L C
Address 692 N 350 E Lindon UT 84042
Phone 801-400-0042 Fax _____ Cell 801-400-0042 e-mail tracybelliston@1791.com

Owner of Property TUSCAN LENDERS GROUP L C
Address 692 N 350 E Lindon UT 84042
Phone 801-400-0042 Fax _____ Cell 801-400-0042 e-mail tracybelliston@1791.com

Contact Person- Tracy Belliston

EXISTING ZONING _____ ZONE CHANGE(S) REQUESTED See Attached ACREAGE _____

Refer to Town of Leeds Zonings:

	R-1-5 Residential 5 acre	
R-R-5 ...	Rural Residential 5 acre	R-M-7 ... Multiple Residential
R-R-2 ...	Rural Residential 2 acre	C..... ..Commercial
R-R-1	Rural Residential 1 acre	OS Open Space
R-R-20	Rural Residential 1/2 acre	M-H..... Mobile Home
	R-1-10. .Residential 1/4 acre	

Attach complete legal description for the property/area requested. to be changed and provide all of the following information:

- Two sets of mailing labels for all property owners within a 300-foot radius from the border of the subject property. Maps & Names of Property Owners are available from Washington County Recorder's Office, 87 North 200 East, St. George, Utah 84770, ph. (435) 634-5709.
- Written justification describing the purpose for the zone change request and proof of concurrence with Town of Leeds General Plan.
- Required Building Plans as per Land Use and Zoning Ordinance #2008-04, including all tests, exhibits and studies.
- A copy of the requested legal description in a read-only CD/electronic format and e-mailed to clerk@leedstowntv.org
- A copy of the legal description provided in Microsoft Word Format on a read-only CD and e-mailed to clerk@leedstowntv.org.
- One 24" x 36" plat site exhibit of the requested zone change and 16 copies 8.5" x 11" or 11"x 17" all matching the legal description.
- One 24" x 36" site exhibit of the County Ownership Plat(s) identifying the existing parcel(s) included in the legal description.

Town of Leeds

ZONE CHANGE/AMENDMENT APPLICATION

The following fees are due at the time of application. Incomplete applications will be returned. No exceptions.

- 1. Filing Fee (non-refundable): \$1,000.00
2. Addresses labels, envelopes, stamps and other associated mailing expenses are to be provided by Applicant.

Acreage Fees -

- a. Less than 1 acre: No Fee
b. One — 100 acres: \$50.00 per acre
c. 101 — 500 acres: \$25.00 per acre
d. Over 500 acres: \$10.00 per acre

Note: For acreage designated as open space, no acreage fee assessed if open space is over 10 acres. Open space includes parks, golf courses, floodplains, hillsides and similar natural areas. This does not include required recreation areas and/or setback areas.

File the completed application at:

Town of Leeds
P.O. Box 461195
Leeds, UT 84746

Signature of Applicant [Signature] Date 1-26-16
Signature or Consent of Owner _____ Date _____

APPLICANT AFFIDAVIT

I, Tracy Beaman, do hereby say that I am the owner/agent of the subject property of this application. The statements, information, exhibits and any and all plans herein or attached or submitted present the intentions of the applicant and are in all respects true and correct to the best of my knowledge and belief. I do hereby agree to pay all adopted and customary fees of the Town of Leeds relating to this application.

[Signature] Date 1-26-16
Owner/Agent Date

Applications must be presented to the Planning Commission and a Public Hearing must be held before submitting to the Town Council. The Planning commission meets at 7:00 p.m. on the first Wednesday of each month.

Application is hereby made for a zone change/amendment to the Leeds Zoning Map

Tuscan Lenders Group, L.L.C. Property:

PARCEL 1:

Lot 8, in Section 8, Township 41 South, Range 13 West, Salt Lake Base and Meridian, according to the official plat thereof, records of Washington County, State of Utah.

ALSO

A portion of Sectional Lot 6, in Section 8, Township 41 South, Range 13 West, Salt Lake Base and Meridian, according to the official plat thereof, records of Washington County, State of Utah, described as follows:

Beginning at the Northeast corner of said sectional Lot 6; and running Southerly along the Easterly Lot Line 626 feet; thence Westerly perpendicular to the Northerly Lot Line of said Lot 6 a distance of 626 feet; thence Northerly perpendicular to the said Easterly Lot Line 626 feet to a point on the North Line of said Lot 6 and being 626 feet West from the Northeast Corner of said Lot 6; thence Easterly along the North Lot Line 626 feet to the said Point of Beginning.

FOR INFORMATIONAL PURPOSES ONLY THE TAX ID NUMBER IS PART OF 3284-A-LS

PARCEL 2:

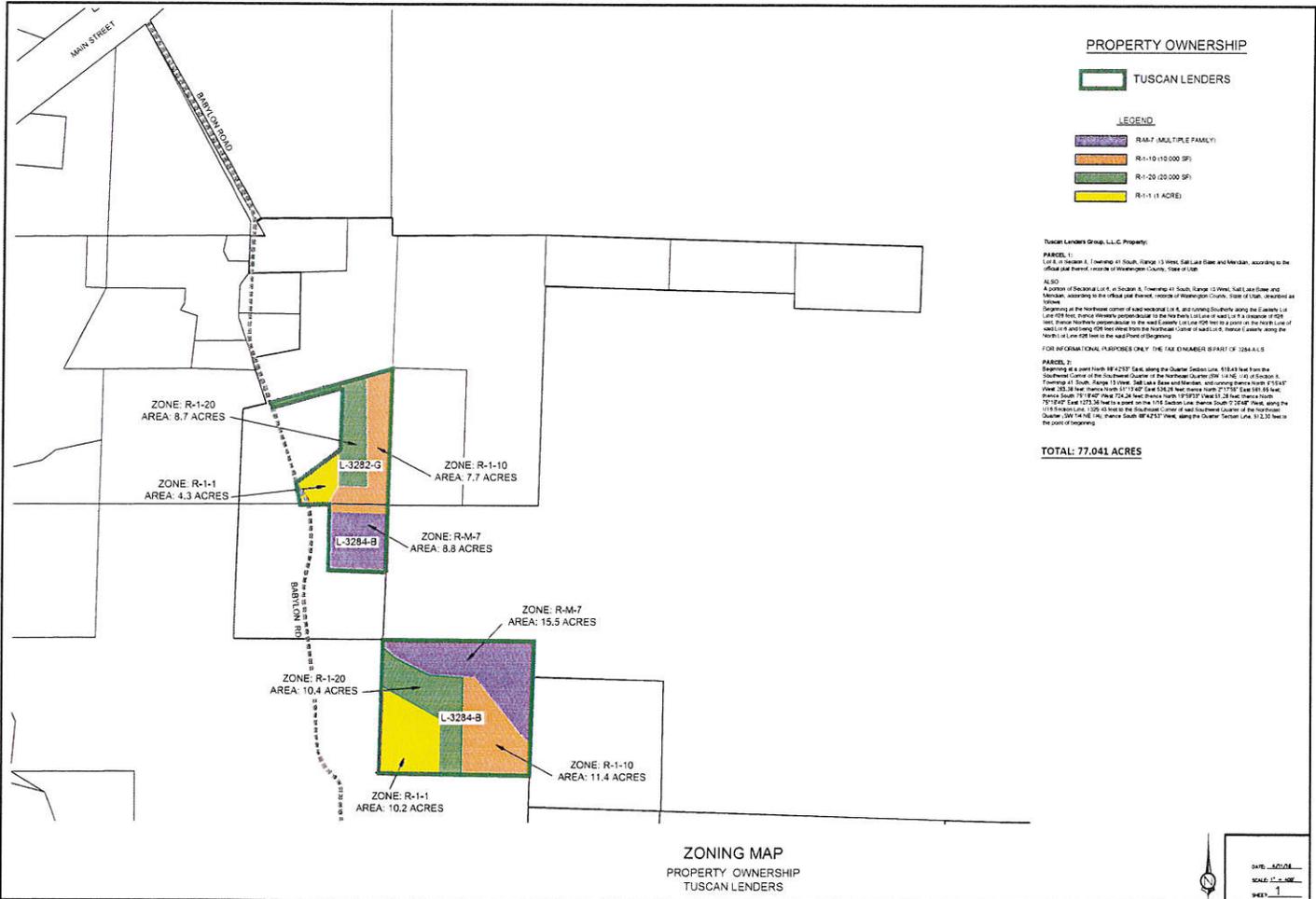
Beginning at a point North $88^{\circ}42'53''$ East, along the Quarter Section Line, 618.49 feet from the Southwest Corner of the Southwest Quarter of the Northeast Quarter (SW $\frac{1}{4}$ NE $\frac{1}{4}$) of Section 8, Township 41 South, Range 13 West, Salt Lake Base and Meridian, and running thence North $6^{\circ}55'45''$ West 263.38 feet; thence North $51^{\circ}13'40''$ East 536.26 feet; thence North $2^{\circ}17'55''$ East 561.65 feet; thence South $75^{\circ}18'40''$ West 724.24 feet; thence North $19^{\circ}59'33''$ West 51.26 feet; thence North $75^{\circ}18'40''$ East 1273.36 feet to a point on the $\frac{1}{16}$ Section Line; thence South $0^{\circ}26'48''$ West, along the $\frac{1}{16}$ Section Line, 1325.43 feet to the Southeast Corner of said Southwest Quarter of the Northeast Quarter (SW $\frac{1}{4}$ NE $\frac{1}{4}$); thence South $88^{\circ}42'53''$ West, along the Quarter Section Line, 912.30 feet to the point of beginning.

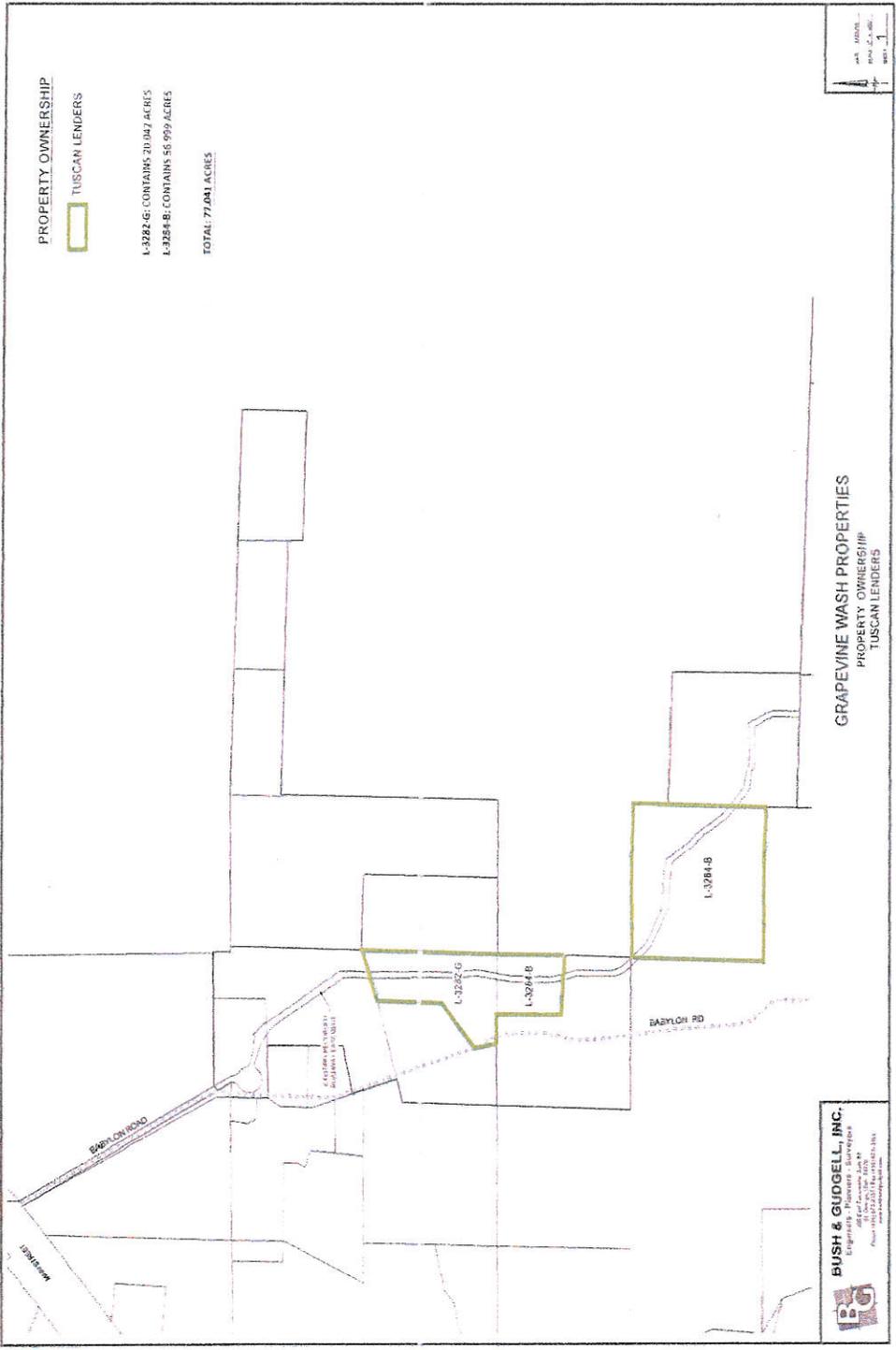
TOWN of LEEDS

Zone Change/Amendment Application

Item 2

The proposed zoning change reflects a new residential concept for Grapevine Wash. It fits within the Town's existing zonings, as detailed in the attached base map, and aligns with the Town's goal of maintaining diversity in development and housing types. The proposed change requires no change to the Town's General Plan and significantly reduces proposed density—from the 3.8/units per acre previously discussed to 2.8/units per acre.





PROPERTY OWNERSHIP

TUSCAN LENDERS

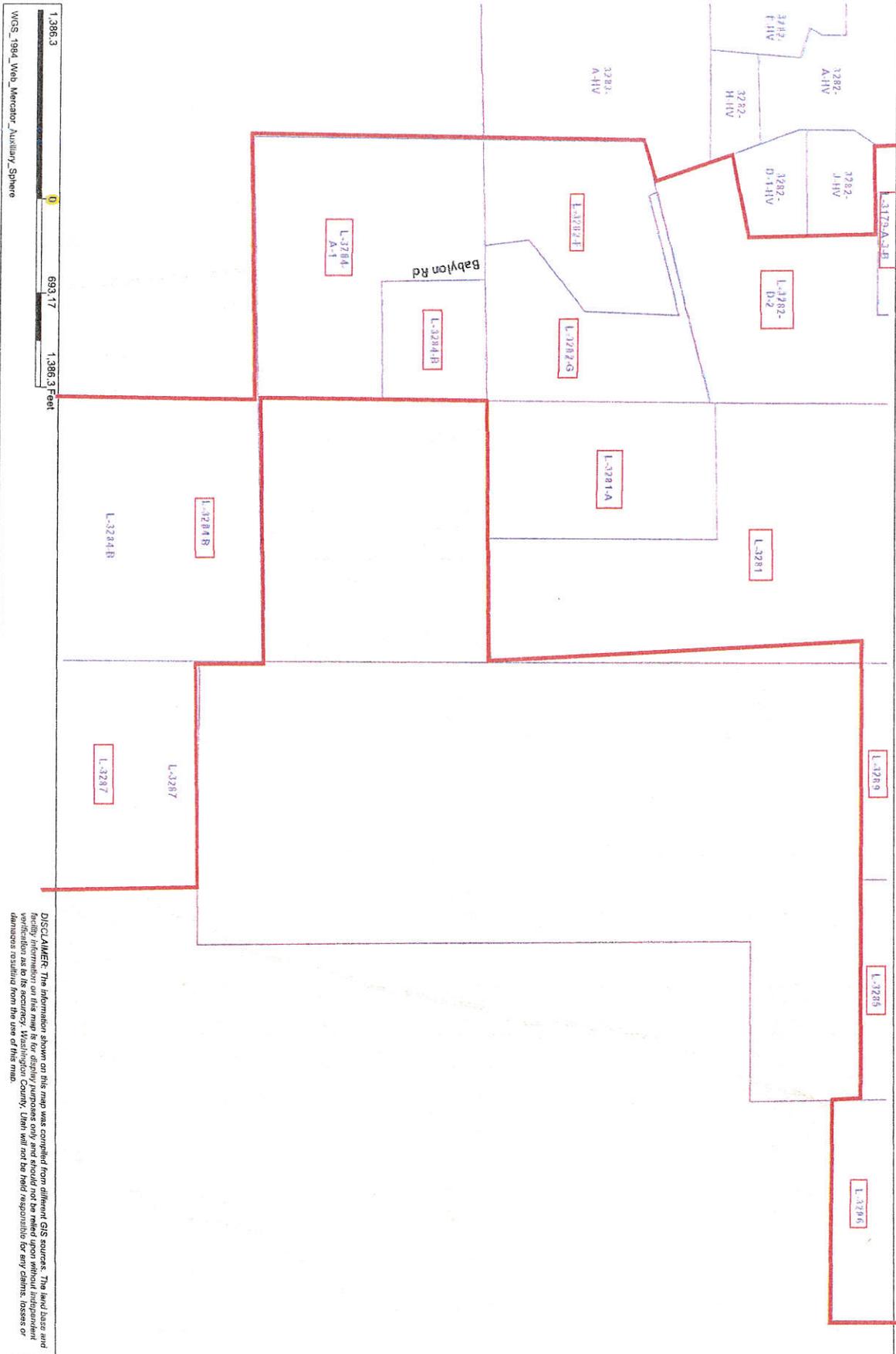
L-3282-G: CONTAINS 20.047 ACRES

L-3284-B: CONTAINS 56.999 ACRES

TOTAL: 77.044 ACRES

GRAPEVINE WASH PROPERTIES
PROPERTY OWNERSHIP
TUSCAN LENDERS

BUSH & GUDCELL, INC.
 10000 W. 10th Street, Suite 100
 Overland Park, Kansas 66211
 Phone: (913) 671-2100 Fax: (913) 671-2101
 www.bushandgudcell.com



1,386.3
 693.17
 1,386.3 Feet
 WGS_1984_Web_Mercator_Auxiliary_Sphere

DISCLAIMER: The information shown on this map was compiled from different GIS sources. The land base and boundary information on this map is for display purposes only and should not be relied upon without independent verification. The user of this map assumes all liability for any errors, omissions, or damages resulting from the use of this map.



- Legend**
 Parcels
 Type
- Bureau of Land Management
 - Municipally Owned
 - National Park Service
 - School District
 - Snowmelt Reclamation
 - State Park
 - State of Utah
 - U. S. Forest Service
 - Utah Division of Transportation
 - Utah Division of Wildlife Resources
 - Washington County
 - Water Conservation District
 - Wilderness Area

Notes





FILING FEE: \$1,000.00

NON-REFUNDABLE

Date _____ Received by _____

Town of Leeds

218 North Main Street, TO Box 460879, Leeds, UT 84746-0879

Phone: 435-879-2447 Fax 435-879-6905

E-mail cThrKkeedstolviz.org // Website: www.leadstowm.org

ZONE CHANGE/AMENDMENT APPLICATION

Project Name Grapevine Wash
Number of Lots Proposed 70 Acreage 25
Project Location Parcel Tax ID #(s) L-3281-A

Applicant Name CAPITAL FUNDING LTD CO LLC
Address 4535 Westview Dr. Salt Lake City, UT 84124-4751
Phone 801-230-3633 Fax _____ Cell _____ e-mail capitalfundingusa@comcast.net

Owner of Property Shree Sharma
Address 2150 S 1300 E Ste 150 Salt Lake City, UT 84106
Phone 801-230-3633 Fax _____ Cell _____ e-mail capitalfundingusa@comcast.net

Contact Person- Shree Sharma

EXISTING ZONING _____ ZONE CHANGE(S) REQUESTED See Attached ACREAGE _____

Refer to Town of Leeds Zonings:

R-R-5 ....	..Rural Residential 5 acre	R-1-5	Residential 5 acre	R-M-7 ... ..	..Multiple Residential
R-R-2 ....	..Rural Residential 2 acre	R-1-2	Residential 2 acre	C .....	..Commercial
R-R-1 .....	..Rural Residential 1 acre	R-1-1	Residential 1 acre	OS	Open Space
R-R-20 ....	....Rural Residential 1/2 acre	R-1-20	Residential 1/2 acre	M-H .....	..Mobile Home
		R-1-10.	..Residential 1/4 acre		

Attach complete legal description for the property/area requested. to be changed and provide all of the following information:

- Two sets of mailing labels for all property owners within a 300-foot radius from the border of the subject property. Maps & Names of Property Owners are available from Washington County Recorder's Office, 87 North 200 East, St. George, Utah 84770, ph. (435) 634-5709.
- Written justification describing the purpose for the zone change request and proof of concurrence with Town of Leeds General Plan.
- Required Building Plans as per Land Use and Zoning Ordinance #2008-04, including all tests, exhibits and studies.
- A copy of the requested legal description in a read-only CD/electronic format and e-mailed to clerk@leadstowm.org
- A copy of the legal description provided in Microsoft Word Format on a read-only CD and e-mailed to clerk@leadstowm.org.
- One 24" x 36" plat site exhibit of the requested zone change and 16 copies 8.5" x 11" or 11"x 17" all matching the legal description.
- One 24" x 36" site exhibit of the County Ownership Plat(s) identifying the existing parcel(s) included in the legal description.

Town of Leeds

**ZONE CHANGE/AMENDMENT
APPLICATION**

The following fees are due at the time of application. Incomplete applications will be returned. No exceptions.

1. Filing Fee (non-refundable): \$1,000.00
2. Addresses labels, envelopes, stamps and other associated mailing expenses are to be provided by Applicant.

Acreage Fees -

- a. Less than 1 acre: No Fee
- b. One — 100 acres: \$50.00 per acre
- c. 101 — 500 acres: \$25.00 per acre
- d. Over 500 acres: \$10.00 per acre

Note: For acreage designated as open space, no acreage fee assessed if open space is over 10 acres. Open space includes parks, golf courses, floodplains, hillsides and similar natural areas. This does not include required recreation areas and/or setback areas.

File the completed application at:

Town of Leeds
P.O. Box 461195
Leeds, UT 84746

Signature of Applicant _____ Date 1-27-16
Signature or Consent of Owner Sharma Date January 27, 2016

APPLICANT AFFIDAVIT

Shree Sharma, do hereby say that I am the owner/agent of the subject property of this application. The statements, information, exhibits and any and all plans herein or attached or submitted present the intentions of the applicant and are in all respects true and correct to the best of my knowledge and belief. I do hereby agree to pay all adopted and customary fees of the Town of Leeds relating to this application.

Sharma _____ Date: January 27, 2016
Owner/Agent

Applications must be presented to the Planning Commission and a Public Hearing must be held before submitting to the Town Council. The Planning commission meets at 7:00 p.m. on the first Wednesday of each month.

Application is hereby made for a zone change amendment to the Leeds Zoning Map

CAPITAL FUNDING LTD CO LLC

The West 25 acres of Lot Four (4), in Section 8, Township 41 South, Range 13 West, Salt Lake Base and Meridian.

Leeds General Plan

The proposed zoning change reflects a new residential concept for Grapevine Wash. It fits within the Town's existing zonings, as detailed in the attached base map, and aligns with the Town's goal of maintaining diversity in development and housing types. The proposed change requires no change to the Town's General Plan and significantly reduces proposed density—from the 3.8/units per acre previously discussed to 2.8/units per acre.

TOWN of LEEDS

Zone Change/Amendment Application

Item 2

The proposed zoning change reflects a new residential concept for Grapevine Wash. It fits within the Town's existing zonings, as detailed in the attached base map, and aligns with the Town's goal of maintaining diversity in development and housing types. The proposed change requires no change to the Town's General Plan and significantly reduces proposed density—from the 3.8/units per acre previously discussed to 2.8/units per acre.



PROPOSED ZONING MAP
FORMALLY KNOWN AS "GRAPEVINE WASH"
LOCATED IN LEEDS, UTAH

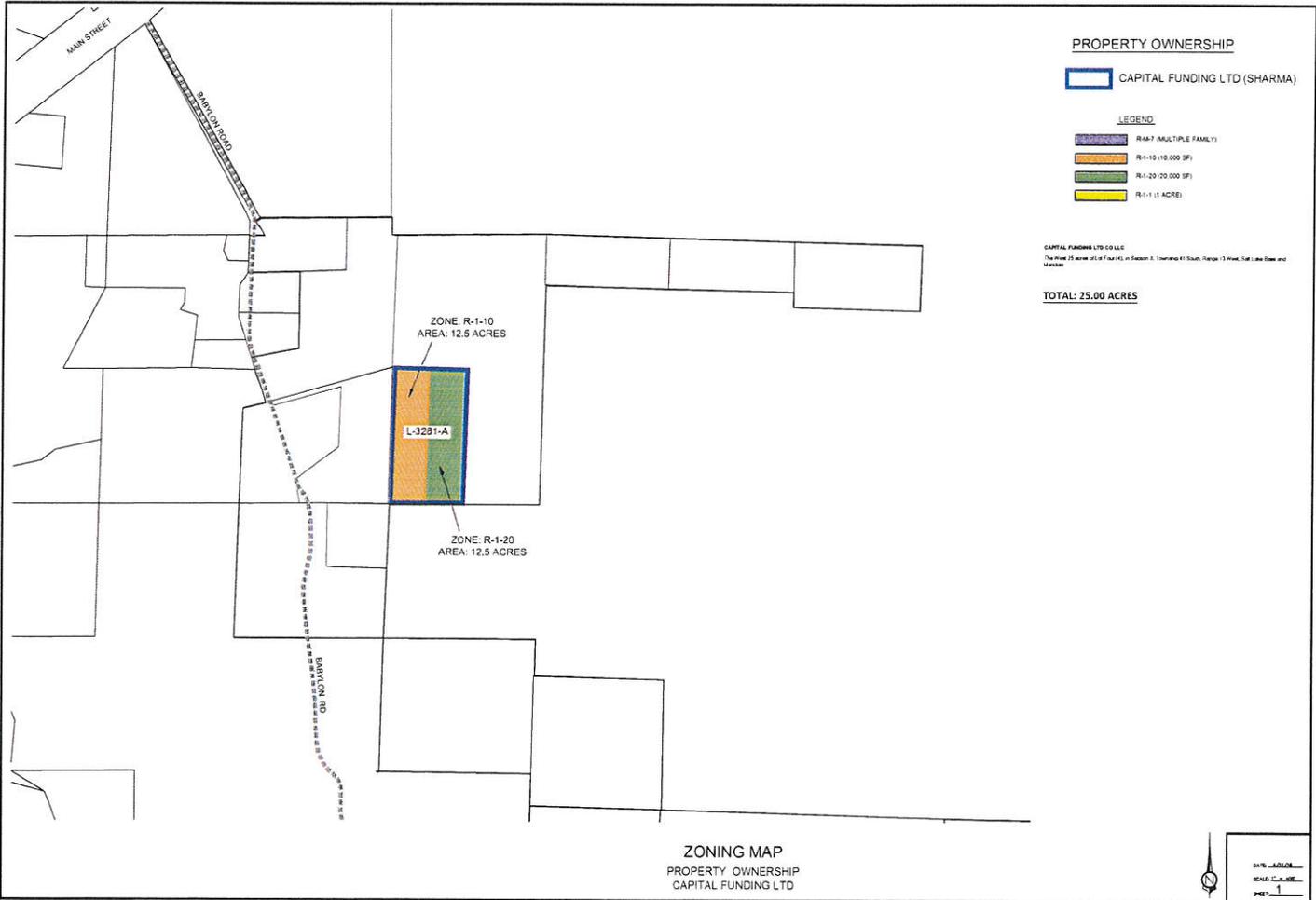
PROPERTY OWNERSHIP

- MSI INVESTMENTS
- MSI INVESTMENTS
- USCAAL INVESTORS
- CAPITAL FUNDING LTD/SHARMA

LEGEND

- EXISTING ROAD ACCESS
- HILLSIDE AREA (SLOPES 20%+)
- R-1-10 (MULTIPLE PHASES)
- R-1-10 (10,000 SF)
- R-1-10 (20,000 SF)
- R-1-11 (1 ACRE)

DATE: 6/1/21
SCALE: 1:1000
SHEET: 1



PROPERTY OWNERSHIP

CAPITAL FUNDING LTD (SHARMA)

LEGEND

- R-M-7 (MULTIPLE FAMILY)
- R-1-10 (10,000 SF)
- R-1-20 (20,000 SF)
- R-1-1 (1 ACRE)

CAPITAL FUNDING LTD CO LLC
The above is a portion of Parcel (L) in Section 2, Township 61 South, Range 13 West, Twp 61 S and Range 13 W.

TOTAL: 25.00 ACRES

ZONING MAP
PROPERTY OWNERSHIP
CAPITAL FUNDING LTD

DATE: 2024
SCALE: 1:1000
SHEET: 1

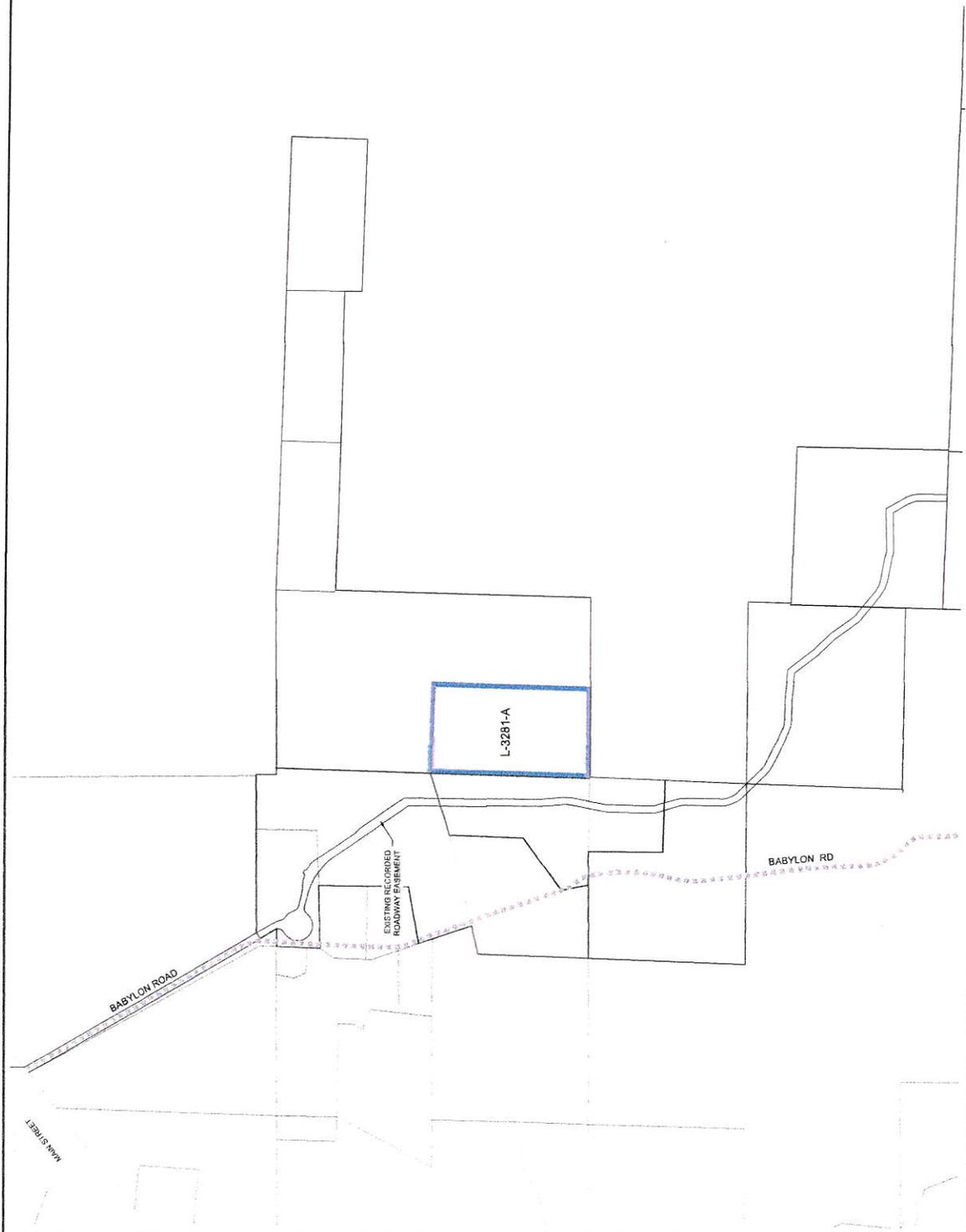
PROPERTY OWNERSHIP



CAPITAL FUNDING LTD (SHARMA)

L-3281-A: CONTAINS 25.00 ACRES

TOTAL: 25.00 ACRES



DATE: 1/22/20
SCALE: 1" = 300'
SHEET: 1

GRAPEVINE WASH PROPERTIES
PROPERTY OWNERSHIP
CAPITAL FUNDING LTD



BUSH & GUDGE, INC.
Engineers - Planners - Surveyors
209 S. 10th Street, Suite 100
Sioux Falls, SD 57104
Phone: (605) 973-2337 / Fax: (605) 973-1851
www.bushandgudge.com



FILING FEE: \$1,000.00
NON-REFUNDABLE
Date _____ Received by _____

Town of Leeds.

218 North Wlain Street, TO Box 460879, Leeds, VT 84746-0879
Aone: 435-879-2447 Fax 435-879-6905
E-mad cThrkKeedstolviz.org // Website: www.kedstownm.org

**ZONE CHANGE/AMENDMENT
APPLICATION**

Project Name Grapevine Wash
Number of Lots Proposed 557 Acreage 199
Project Location Parcel Tax ID #(s) L-3281, L-3285, L-3284-A-1, L-3286, L-3287, L-3289

Applicant Name MSH INVESTMENTS LLC
Address 20 Marywatersford Rd, Bala Cynwyd, PA 19004-2039
Phone 610-664-3542 Fax _____ Cell 435-467-1677 e-mail jmr@nugs.net

Owner of Property MSH INVESTMENTS LLC
Address 20 Marywatersford Rd, Bala Cynwyd, PA 19004-2039
Phone 6106643542 Fax _____ Cell 435-467-1677 e-mail jmr@nugs.net

Contact Person- Jon Richter

EXISTING ZONING _____ ZONE CHANGE(S) REQUESTED See Attached ACREAGE _____

Refer to Town of Leeds Zonings:

R-R-5 ....	.Rural Residential 5 acre	R-1-5	Residential 5 acre	R-M-7 ...	..Multiple Residential
R-R-2 ....	.Rural Residential 2 acre	R-1-2.....	Residential 2 acre	C .....	..Commercial
R-R-1 .....	.Rural Residential 1 acre	R-1-1.....	Residential 1 acre	OS	Open Space
R-R-20	Rural Residential 1/2 acre	R-1-20	Residential 1/2 acre	M-H .....	.Mobile Home

Attach complete legal description for the property/area requested. to be changed and provide all of the following information:

- Two sets of mailing labels for all property owners within a 300-foot radius from the border of the subject property. Maps & Names of Property Owners are available from Washington County Recorder's Office, 87 North 200 East, St. George, Utah 84770, ph. (435) 634-5709.
- Written justification describing the purpose for the zone change request and proof of concurrence with Town of Leeds General Plan.
- Required Building Plans as per Land Use and Zoning Ordinance #2008-04, including all tests, exhibits and studies.
- A copy of the requested legal description in a read-only CD/electronic format and e-mailed to clerk@leedstown.org
- A copy of the legal description provided in Microsoft Word Format on a read-only CD and e-mailed to clerk@leedstown.org.
- One 24" x 36" plat site exhibit of the requested zone change and 16 copies 8.5" x 11" or 11"x 17" all matching the legal description.
- One 24" x 36" site exhibit of the County Ownership Plat(s) identifying the existing parcel(s) included in the legal description.

Town of Leeds

**ZONE CHANGE/AMENDMENT
APPLICATION**

The following fees are due at the time of application. Incomplete applications will be returned. No exceptions.

- 1. Filing Fee (non-refundable): \$1,000.00
- 2. Addresses labels, envelopes, stamps and other associated mailing expenses are to be provided by Applicant.

Acreage Fees -

- a. Less than 1 acre: No Fee
- b. One — 100 acres: \$50.00 per acre
- c. 101 — 500 acres: \$25.00 per acre
- d. Over 500 acres: \$10.00 per acre

Note: For acreage designated as open space, no acreage fee assessed if open space is over 10 acres. Open space includes parks, golf courses, floodplains, hillsides and similar natural areas. This does not include required recreation areas and/or setback areas.

File the completed application at:

Town of Leeds
P.O. Box 461195
Leeds, UT 84746

Signature of Applicant _____ Date _____
 Signature or Consent of Owner Jon M. Richter Date 1/27/2016

APPLICANT AFFIDAVIT

JON MICHAEL RICHTER, do hereby say that I am the owner/agent of the subject property of this application. The statements, information, exhibits and any and all plans herein or attached or submitted present the intentions of the applicant and are in all respects true and correct to the best of my knowledge and belief. I do hereby agree to pay all adopted and customary fees of the Town of Leeds relating to this application.

Jon M. Richter _____ Date 1/27/2016
 Owner/Agent

Applications must be presented to the Planning Commission and a Public Hearing must be held before submitting to the Town Council. The Planning commission meets at 7:00 p.m. on the first Wednesday of each month.

Application is hereby made for a zone change/amendment to the Leeds Zoning Map

MSH Investments, LLC Property:

Parcel 1:

All of Lots One (1) and Four (4), in Section 8, Township 41 South, Range 13 West, Salt Lake Base and Meridian.

LESS AND EXCEPTING THEREFROM the following described parcel:

The West 25 acres of Lot Four (4), in Section 8, Township 41 South, Range 13 West, Salt Lake Base and Meridian.

Parcel 2:

Lots Six (6) and Eight (8), in Section 8, Township 41 South, Range 13 West, Salt Lake Base and Meridian, according to the official plat thereof, records of Washington County, State of Utah.

Parcel 3:

Beginning at a point North 88°42'53" East, along the Quarter Section Line, 618.49 feet from the Southwest Corner of the Southwest Quarter of the Northeast Quarter (SW 1/4 NE 1/4) of Section 8, Township 41 South, Range 13 West, Salt Lake Base and Meridian, and running thence North 6°55'45" West 263.38 feet; thence North 51°13'40" East 536.26 feet; thence North 2°17'55" East 561.65 feet; thence South 75°18'40" West 724.24 feet; thence North 19°59'33" West 51.26 feet; thence North 75°18'40" East 1273.36 feet to a point on the 1/16 Section Line; thence South 0°26'48" West, along the 1/16 Section Line, 1325.43 feet to the Southeast Corner of said Southwest Quarter of the Northeast Quarter (SW 1/4 NE 1/4); thence South 88°42'53" West, along the Quarter Section Line, 912.30 feet to the point of beginning.

Parcel 4:

All of Lots One (1) and Two (2), in Section 9, Township 41 South, Range 13 West, Salt Lake Base and Meridian.

Parcel 5:

All of the North One-Half of the Northwest Quarter of the Northeast Quarter (N 1/2 NW 1/4 NE 1/4) of Section 9, Township 41 South, Range 13 West, Salt Lake Base and Meridian.

Parcel 6:

The Southwest Quarter of the Southwest Quarter (SW 1/4 SW 1/4) of Section 9, Township 41 South, Range 13 West, Salt Lake Base and Meridian, according to the official plat thereof, records of Washington County, State of Utah.

Leeds General Plan

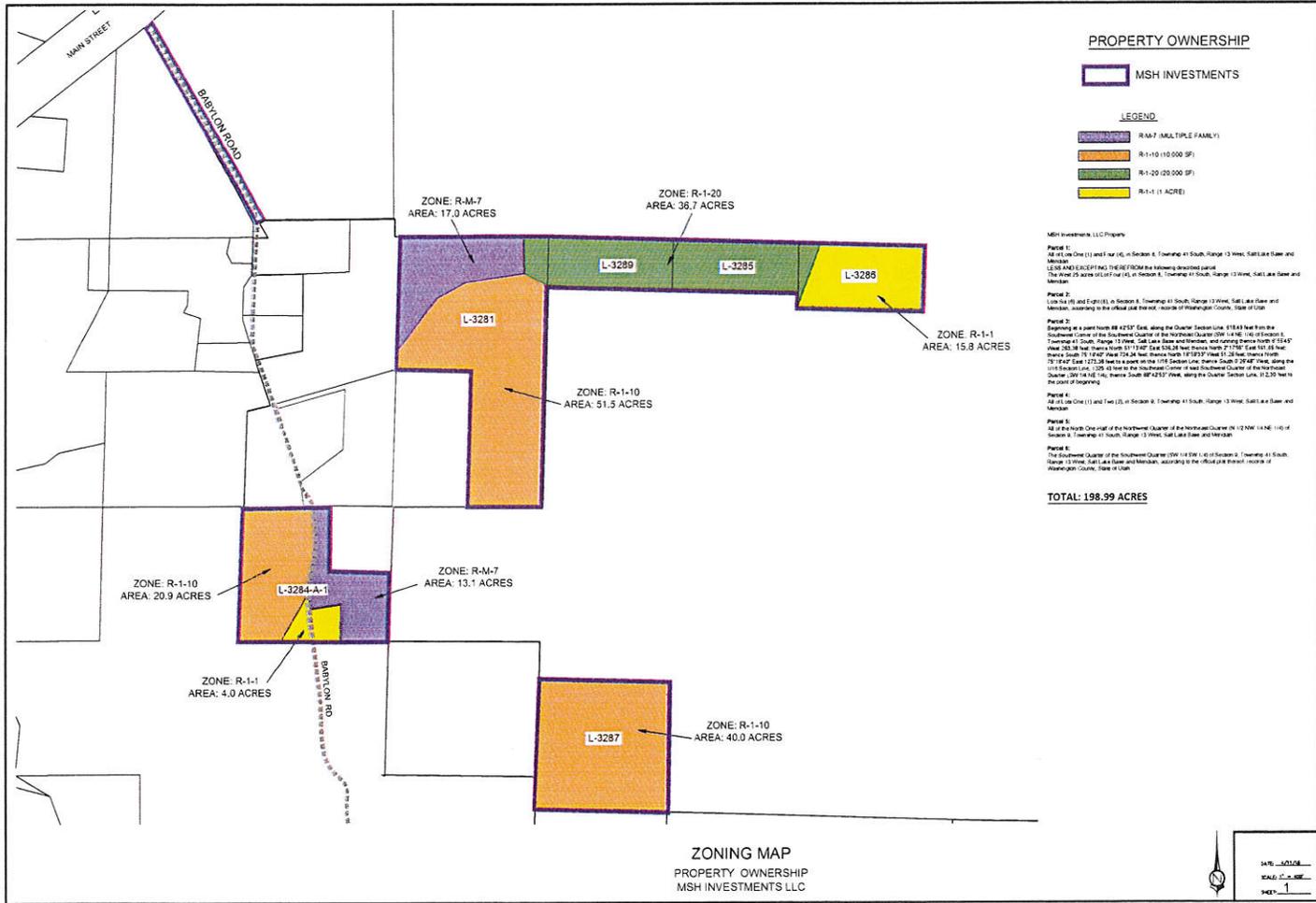
The proposed zoning change reflects a new residential concept for Grapevine Wash. It fits within the Town's existing zonings, as detailed in the attached base map, and aligns with the Town's goal of maintaining diversity in development and housing types. The proposed change requires no change to the Town's General Plan and significantly reduces proposed density—from the 3.8/units per acre previously discussed to 2.8/units per acre.

TOWN of LEEDS

Zone Change/Amendment Application

Item 2

The proposed zoning change reflects a new residential concept for Grapevine Wash. It fits within the Town's existing zonings, as detailed in the attached base map, and aligns with the Town's goal of maintaining diversity in development and housing types. The proposed change requires no change to the Town's General Plan and significantly reduces proposed density—from the 3.8/units per acre previously discussed to 2.8/units per acre.

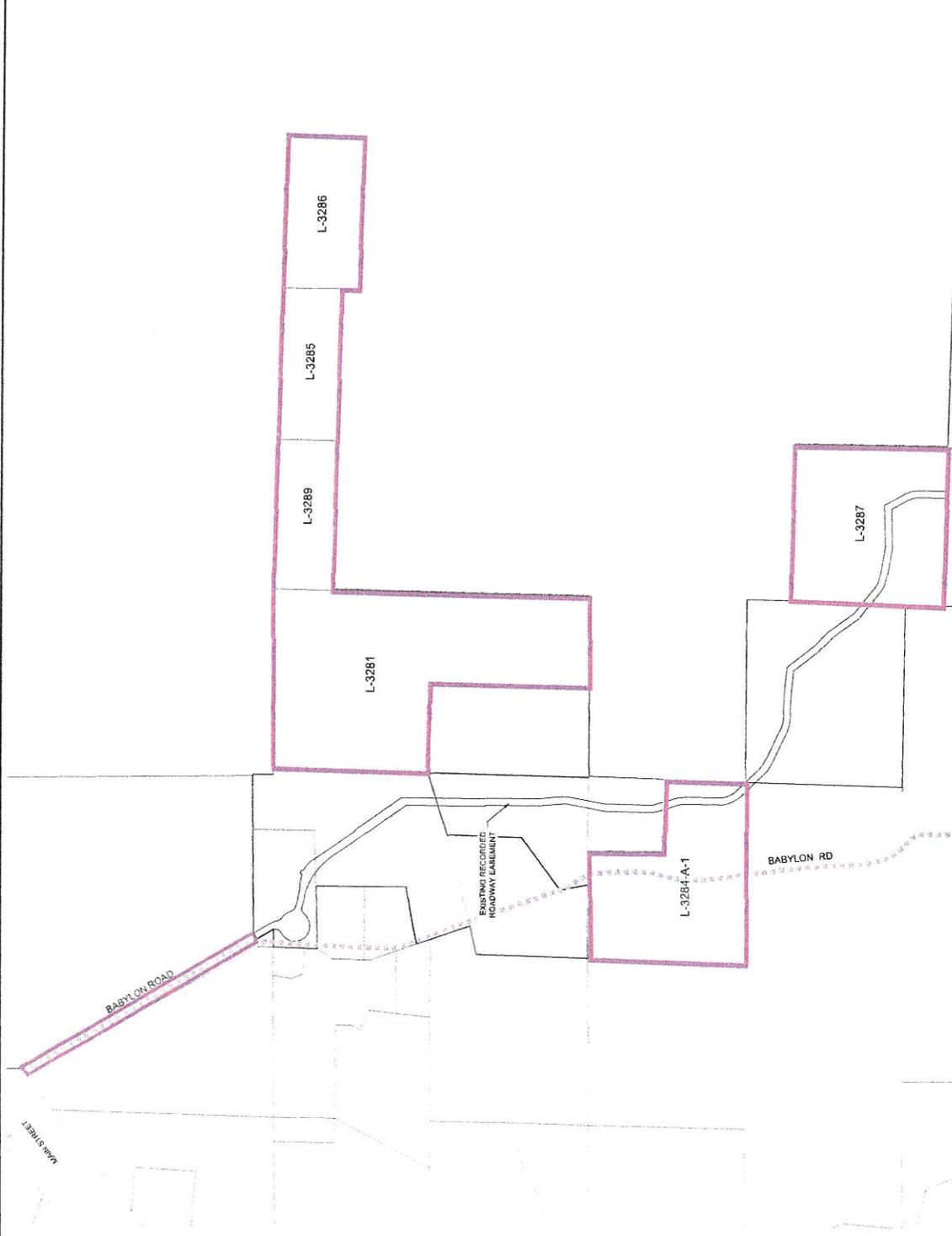


PROPERTY OWNERSHIP

MSH INVESTMENTS

- L-3281: CONTAINS 70.122 ACRES
- L-3289: CONTAINS 14.905 ACRES
- L-3285: CONTAINS 14.657 ACRES
- L-3286: CONTAINS 20.258 ACRES
- L-3287: CONTAINS 40.368 ACRES
- L-3284-A-1: CONTAINS 38.676 ACRES

TOTAL: 198.99 ACRES

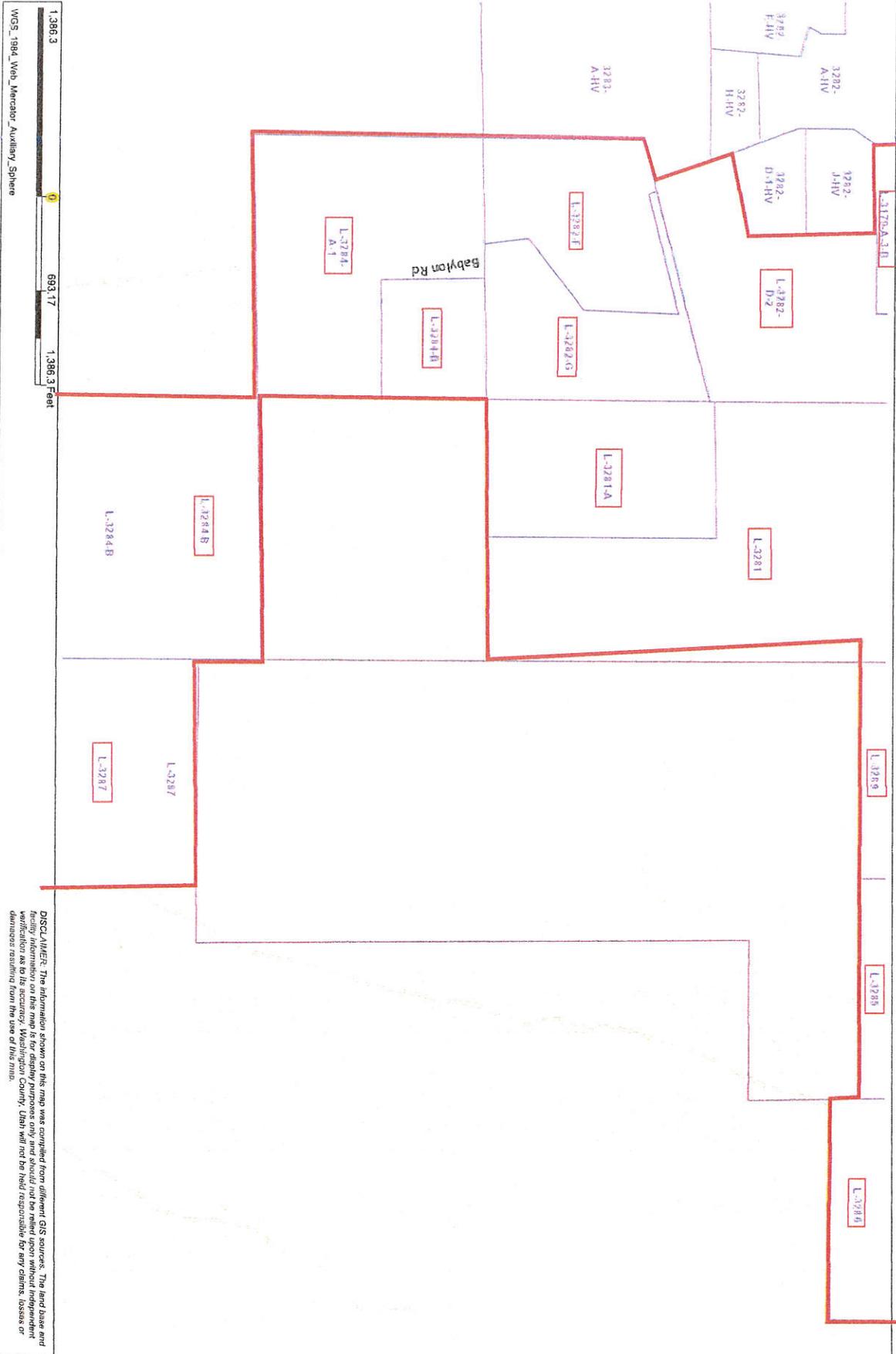


DATE: 10/20/18
SCALE: 1" = 500'
SHEET: 1

GRAPEVINE WASH PROPERTIES
PROPERTY OWNERSHIP
MSH INVESTMENTS LLC



BUSH & GUDGELL, INC.
Engineers - Planners - Surveyors
205 East Palmetto Street, #4
Phone: (430) 672-2217 / Fax: (430) 672-1851
www.bushandgudgell.com



1,386.3
693.17
1,386.3 Feet

WGS_1984_Web_Mercator_Auxiliary_Sphere



- Legend**
Parcels
Type
- Bureau of Land Management
 - Municipally Owned
 - National Park Service
 - School District
 - Shoshone Reservation
 - State Park
 - State of Utah
 - U. S. Forest Service
 - Utah Division of Transportation
 - Utah Division of Wildlife Resources
 - Washington County
 - Water Conservation District
 - Waterfowl Area

DISCLAIMER: The information shown on this map was compiled from different GIS sources. The land base and feature information on this map is for display purposes only and should not be relied upon without independent verification. The State of Utah and its agencies, including the Utah Department of Natural Resources, do not warrant the accuracy of the information shown on this map. The State of Utah and its agencies, including the Utah Department of Natural Resources, will not be held responsible for any claims, losses or damages resulting from the use of this map.

Notes





FILING FEE: \$1,000.00
NON-REFUNDABLE
Date _____ Received by _____

Town of Leeds.

218 North Wlain Street, TO Box 460879, Leeds, VT 84746-0879
Aone: 435-879-2447 Fax 435-879-6905
E-mail cThrkKeedstolviz.org // Website: www.kedstowm.org

ZONE CHANGE/AMENDMENT APPLICATION

Project Name Grapevine Wash
Number of Lots Proposed 190 Acreage 68
Project Location Parcel Tax ID #(s) L-3282-F, L-3282-D-2 L-3179-A-3-B

Applicant Name Dick Miller for MISI INVESTMENTS LLC, The Simkins 1975 Trust Property

Address 2150 S 1300 E Ste 150 Salt Lake City, UT 84106
Phone 1-801-517-4100 Fax _____ Cell 1-801-718-3066 e-mail dick.miller@millerbates.com

Owner of Property MISI INVESTMENTS LLC, The Simkins 1975 Trust Property
Address 2150 S 1300 E Ste 150 Salt Lake City, UT 84106
Phone 1-801-517-4100 Fax _____ Cell 1-801-718-3066 e-mail dick.miller@millerbates.com

Contact Person -Paul Morris 801-949-2602 paultmorris@outlook.com

EXISTING ZONING _____ ZONE CHANGE(S) REQUESTED See Attached ACREAGE _____

Refer to Town of Leeds Zonings:

- | | | | | | |
|-------------|-----------------------------|----------------|----------------------|-----------|-----------------------|
| R-R-5 | .Rural Residential 5 acre | R-1-5 | Residential 5 acre | R-M-7 ... | .Multiple Residential |
| R-R-2 | .Rural Residential 2 acre | R-1-2 | Residential 2 acre | C | .Commercial |
| R-R-1 | .Rural Residential 1 acre | R-1-1 | Residential 1 acre | OS | Open Space |
| R-R-20 | .Rural Residential 1/2 acre | R-1-20 | Residential 1/2 acre | M-H | .Mobile Home |
| | | R-1-10 .. | Residential 1/4 acre | | |

Attach complete legal description for the property/area requested. to be changed and provide all of the following information:

- Two sets of mailing labels for all property owners within a 300-foot radius from the border of the subject property. Maps & Names of Property Owners are available from Washington County Recorder's Office, 87 North 200 East, St. George, Utah 84770, ph. (435) 634-5709.
- Written justification describing the purpose for the zone change request and proof of concurrence with Town of Leeds General Plan.
- Required Building Plans as per Land Use and Zoning Ordinance #2008-04, including all tests, exhibits and studies.
- A copy of the requested legal description in a read-only CD/electronic format and e-mailed to clerk@leedstowm.org
- A copy of the legal description provided in Microsoft Word Format on a read-only CD and e-mailed to clerk@leedstowm.org.
- One 24" x 36" plat site exhibit of the requested zone change and 16 copies 8.5" x 11" or 11"x 17" all matching the legal description.
- One 24" x 36" site exhibit of the County Ownership Plat(s) identifying the existing parcel(s) included in the legal description.

Town of Leeds

ZONE CHANGE/AMENDMENT APPLICATION

The following fees are due at the time of application. Incomplete applications will be returned. No exceptions.

- 1. Filing Fee (non-refundable): \$1,000.00
2. Addresses labels, envelopes, stamps and other associated mailing expenses are to be provided by Applicant.

Acreage Fees -

- a. Less than 1 acre: No Fee
b. One — 100 acres: \$50.00 per acre
c. 101 — 500 acres: \$25.00 per acre
d. Over 500 acres: \$10.00 per acre

Note: For acreage designated as open space, no acreage fee assessed if open space is over 10 acres. Open space includes parks, golf courses, floodplains, hillsides and similar natural areas. This does not include required recreation areas and/or setback areas.

File the completed application at:

Town of Leeds
P.O. Box 461195
Leeds, UT 84746

Signature of Applicant/Owner [Signature] Date 1/27/2016

Signature of Applicant/Owner [Signature] Date 1/28/2016
Simkins 1975 Trust

APPLICANT AFFIDAVIT

We, Dick Miller and Kenneth Simkins, do hereby say that we are the owner/agent of the subject property of this application. The statements, information, exhibits and any and all plans herein or attached or submitted present the intentions of the applicant and are in all respects true and correct to the best of our knowledge and belief. We do hereby agree to pay all adopted and customary fees of the Town of Leeds relating to this application.

Owner/Agent [Signature] Date 1/27/2016

Owner/Agent [Signature] Date 1/28/2016
Simkins 1975 Trust

Applications must be presented to the Planning Commission and a Public Hearing must be held before submitting to the Town Council. The Planning commission meets at 7:00 p.m. on the first Wednesday of each month.

Application is hereby made for a zone change/amendment to the Leeds Zoning Map

MISI Investments LLC Property and The Simkins 1975 Trust Property:

: Parcel 1:

Beginning at the North Quarter (N1/4) corner of Section 8, Township 41 South, Range 13 West, Salt Lake Base and Meridian, and running thence South $0^{\circ} 42'25''$ West, along the Quarter Section line, 379.46 feet; thence North $87^{\circ} 37'30''$ East 531.46 feet; thence North $90^{\circ} 00'00''$ East 465.26 feet; thence North $0^{\circ} 18'42''$ East 560.63 feet; thence South $88^{\circ} 22'49''$ West 887.36 feet to a point on the Easterly Right-of-Way line of a 60.00 foot wide roadway; thence South $58^{\circ} 45'00''$ West 60.00 feet to a point on the Westerly Right-of-Way line of said roadway; thence South $31^{\circ} 15'00''$ East along said Right-of-Way line and the extension thereof, 167.22 feet to a point on the Section line; thence South $88^{\circ} 22'46''$ West, along the Section line, 143.14 feet to the Point of Beginning.

Parcel 2:

Beginning at the Southwest corner of the Southwest Quarter of the Northeast Quarter (SW $\frac{1}{4}$ NE $\frac{1}{4}$) of Section 8, Township 41 South, Range 13 West, Salt Lake Base and Meridian, and running thence North $0^{\circ} 42'05''$ East, along the Quarter Section line, 960.68 feet; thence North $75^{\circ} 18'40''$ East 307.31 feet, thence South $19^{\circ} 59'33''$ East 51.26 feet; thence North $75^{\circ} 18'40''$ East 724.24 feet; thence South $2^{\circ} 17'55''$ West 561.65 feet; thence South $51^{\circ} 13'40''$ West 536.56 feet; thence South $6^{\circ} 55'45''$ East 263.38 feet to a point on the Quarter Section line; thence South $88^{\circ} 42'53''$ West, along the Quarter Section line, 618.49 feet to the point of beginning.

Parcel 3:

Beginning at a point South $0^{\circ} 42'25''$ West, along the Quarter Section line, 379.46 feet, and North $87^{\circ} 37'30''$ East 531.46 feet from the North Quarter Corner of Section 8, Township 41 South, Range 13 West, Salt Lake Base and Meridian, and running thence North $90^{\circ} 00'00''$ East 465.26 feet; thence North $0^{\circ} 18'42''$ East 560.63 feet; thence North $88^{\circ} 22'49''$ East 453.10 feet; thence South $1^{\circ} 13'07''$ East 175.01 feet to a USGS Cap which marks the Southeast Corner of the Southwest Quarter of the Southeast Quarter (SW $\frac{1}{4}$ SE $\frac{1}{4}$) of Section 5, said Township and Range; thence North $88^{\circ} 17'45''$ East along the Section line 66.96 feet to a USGS Cap which marks the Northeast Corner of the Northwest Quarter of the Northeast Quarter (NW $\frac{1}{4}$ NE $\frac{1}{4}$) of said Section 8; thence South $0^{\circ} 26'48''$ West along the $\frac{1}{16}$ Section line 1388.60 feet to the most Northeasterly corner of that certain parcel owned by Richard E. Martin and Debra A. Martin, as Trustees, as evidenced by Deed Recorded in Book 1217, at Page 407 of Records; thence South $75^{\circ} 18'40''$ West along the Northerly one of said Martin Parcel 1333.63 feet; thence North $20^{\circ} 00'00''$ West 482.34 feet; thence North $78^{\circ} 07'46''$ East 496.40 feet; thence North $0^{\circ} 56'54''$ West 351.97 feet; thence North $0^{\circ} 49'13''$ West 419.04 feet to the point of beginning.

Leeds General Plan

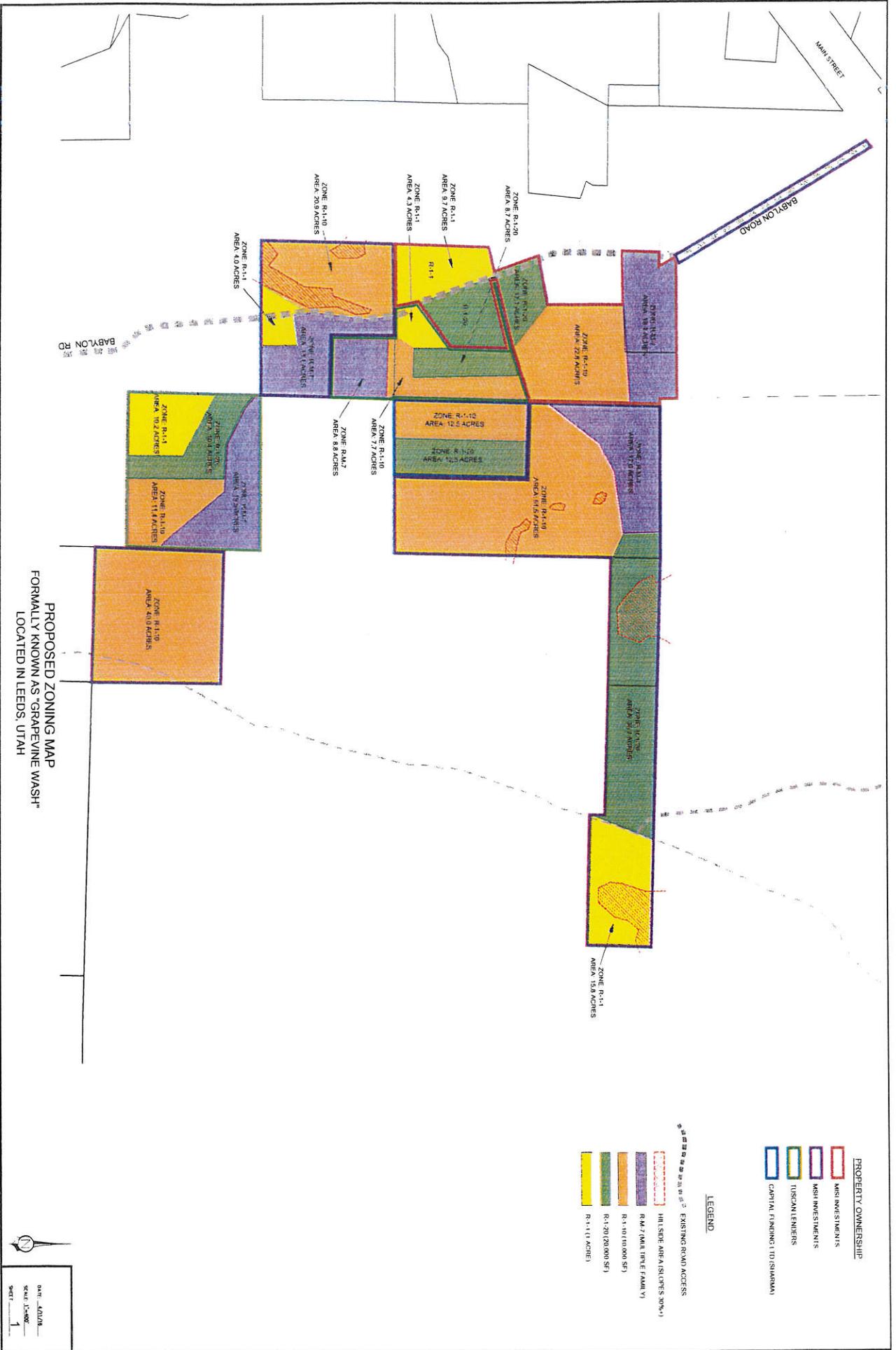
The proposed zoning change reflects a new residential concept for Grapevine Wash. It fits within the Town's existing zonings, as detailed in the attached base map, and aligns with the Town's goal of maintaining diversity in development and housing types. The proposed change requires no change to the Town's General Plan and significantly reduces proposed density—from the 3.8/units per acre previously discussed to 2.8/units per acre.

TOWN of LEEDS

Zone Change/Amendment Application

Item 2

The proposed zoning change reflects a new residential concept for Grapevine Wash. It fits within the Town's existing zonings, as detailed in the attached base map, and aligns with the Town's goal of maintaining diversity in development and housing types. The proposed change requires no change to the Town's General Plan and significantly reduces proposed density—from the 3.8/units per acre previously discussed to 2.8/units per acre.



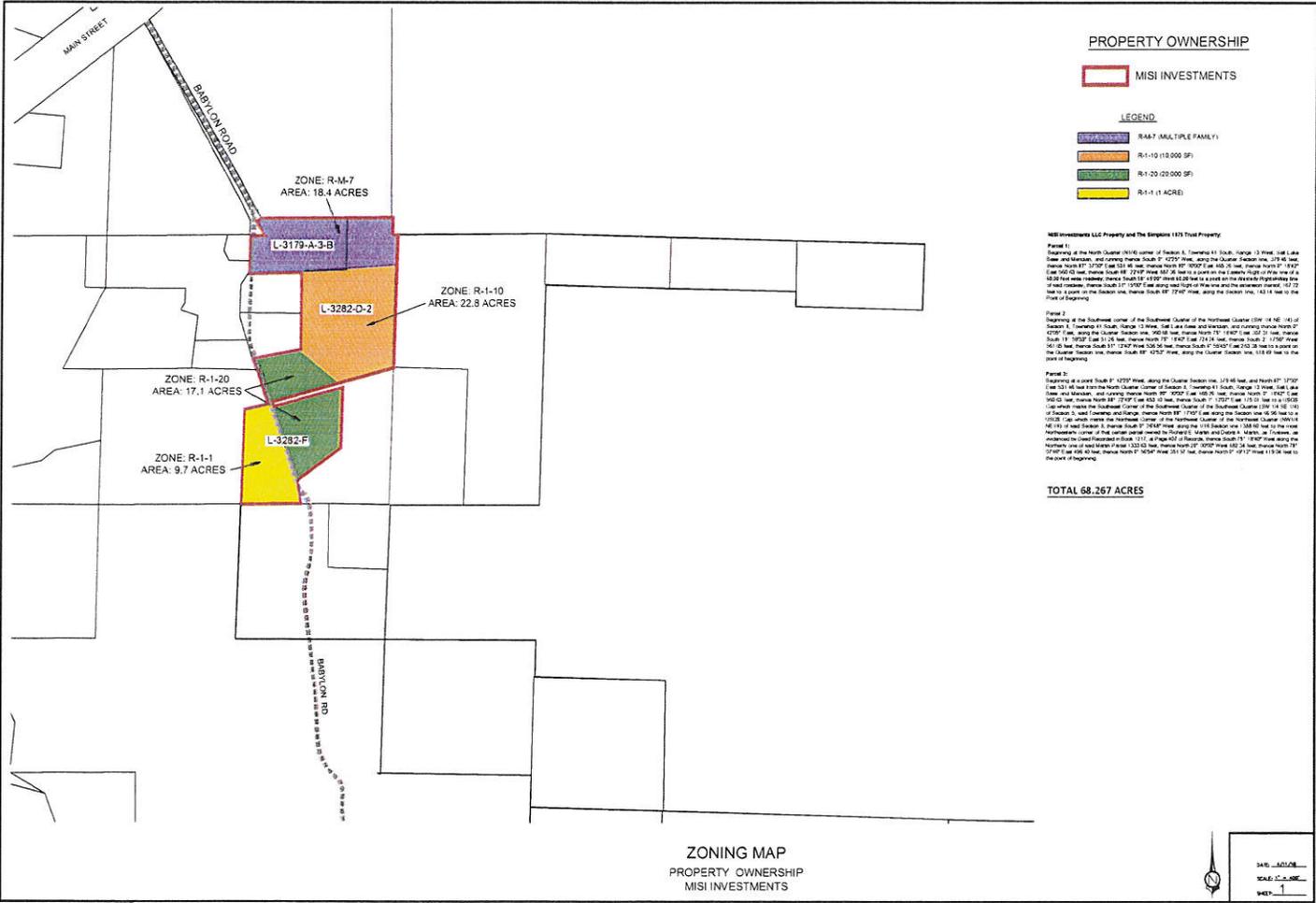
PROPOSED ZONING MAP
FORMALLY KNOWN AS "GRAPEVINE WASH"
LOCATED IN LEEDS, UTAH

DATE: 4/2/08
SCALE: 1"=200'
SHEET: 1

- PROPERTY OWNERSHIP**
- MSI INVESTMENTS
 - MSH INVESTMENTS
 - USOCAL LENDERS
 - CAPITAL FUNDING, LLC (IS/M/MA)

- LEGEND**
- HILLSIDE AREA (SLOPES 30%+)
 - R.M.7 (MILITARY FAMILY)
 - R-1.10 (10,000 SF)
 - R-1.20 (20,000 SF)
 - R-1.11 (1 ACRE)

EXISTING ROAD ACCESS



PROPERTY OWNERSHIP

MISI INVESTMENTS

LEGEND

- R-M-7 (MULTIPLE FAMILY)
- R-1-10 (10,000 SF)
- R-1-20 (20,000 SF)
- R-1-1 (1 ACRE)

MISI Investments LLC Property and the Simpson 143 Tract Property

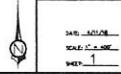
Parcel 1: Beginning at the North Quarter (NW) corner of Section 4, Township 41 South, Range 13 West, and Lake State and Michigan, and running thence South 7° 42'59" West, along the Quarter Section line 219.46 feet, thence North 87° 12'02" East 33.46 feet, thence North 89° 10'02" East 46.70 feet, thence North 7° 18'27" East 160.00 feet, thence South 88° 22'49" West 162.28 feet to a curve on the County Right of Way one of a 60.00 foot wide roadway, thence South 85° 23'02" West 82.80 feet to a point on the NW 1/4 of the NE 1/4 of the NE 1/4 of the Section, thence South 31° 12'02" West along the Right of Way line and the extension thereof, 167.22 feet to a point on the Section line, thence South 88° 22'04" West, along the Section line, 143.18 feet to the Point of Beginning.

Parcel 2: Beginning at the Southwest corner of the Southwest Quarter of the Northeast Quarter (SW 1/4 NE 1/4) of Section 4, Township 41 South, Range 13 West, and Lake State and Michigan, and running thence North 7° 42'59" East, along the Quarter Section line 190.58 feet, thence North 71° 18'27" East 102.21 feet, thence South 11° 22'02" East 11.45 feet, thence North 71° 18'27" East 124.04 feet, thence South 2° 17'06" West 161.00 feet, thence South 31° 12'02" West 160.56 feet, thence South 1° 10'43" East 213.28 feet to a point on the Quarter Section line, thence South 88° 14'27" West, along the Quarter Section line, 111.89 feet to the point of Beginning.

Parcel 3: Beginning at a point South 8° 42'02" West, along the Quarter Section line, 173.86 feet, and North 87° 12'02" East 231.86 feet to the North Quarter Corner of Section 4, Township 41 South, Range 13 West, and Lake State and Michigan, and running thence North 89° 10'02" East 46.70 feet, thence North 7° 18'27" East 160.00 feet, thence South 88° 22'49" West 162.28 feet, thence North 71° 18'27" East 102.21 feet, thence South 11° 22'02" East 11.45 feet, thence North 71° 18'27" East 124.04 feet, thence South 2° 17'06" West 161.00 feet, thence South 31° 12'02" West 160.56 feet, thence South 1° 10'43" East 213.28 feet to a point on the Quarter Section line, thence South 88° 14'27" West, along the Quarter Section line, 111.89 feet to the point of Beginning.

TOTAL 68.267 ACRES

ZONING MAP
PROPERTY OWNERSHIP
MISI INVESTMENTS



PROPERTY OWNERSHIP

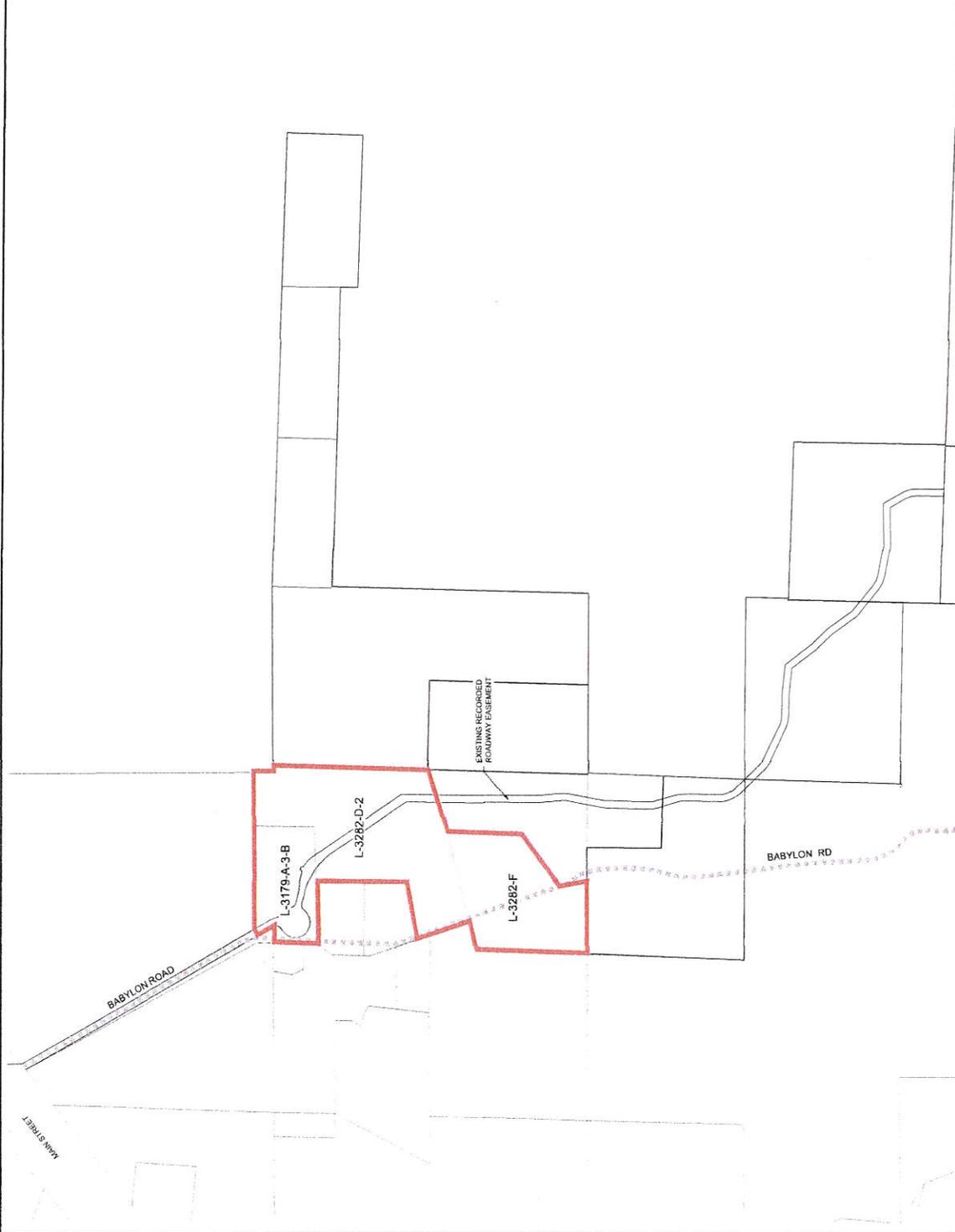
 MISI INVESTMENTS

L-3179-A-3-B: CONTAINS 12.223 ACRES

L-3282-F: CONTAINS 20.018 ACRES

L-3282-D-2: CONTAINS 36.026 ACRES

TOTAL 68.267 ACRES

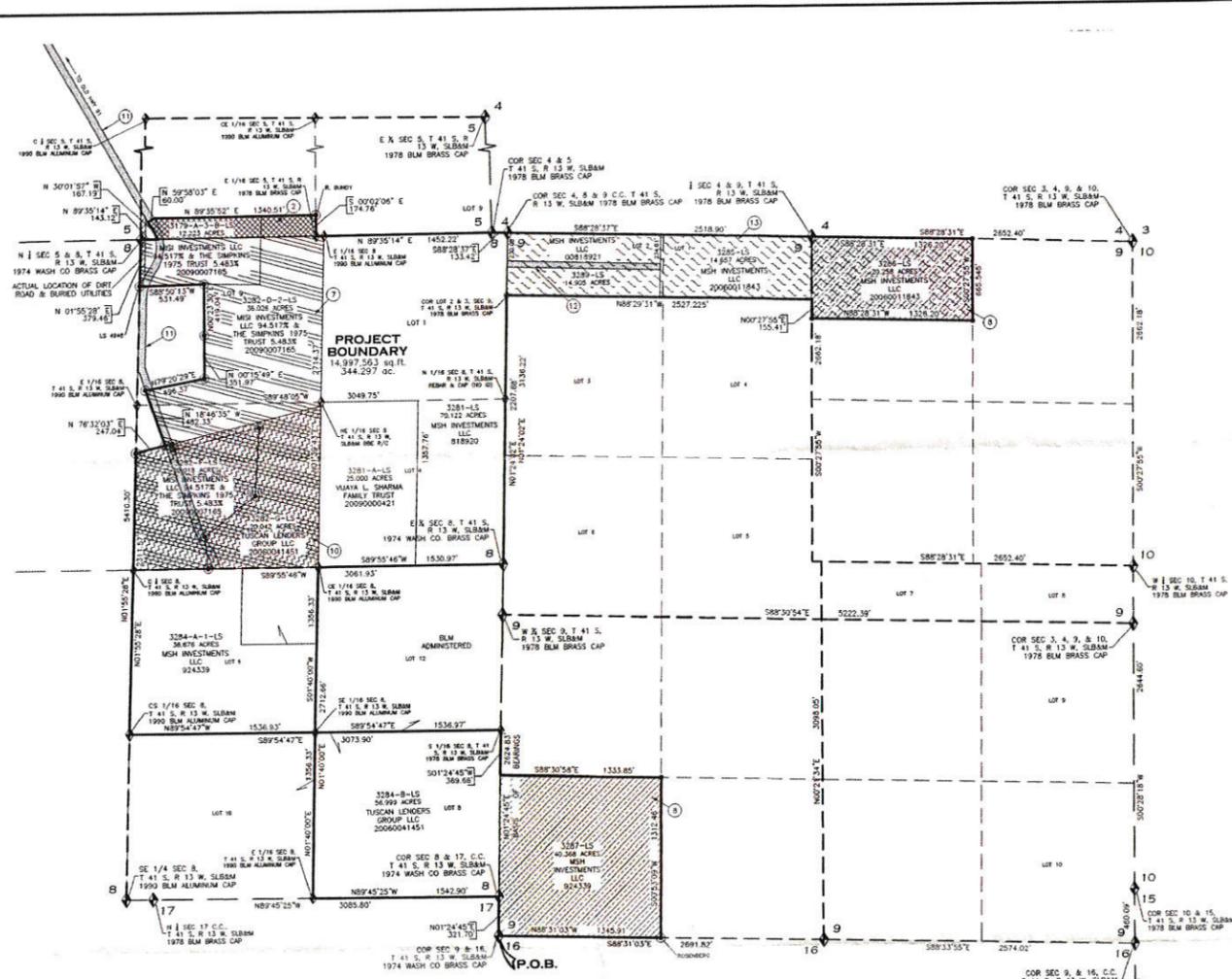


GRAPEVINE WASH PROPERTIES
PROPERTY OWNERSHIP
MISI INVESTMENTS



BUSH & GUDGELL, INC.
Engineers - Planners - Surveyors
205 East Elmwood, Suite 404
P.O. Box 430117, Dallas, TX 75243-0117
Phone: (469) 477-2377 / Fax: (469) 477-3168
www.bushandgudgell.com

DATE: 1/22/20
SCALE: 1" = 500'
SHEET: 1



SPECIAL EXCEPTION NOTES

- THE FOLLOWING NOTES ARE EXPLANATIONS OF ENCUMBRANCES AS IDENTIFIED WITHIN A TITLE REPORT WITH COMMITMENT NUMBER 28001-2 PREPARED BY UNITED TITLE SERVICES OF SOUTHERN UTAH DATED MARCH 30, 2011, SCHEDULE B - SECTION 2 - PART TWO.
- ITEM 13 - MOUNTAIN STATES TELEPHONE & TELEGRAPH CO. EASEMENT (COVERS SUBJECT PROPERTY WHERE IDENTIFIED AND ADDITIONAL PROPERTY) WHEREIN STATES "TWENTY FIVE FEET, CABLES, WIRES AND FIXTURES UNDER, OVER AND ACROSS" OF WHICH NO EVIDENCE HAS BEEN FOUND WITHIN THE SUBJECT PROPERTY AND EXISTING TELEPHONE IS UNDERGROUND AND IS BURIED ON THE WEST SIDE OF THE EXISTING DIRT ROAD.
- ITEM 14 - DOES NOT AFFECT SUBJECT PROPERTY
- ITEM 15 - DOES NOT AFFECT SUBJECT PROPERTY
- ITEM 16 - MOUNTAIN STATES TELEPHONE & TELEGRAPH CO. EASEMENT IDENTIFIED BY RECORDED SKETCH ONLY, THE LOCATION OF A BURIED TELEPHONE LINE THE SKETCH IS INADEQUATE OR ABSOLUTE SHOWING THE BURIED LINE ON THE EAST SIDE OF THE EXISTING DIRT ROAD WHERE OBSERVATIONS ON SITE HAVE REVEALED THAT THE BURIED LINE IS ON THE WEST SIDE OF THE EXISTING DIRT ROAD FROM THE POLE TO THE SECTION CORNER AND WEST OF THE CATTLE GUARD AS WELL.
- ITEM 17 - DOES NOT AFFECT SUBJECT PROPERTY
- ITEM 18 - US PATENT WITH RESERVATIONS (AFFECTING SUBJECT PROPERTY WHERE IDENTIFIED AND ADDITIONAL PROPERTY) EXCEPTING AND RESERVING TO THE UNITED STATES:
 - RIGHT-OF-WAY FOR DITCHES OR CANALS CONSTRUCTED BY THE AUTHORITY OF THE UNITED STATES
 - 1-15 - DOES NOT AFFECT SUBJECT PROPERTY
 - EASEMENT - (PROLONGED) BY THE BLM WITHIN DOCUMENT RECORDED AS ENTRY NO. 91284 ON NOVEMBER 24, 2004 (SUBJECT TO)
 - UTAH POWER AND LIGHT EASEMENT (LOT 11, SECTION 9 OF SUBJECT PROPERTY)
 - ACCESS AND ABUTTAL - DOES NOT AFFECT SUBJECT PROPERTY
 - UTAH POWER AND LIGHT EASEMENT
 - MOUNTAIN FUEL GAS PIPELINE - DOES NOT AFFECT SUBJECT PROPERTY
 - RIGHT-OF-WAY ACCESS ROAD (LOT 11, SECTION 9 OF SUBJECT PROPERTY)
 - RIGHT-OF-WAY ACCESS ROAD - DOES NOT AFFECT SUBJECT PROPERTY
 - GRAZING RIGHTS - EXPIRED JANUARY 20, 1999

SPECIAL EXCEPTION NOTES (CONT.)

- ITEM 19 - US PATENT WITH RESERVATIONS (AFFECTING SUBJECT PROPERTY WHERE IDENTIFIED AND ADDITIONAL PROPERTY) EXCEPTING AND RESERVING TO THE UNITED STATES:
 - PUBLIC HIGHWAY - DOES NOT AFFECT SUBJECT PROPERTY
 - RIGHT-OF-WAY FOR IRRIGATION CANAL - NONE EXISTING WITHIN SUBJECT PROPERTY
 - PACIFICORP EASEMENT FOR POWER TRANSMISSION LINE - NONE EXISTING WITHIN SUBJECT PROPERTY
 - MOUNTAIN FUEL GAS PIPELINE - DOES NOT AFFECT SUBJECT PROPERTY
 - US WEST COMMUNICATIONS TELEPHONE LINE - DOES NOT AFFECT SUBJECT PROPERTY
 - A.B. SULLIVAN FAMILY ENTERPRISES RIGHT-OF-WAY ACCESS ROAD
 - GRAZING RIGHTS - EXPIRED FEBRUARY 6, 1999
 - CRAZING RIGHTS - EXPIRED FEBRUARY 6, 1999
- ITEM 20 - DOES NOT AFFECT SUBJECT PROPERTY
- ITEM 21 - COVENANTS, RESTRICTIONS, AND CONDITIONS - RUNS WITH REAL PROPERTY IDENTIFIED - SUMMARY FOLLOWS:
 - DIRT ROAD WITH RIGHTS TO WIDEN UP TO SPECIFIED 60 FEET AT OWN EXPENSE
 - ANIMAL AND LIVESTOCK RESTRICTIONS
 - DUMPING, STORAGE, AND INOPERABLE VEHICLE RESTRICTIONS
 - SINGLE FAMILY DWELLINGS ONLY (NO DUPLEXES, CONDOMINIUMS, ETC)
 - ANY HOMES BUILT SHALL BE DESCRIBED AS A MOBILE OR MODULAR HOME, SINGLE OR DOUBLE WIDE, OR FACTORY PRE-BUILT HOME SHALL BE PLACED ON THE PROPERTY FOR ANY PURPOSE
 - NO BUILDING STRUCTURE SHALL BE PLACED WITHIN 30 FEET OF A PROPERTY LINE
 - NO BUILDING STRUCTURE SHALL BE PLACED WITHIN 30 FEET OF THE OWNERSHIP OF LAND BOUND BY THESE COC'S
 - PROVISIONS MAY ONLY BE CHANGED BY APPROVAL OF 75% OF THE OWNERSHIP OF LAND BOUND BY THESE COC'S
 - ANY OWNER HAS THE RIGHT TO ENFORCE BY ANY PROCEEDING AT LAW
- ITEMS 22 THRU 26 & 28 - UTILITIES EASEMENT AND A RIGHT-OF-WAY FOR INGRESS AND EGRESS AS IDENTIFIED (60 FEET WIDE)
- ITEM 27 - RIGHT-OF-WAY EASEMENT AS IDENTIFIED (50 FEET WIDE)
- ITEM 33 - EASEMENT FOR UNRESTRICTED INGRESS, EGRESS AND UTILITIES TO LINES 90 FEET WIDE EITHER FROM 900 NORTH (SHARPLEY ROAD) OR FROM ANOTHER DEDICATED ROAD MUTUALLY AGREED UPON IN WRITING BY BOTH PARTIES.

SURVEYOR'S CERTIFICATE

BARRY E. THOMPSON, DO HEREBY CERTIFY THAT I AM A PROFESSIONAL LAND SURVEYOR AS PRESCRIBED BY THE LAWS OF THE STATE OF UTAH AND HOLD CERTIFICATE OF REGISTRATION LICENSE NO. 48048465. I FURTHER CERTIFY THAT AT THE REQUEST OF THE "GRAPEVINE WASH OWNERS' GROUP," I HAVE MADE A SURVEY OF THE TRACT OF LAND SHOWN ON THIS PLAT AND DESCRIBED BELOW, AND THAT IT CORRECTLY REPRESENTS THE CONDITIONS EXISTING ON THE GROUND.

BARRY E. THOMPSON, P.L.S.
CERTIFICATE NO. 48048465

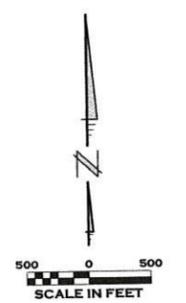
BASIS OF BEARINGS

THE BASIS OF BEARINGS FOR THIS SURVEY IS THE WEST LINE OF SECTION 9, TOWNSHIP 41 SOUTH, RANGE 13 WEST OF THE SALT LAKE BASE AND MERIDIAN, FROM THE SOUTHWEST CORNER, A 1974 WASHINGTON COUNTY BRASS CAP, TO THE WEST QUARTER CORNER, A 1978 BUREAU OF LAND MANAGEMENT (BLM) BRASS CAP. THE BEARING IS NORTH 07°24'45" EAST AND MEASURES 2624.83 FEET CORNER TO CORNER.

BOUNDARY DESCRIPTION

BEGINNING AT THE SOUTHWEST CORNER OF SECTION 9, TOWNSHIP 41 SOUTH, RANGE 13 WEST OF THE SALT LAKE BASE AND MERIDIAN AND RUNNING THENCE ALONG THE WEST SECTION LINE NORTH 07°24'45" EAST 321.70 FEET TO THE SOUTHWEST CORNER OF SECTION 8 OF SAID TOWNSHIP AND RANGE; THENCE ALONG THE SOUTH SECTION LINE OF SAID SECTION 8 NORTH 89°42'23" WEST 1442.90 FEET TO THE EAST SIXTEENTH CORNER OF SAID SECTION 8; THENCE ALONG THE EAST SIXTEENTH LINE OF SAID SECTION 8 NORTH 01°40'00" EAST 1356.33 FEET TO THE SOUTHWEST SIXTEENTH CORNER OF SAID SECTION 8; THENCE ALONG THE SOUTH SIXTEENTH LINE OF SAID SECTION 8 NORTH 89°24'47" WEST 1526.83 FEET TO THE CENTER-SOUTH SIXTEENTH CORNER OF SAID SECTION 8; THENCE ALONG THE CENTER SECTION LINE NORTH 07°50'23" EAST 2311.53 FEET; THENCE LEAVING SAID CENTER SECTION LINE CORNER OF SAID SECTION 8; THENCE ALONG THE CENTER SECTION LINE NORTH 07°50'23" EAST 2311.53 FEET; THENCE LEAVING SAID CENTER SECTION LINE NORTH 72°32'03" EAST 247.04 FEET TO A POINT ON THE WESTERLY RIGHT-OF-WAY LINE OF A 60.00 FOOT WIDE ACCESS AND UTILITY EASEMENT; THENCE ALONG SAID WESTERLY RIGHT-OF-WAY LINE NORTH 18°46'35" WEST 482.33 FEET; THENCE LEAVING SAID WESTERLY RIGHT-OF-WAY LINE NORTH 72°32'03" ALONG SAID WESTERLY RIGHT-OF-WAY LINE NORTH 07°15'49" EAST 351.97 FEET; THENCE NORTH 07°23'30" EAST 419.04 FEET; THENCE SOUTH 89°50'13" WEST 531.49 FEET EAST 489.27 FEET; THENCE NORTH 01°52'28" EAST 379.48 FEET TO THE QUARTER CORNER TO SAID SECTION 8 AND SECTION 5 OF SAID TOWNSHIP AND RANGE; THENCE ALONG THE SECTION LINE COMMON TO SAID SECTIONS 8 AND 5 NORTH 89°35'14" EAST 143.12 FEET; THENCE LEAVING SAID COMMON SECTION LINE NORTH 30°01'37" WEST 467.19 FEET TO A POINT ON SAID WESTERLY RIGHT-OF-WAY LINE; THENCE NORTH 89°50'13" EAST 60.00 FEET TO A POINT ON THE EASTERLY RIGHT-OF-WAY LINE OF SAID EASEMENT; THENCE LEAVING SAID EASTERLY RIGHT-OF-WAY LINE NORTH 89°35'52" EAST 1340.51 FEET TO A POINT ON THE WESTERLY RIGHT-OF-WAY LINE OF SAID EASEMENT; THENCE ALONG SAID WESTERLY RIGHT-OF-WAY LINE SOUTH 09°25'56" EAST 174.76 FEET TO THE SOUTHWEST CORNER OF SAID SECTION 10, SAID POINT BEING ON THE THENCE ALONG SAID WESTERLY LINE SOUTH 09°25'56" EAST 174.76 FEET TO THE SECTION CORNER COMMON TO SAID SECTIONS 8 AND 9; SOUTHWEST CORNER OF SAID SECTION 9; THENCE SOUTH 89°28'31" EAST 1326.20 FEET TO THE EAST SIXTEENTH CORNER OF SAID SECTION 9; THENCE ALONG THE NORTH LINE OF SAID SECTION 9 IN THE FOLLOWING TWO (2) COURSES: SOUTH 88°28'37" EAST 2518.90 FEET TO THE NORTH QUARTER CORNER OF SAID SECTION 9; THENCE SOUTH 88°28'31" EAST 1326.20 FEET TO THE EAST SIXTEENTH CORNER OF SAID SECTION 9; THENCE ALONG THE EAST SIXTEENTH LINE OF SAID SECTION 9 SOUTH 09°27'57" WEST 665.84 FEET TO THE SOUTHWEST CORNER OF THE SOUTH HALF OF THE NORTHWEST QUARTER SECTION 9, SAID POINT BEING THE SOUTHWEST CORNER OF SAID SECTION 9; THENCE ALONG THE CENTER SECTION LINE OF SAID SECTION 9 NORTH 07°27'57" EAST 155.41 FEET TO THE SOUTHWEST CORNER OF SECTIONAL LOT 1 OF SAID SECTION 9; THENCE ALONG THE SOUTH LINE OF SAID SECTIONAL LOT 1 AND SECTIONAL LOT 2 NORTH 89°29'31" WEST 222.22 FEET TO A POINT ON THE SECTION LINE COMMON TO SAID SECTIONS 9 AND 9; THENCE ALONG SAID COMMON SECTION LINE SOUTH 07°24'02" WEST 2207.88 FEET TO THE EAST QUARTER CORNER OF SAID SECTION 9; THENCE ALONG THE CENTER SECTION LINE OF SAID SECTION 9 SOUTH 89°55'45" WEST 1530.97 FEET TO THE CENTER-EAST SIXTEENTH CORNER OF SAID SECTION 9; THENCE ALONG SAID SOUTH SECTION 9; THENCE SOUTH 89°40'00" WEST 1326.20 FEET TO SAID SOUTHWEST SIXTEENTH CORNER OF SAID SECTION 9; THENCE ALONG SAID SECTION LINE COMMON TO SECTIONS 8 AND 9 SOUTH 07°24'45" WEST 549.66 FEET TO THE SOUTH SIXTEENTH CORNER OF SAID SECTION 9; THENCE ALONG THE SOUTH SIXTEENTH LINE OF SAID SECTION 9 SOUTH 89°30'58" EAST 1333.85 FEET TO THE SOUTHWEST SIXTEENTH CORNER OF SAID SECTION 9; THENCE ALONG THE WEST SIXTEENTH LINE OF SAID SECTION 9 SOUTH 07°53'09" WEST 1312.46 FEET TO THE WEST SIXTEENTH CORNER OF SAID SECTION 9; THENCE ALONG THE SOUTH LINE OF SAID SECTION 9 NORTH 89°31'03" WEST 1348.91 FEET TO SAID SOUTHWEST SECTION CORNER AND THE POINT OF BEGINNING. CONTAINS 369.296 ACRES.

- LEGEND**
- ◆ FOUND SECTION MONUMENTATION AS NOTED
 - SET 5/8" X 20" REBAR AND PLASTIC CAP MARKED "BET 49048465"
 - ⊙ FOUND B&C REBAR AND CAP (UNLESS OTHERWISE NOTED)
 - ⑩ SPECIAL EXCEPTION NOTE NUMBER IDENTIFYING LOCATION



REVISIONS
 NO. DATE APPROVED BY
 1
 2
 3
 4
 5
 6
 7
 8
 9
 10

ENCUMBRANCE SURVEY DEVELOPMENT AREA
THE GRAPEVINE WASH OWNERS' GROUP
 LOCATED IN SECTIONS 8 & 9, TOWNSHIP 41 SOUTH, RANGE 13 WEST OF THE SALT LAKE BASE AND MERIDIAN, TOWNSHIP OF LEEDS, WASHINGTON COUNTY, UTAH.

PC
ENGINEERING
 CIVIL ENGINEERING AND LAND SURVEYING
 51 NORTH 1000 WEST SHUTE 3 - HURRICANE UTAH 84737
 PAC: (360) 655-9765 TEL: (360) 655-2589

FILE NAME: EASEMENT MAP
 DATE: MAY 27, 2011
 CHECKED BY: BET
 SCALE: 1" = 500'
 SHEET: 1 OF 1



ESTIMATE

DATE
29-Mar-2016

TO:
TOWN OF LEEDS 218 N. Main St. P.O. Box 460879 Leeds, Ut. 84746 Attn. Mayor Wayne Peterson

DATE	INVOICE ITEM	AMOUNT
------	--------------	--------

"Estimate includes double chip sealing on Leeds section of Old Highway 91 from Washington County to Toquerville Line".

1450ft. Length x 24ft. Average width of road way.

OIL: 14.50 Tons of LMCRS-2 from Ergon @ \$328.00/ton	\$4,756.00
CHIPS: 100 Tons of 3/8 chips from Interstate Rock @ \$18.00/ton	\$1,800.00
<u>Transportation of chips are not included in this price, "material only".</u>	\$6,556.00

Materials are figured for a double chip seal coat.

CHIPPER: 2 Hrs. @ \$180.00/hr.	\$360.00
LOADER: 2 Hrs. @ \$100.00/hr.	\$200.00
DUMP TRUCKS: (5) 2 Hrs. each 10 Hrs. total @ \$85.00/hr.	\$850.00
ROLLERS: (2) 3 Hrs. each 6 Hrs. total @ \$70.00/hr.	\$420.00
BROOMS: (2) 6 Hrs. each 12 Hrs. total @ \$60.00/hr.	\$720.00
Brooming includes: Initial brooming before first layer of chips, after first chipping layer, and one week after chipping has been completed.	\$2,550.00

DISTRIBUTOR: 3 Hrs. @ \$150.00/hr. includes 1 Hr. of travel time **\$450.00**

STRIPING: 4,350 linear feet @ \$.09/ft. **\$400.00**

Town of Leeds will complete all patching, shoulder work, road repairs prior to chipping and is not figured in this estimate.

Town of Leeds will arrange for and purchase all materials including oil, chips, striping, and the distributor. The chips will have to include transportation to the site location by another party and is not figured in the price of chips or in this estimate.

Total Estimate :	\$9,956.00
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Leeds Town Street Maintenance Schedule 2016

								Est.	Total			
				Total	Asphalt/	Application	Unit Cost	Cost				
Street-Description	Parameters	L	W	SQ. FT.	Chip Seal	2 tenths	Fog Seal	Fog Seal	Cleaning	Striping	Total Cost	
Southeast Zone												
Pecan Lane	West End to Main Street	540	23	12420	Chip Seal	Fog Seal	0.06	\$745.20	\$200.00		\$945.20	
								Est.	Total			
				Total	Asphalt/	Application	Unit Cost	Cost				
Street-Description	Parameters	L	W	SQ. FT.	Chip Seal	2 Tenths	Fog Seal	Fog Seal	Cleaning	*Striping		
NorthWest, Southwest Zone												
Silver Crest Court	Mountain View Drive to West End	560	28	15680	Asphalt	Fog Seal	0.06	\$940.80	\$75.00		\$1,015.80	
Mountain View Drive	Silver Crest Court to Canyon Creek Dr.	980	28	27440	Asphalt	Fog Seal	0.06	\$1,646.40	\$150.00		\$1,796.40	
El Dorado Court	Mountain View Drive to East End	1030	28	28840	Asphalt	Fog Seal	0.06	\$1,730.40	\$150.00		\$1,880.40	
Canyon Creek Drive	Canyon Creek Court to Silverado Court	1315	28	36820	Asphalt	Fog Seal	0.06	\$2,209.20	\$200.00		\$2,409.20	
Silverado Court	Canyon Creek Drive to South End	835	28	23380	Asphalt	Fog Seal	0.06	\$1,402.80	\$150.00		\$1,552.80	
Canyon Creek Court	Canyon Creek Drive to West End	720	28	20160	Asphalt	Fog Seal	0.06	\$1,209.60	\$150.00		\$1,359.60	
Mountain Shadows Drive	Canyon Creek Drive-Silver Shadows Dr.	1245	28	34860	Asphalt	Fog Seal	0.06	\$2,091.60	\$150.00		\$2,241.60	
Silver Shadows Drive	Bonanza Road-Mountain Shadows Dr.	450	28	12600	Asphalt	Fog Seal	0.06	\$756.00	\$75.00		\$831.00	
Bonanza Road	Silver Shadows Drive to Silver Hills Rd.	2670	28	74760	Asphalt	Fog Seal	0.06	\$4,485.60	\$300.00		\$4,785.60	
Silver Hills Road	Silver Reef Road to Bonanza Road	1120	28	31360	Asphalt	Fog Seal	0.06	\$1,881.60	\$150.00		\$2,031.60	
Silver Reef Road	UDOT ROW to Silver Hills Road	3380	25	84500	Chip Seal	Fog Seal	0.06	\$5,070.00	\$350.00		\$5,420.00	
Silver Reef Road	Silver Hills Road to Asphalt/East End	1150	25	28750	Chip Seal	Fog Seal	0.06	\$1,725.00	\$150.00		\$1,875.00	
Silver Reef Road	Asphalt East End/Asphalt West End	1840	25	46000	Asphalt	Fog Seal	0.06	\$2,760.00	\$150.00		\$2,910.00	
Silver Reef Road	Asphalt West End/Leeds Creek Bridge	1310	25	32750	Chip Seal	Fog Seal	0.06	\$1,965.00	\$150.00	\$2,800	\$4,915.00	
Juniper Way	Silver Reef Road to North End	1800	28	50400	Asphalt	Fog Seal	0.06	\$3,024.00	\$250.00		\$3,274.00	
Deer Trail Drive	Juniper Way to East End	330	28	9240	Asphalt	Fog Seal	0.06	\$554.40	\$50.00		\$604.40	
High Desert Road	Silver Reef Road to North End	970	28	27160	Asphalt	Fog Seal	0.06	\$1,629.60	\$100.00		\$1,729.60	
Quail Court	Silver Reef Road to South End	280	28	7840	Asphalt	Fog Seal	0.06	\$470.40	\$50.00		\$520.40	
Silver Reef Drive	Silver Reef Road to South End	4802	24	115248	Both	Fog Seal	0.06	\$6,914.88	\$400.00		\$7,314.88	
Wells Fargo Drive	Silver Reef Drive to North End	1080	21	22680	Chip Seal	Fog Seal	0.06	\$1,360.80	\$100.00	\$0	\$1,460.80	
Totals, NW & SW Zones:		27867		730468				\$43,828.08	\$3,300.00	\$2,800	\$50,873.28	

Notes: The estimated value of all roadways owned by the Town of Leeds is 1,238,149 s.f. @ \$2.25=\$2,785,835.20

Some roads listed above have asphalt as their initial surface with a chip seal installation over the asphalt.

*Striping Item is for the entire length of Silver Reef Road.

Town of Leeds

Town Council Meeting for March 9, 2016

1. Call to Order:

Mayor Peterson called to order the regular meeting of the Leeds Town Council at 7:00pm on March 9, 2016 at Leeds Town Hall, 218 N Main.

ROLL CALL:

	<u>Present</u>	<u>Absent</u>	
MAYOR: WAYNE PETERSON	x	_____	
COUNCILMEMBER: RON CUNDICK	x	_____	
COUNCILMEMBER: ANGELA ROHR	x	_____	
COUNCILMEMBER: ELLIOTT SHELTMAN	x	_____	
COUNCILMEMBER: NATE BLAKE	x	_____	Attended by phone

2. Pledge of Allegiance by Commissioner Sheltnan.

3. Declaration of Abstentions or Conflicts: None.

4. Approval of Agenda:

Councilmember Cundick moved to approve tonight's agenda and meeting minutes of February 10, 2016 and February 24, 2016. 2nd by Councilmember Blake. Motion passed in a Roll Call Vote.

ROLL CALL VOTE:

	<u>Yea</u>	<u>Nay</u>	<u>Abstain</u>	<u>Absent</u>
MAYOR: WAYNE PETERSON	x	_____	_____	_____
COUNCILMEMBER: RON CUNDICK	x	_____	_____	_____
COUNCILMEMBER: ANGELA ROHR	x	_____	_____	_____
COUNCILMEMBER: ELLIOTT SHELTMAN	x	_____	_____	_____
COUNCILMEMBER: NATE BLAKE	x	_____	_____	_____

5. Citizen Comments: None.

6. Announcements:

- a. Special Planning Commission Meeting, Wednesday, March 30 at 7:00pm.

Mayor Peterson announced there will be a Special Planning Commission Meeting on Wednesday, March 30th and a regular meeting on April 6th.

7. Special Presentation:

- a. Southwest Mosquito Abatement and Control District, Sean Amodt

Sean Amodt from the Southwest Mosquito Abatement and Control District gave a presentation on mosquitos in Washington County.

- b. Ash Creek Special Service District, Mike Chandler

Mike Chandler from Ash Creek Special Service District discussed Ash Creek's sewer system and septic tanks with Town Council.

8. Public Hearings:

9. Action Items:

a. Silver Pointe Estates Phase 1, amended Final Plat Map

Scott Woolsey from Alpha Engineering representing Silver Pointe Estates explained the amendment to the Final Plat Map, Phase 1. The amendment was for a lot line adjustment on a parcel to accommodate a water tank.

Town Council discussed it further.

Mayor Peterson asked for a motion to approve Silver Pointe Estates, Phase 1 amended Final Plat Map as presented.

Councilmember Sheltman indicated he was not sure if the parcel was the right size to accommodate the water tank.

Mayor Peterson, we could approve subject to the necessary acreage being available for the proposed tank.

Mayor Peterson asked for a motion to approve Silver Pointe Estates, Phase 1 amended Final Plat Map as presented with the condition that it be verified that the LDWA's future tank would be appropriately fitted on that particular parcel that is proposed.

Councilmember Blake, I so move. 2nd by Councilmember Rohr.

Councilmember Cundick, I just want to know if Elliott is comfortable with that?

Councilmember Sheltman, personally no.

Councilmember Cundick, because it is subject for approval later, or because you don't think it will be adequate.

Councilmember Sheltman, I am just not sure.

Councilmember Cundick, well, if we have the Engineer who is advising LDWA look at it and he says "yes or no".

Councilmember Sheltman, when we looked at it, we looked at the tank only.

Councilmember Cundick, I understand that, but what I am saying is if we approve this subject to approval by LDWA, then it seems to me that whatever the Engineer says would be it.

Councilmember Sheltman, if we come to the conclusion that we need a bigger space, are we going to have to bring it up again?

Councilmember Cundick, if it doesn't fit, then we are back to square one as I understand the motion right now.

Scott Woolsey, what would happen then is you would basically still have to make a change.

Councilmember Cundick, it is approved only if it is satisfactory to LDWA as I understand it right now. Am I correct in the understanding?

Mayor Peterson, that's what I asked for a motion on.

Councilmember Sheltman, ok thanks for the clarification.

Motion passed in a Roll Call Vote.

ROLL CALL VOTE:

	Yea	Nay	Abstain	Absent
MAYOR: WAYNE PETERSON	x	_____	_____	_____
COUNCILMEMBER: RON CUNDICK	x	_____	_____	_____
COUNCILMEMBER: ANGELA ROHR	x	_____	_____	_____
COUNCILMEMBER: ELLIOTT SHELTMAN	x	_____	_____	_____
COUNCILMEMBER: NATE BLAKE	x	_____	_____	_____

b. Planning Commission Appointments

Mayor Peterson, as the Council is aware, there are 2 openings on the Planning Commission. One is a result of a resignation of somebody that is going to be leaving the area. The other is a result of Elliott Sheltman having been elected to Town Council and unable to serve. I spoke to a variety of people in Town and was provided with some names to contact regarding potential candidates and I offered to the Council as well, if they had any ideas to please share them with me. Some people did and as a result I had the opportunity to speak with two individuals that are here this evening. One is a longer standing resident of Leeds, Gary Tanner. The other is a fairly new arrival to the Town of Leeds, Darryl Lewis. I believe they are both very qualified to serve on the Planning Commission. I am very appreciative of the fact of their willingness to have their names put forward. I believe we now will have a planning Commission with the addition of these two individuals with 5 very capable members, as well as, one very capable alternate. At this point as the Town Ordinance requires, I request that the Town Council approve Gary Tanner for a term that would expire June 30, 2018. That would be replacing the term of Norm Peters, who had to resign and Darryl Lewis be appointed for a term that would expire June 30, 2020. That would be replacing Elliott Sheltman, who is now a member of the Town Council.

Councilmember Blake indicated he disagrees with the candidates, not because they were not qualified but felt like Danielle Stirling is the most qualified to become a full time member because of the work she has completed in the past with drafting Ordinances.

Mayor Peterson, well having brought up that name, I can tell you that I was approached by Danielle, who has been an alternate since January of 2014 and due to family circumstances, as she's described it, wasn't able to be active but now is at a point where she can be active again. I think that the Planning Commission would benefit from not only having 5 full time serving members being able to attend but also an interested, well-informed, alternate, who at the present time is available. We now have the luxury of not having to beg people to provide public service but are willing to do that. As the Mayor, I am given the opportunity and the way this process works is, I put forward names and then you as Council are in a position to determine if they are competent, capable and appropriate names to have put forward. I would hate to think the Town of Leeds wants to emulate Washington DC, but I am not hearing you say that you think there is any short comings of the members that I am proposing but rather just a preference for somebody else.

Councilmember Blake, it is not necessarily a preference, Danielle and I are friends but outside of the friendship, she has been a pillar of this community and like I said, most of the Ordinances that come across our desks, she has supplied those Ordinance as an alternative and a pillar of our community, that we have adjusted to and helped put everything together to the situation we are in now, to help bring back our Town as a community. When I got on Town Council 4 years ago, it was a lost cause.

Councilmember Sheltman, I was on Planning for 2 years and I commend these gentlemen for willing to put themselves though being a volunteer for the Town of Leeds. It can be quite an experience; however, I think on Planning Commission, there are a lot of things we are going to

have to deal with fairly quickly that maybe haven't been for a long time. I know the Planning Commission has not met in 6 months and again there are a lot of things that I feel are important that are going to need to be addressed. I have been given a letter from the Planning Commission members that they want me to read if I may, this is to the Town of Leeds attention, Town Council and it says: (Councilmember Sheltman read the following off his phone)

After discussion with fellow members of the Planning Commission, we would like to express our support for Danielle Stirling to be a full-time member of the Planning Commission. A recent interim Chairmanship was incredibly successful and highlighted her strong qualities of leadership, insight and historical knowledge. We realize that others have been contacted for service, but we feel like she would be the right person to assist us in accomplishing our important duties this year and beyond.

Respectfully submitted,

John Poast

Darrell Nelson

Danny Swenson

Town Council discussed it further. Councilmember Blake and Sheltman indicated that if this comes up for a vote, they would not approve both candidates. Instead they want Danielle Stirling as a full time member and one of the candidates as an alternate.

Gary Tanner asked Councilmembers to strike his name off.

Mayor Peterson, what I am willing to do at this point is put forward the name of Darryl Lewis to fulfill the term that expires on June 30, 2020 and I will hold in abeyance until I have an opportunity, among other things, to speak with the alternate member further. I would also appreciate an opportunity for Gary Tanner to consider the possibility of serving as an alternate, because I believe his time in the Town and his experience in his professional life would be sadly missed if they were not involved in the Planning Commission.

Mayor Peterson asked for a motion to approve Darryl Lewis to the term expiring on June 30, 2020 on the Planning Commission.

Councilmember Rohr, I so move. 2nd by Councilmember Cundick. Motion passed in a Roll Call Vote.

ROLL CALL VOTE:

	Yea	Nay	Abstain	Absent
MAYOR: WAYNE PETERSON	x	_____	_____	_____
COUNCILMEMBER: RON CUNDICK	x	_____	_____	_____
COUNCILMEMBER: ANGELA ROHR	x	_____	_____	_____
COUNCILMEMBER: ELLIOTT SHELTMAN	x	_____	_____	_____
COUNCILMEMBER: NATE BLAKE	x	_____	_____	_____

- c. Discussion and possible action regarding Main Street curb and gutter project with UDOT. Curtis Nelson from Ensign Engineering discussed the Capital Improvement Plan for Leeds Main Street Curb and Gutter project with Town Council.

Mayor Peterson asked for a motion for us to notify UDOT that we would be interested in investigating further the offer of them to provide up to \$119,000 contribution towards the Main Street Curb and Gutter Project.

Councilmember Blake, I so move. 2nd by Councilmember Rohr. Motion passed in a Roll Call Vote.

ROLL CALL VOTE:

	Yea	Nay	Abstain	Absent
MAYOR: WAYNE PETERSON	x	_____	_____	_____
COUNCILMEMBER: RON CUNDICK	x	_____	_____	_____
COUNCILMEMBER: ANGELA ROHR	x	_____	_____	_____
COUNCILMEMBER: ELLIOTT SHELTMAN	x	_____	_____	_____
COUNCILMEMBER: NATE BLAKE	x	_____	_____	_____

d. Clerk/Recorder Appointment Ratification

Mayor Peterson, at the end of each municipal election cycle which we went through at the end of last year, the Town is supposed to be appointing or reappointing their officials and for us that would be a Clerk/Recorder and a Treasurer. I would prefer to hold off on the appointment or reappointment of the Treasurer at this time and just ask that Ron Cundick continue to serve until such time that the next step is determined. At this time I would like to put forward the name of Kristi Barker to serve as our Clerk/Recorder going forward. I appreciate the service that Bob Goldsberry has provided but I believe that it would be in the best interest of the Town to go in a different direction as we move forward; therefore, I am putting forward Kristi Barker's name for ratification by Town Council.

Councilmember Rohr, I so move. 2nd by Councilmember Blake. Motion passed in a Roll Call Vote.

ROLL CALL VOTE:

	Yea	Nay	Abstain	Absent
MAYOR: WAYNE PETERSON	x	_____	_____	_____
COUNCILMEMBER: RON CUNDICK	x	_____	_____	_____
COUNCILMEMBER: ANGELA ROHR	x	_____	_____	_____
COUNCILMEMBER: ELLIOTT SHELTMAN	x	_____	_____	_____
COUNCILMEMBER: NATE BLAKE	x	_____	_____	_____

10. Discussion Items:

11. Citizen Comments:

Carrie Dickson, I own a lot on Main Street and I am here to address the Grapevine rezoning that's come before Planning Commission and coming before the Council. I just want to make sure that it's gone on record that certain things are brought to your attention. I appreciate that you have a lot of outside conversations, agreements and workings with things, but as a member of the community, such as I am, I still would like to make sure that we keep as close to the characteristics of the Town of Leeds, where I believe every single one of us has appreciated and is why we actually own property or live here in the Town. While we have a lot of diversity, we have a lot of unity in that diversity. So I just wanted to let you know, while I am sure of you are very aware of your General Plan, I would like as much adherence to that as you possible can conjure up, especially in zoning issues like this. I know that a lot of us have been very much concerned about the amount of the high density and even the quarter acre lots. If it is at all possible, I would like very much for you to please revisit making those a little larger. I have mentioned before, this particular development is roughly 1/3 the size of the Town of Leeds and yet it increases so many of the other zoning areas so

much more than 1/3, way more in a couple of areas. I understand that this is a much better deal than what is currently on plat, I appreciate that very much. I also want to make sure that for the Town of Leeds, we do the best that we can and that in the future, we do not have to come back and do a bandage fix on something. I appreciate your time, I appreciate your effort, I appreciate that you allow me to comment tonight, but I would like very much for the General Plan to be followed as close as possible.

Susan Savage, following up with Carrie, I would probably make this comment later at another meeting, but just to offer it is something to think about. As I looked at the different colors, the different kinds of zoning on there, it seems to me that in the planning, there would need to be some kind of discretionary clause at least, or something to allow for the kinds of things that you would address at the time they come to us with a subdivision. It is not all flat land, all the same like Washington Fields, so as specific plans come in, there can be drainage areas, there may need to be soil samples. We have had a lot of blue clay issues, so before in Leeds we have had homes built where the floors have cracked because the soils were not done. The thought I just had was to commit to make a blanket commitment in those areas it might be impossible to solve and also protect future residents. There might need to be something that says "we would accept the various kinds of zoning that are being asked for, but as the subdivisions are applied for individually, that protect your ability to examine those things"; or if you felt good about where those zones are on the plan, maybe to say "we accept that, in so far as, the plans allows us to do those things".

Mayor Peterson, one of the things that the preliminary Development Agreement did was adjust certain standards with regards to construction, width of roads and other radiuses and the like. One of the things with it being a rezoning is it would be subject to all currently existing Leeds Ordinances and all of Leeds existing construction guidelines. That is something that we have the services right now, Bob Nicholson who was not involved when the original preliminary Development Agreement was done is currently available to us. I think that you raise very important points and one of the things about this turning into a rezoning, as opposed to, a Development Agreement is, that it brings things back to where everything needs to follow proper codes. The ones that you bring up as concerns are the ones that would be reflected in the review that would be done before any construction could take place.

Susan Savage, if you accept the plans the way they presented it, does that mean that they would be guaranteed the number of lots that it would allow?

Mayor Peterson, no, the one thing that it is saying is, the acreage in each color would be zoned that particular color, that particular zone, but with the unbuildable land, they are aware. They have already highlighted hillsides where it couldn't be built and if there was blue clay or anything like that, they would not be able to build. That is not going to be transferable, it just becomes an unbuildable portion regardless of what it is zoned if it has something like blue clay involved with it. So this agreement does not allow for substitution, which as you bring it up, was something that was in the proposed Development Agreement that was involved in the past. This would be zoning and if it was unbuildable, it is unbuildable whatever zone it was. You can't build on it and you don't get something in exchange for that, it's just unbuildable land.

12. Staff Reports:

Councilmember Rohr indicated she spoke to Darren Cottam and asked Mayor Peterson if he received the changes to the street repair plan. The Mayor indicated he had not received it yet.

Councilmember Rohr, I just wanted to follow up on Susan's comments about when it comes time for subdivisions to be put in, or development. If this goes through fast, the comment about soils

and drainage, currently we have no one except our building inspector to give any say so on how a lot might be developed. Probably individual lots may not have soil samples done, we have no requirement for that I know of.

Councilmember Blake, I reject that Angela because the County requires all compaction test and soil testing as soon as it records before you put in any roads. They have perc tests for septic systems through Southwest or when you go through the County.

Councilmember Rohr, I know there needs to be perc tests, but I don't know about the soils samples. Councilmember Blake, soil test have been standard for the last 15 years, so all soils test have to be done on any excavation that needs to be done. So as far as your blue clay situation, all the County requires is piers with spot footings, or over excavation. All that Engineering is a state wide requirement as of right now and has been for years.

Councilmember Rohr, that is done on an individual lots but I am thinking about a subdivision in general.

Councilmember Blake, all roads, anything in a public right-of-way, roads, sidewalks, curb and gutter has to have your standard soils reports, over excavation, road base, the standard basic compaction, road base compaction and core testing, all that has to be up to par.

Councilmember Rohr, so do we have that on Silver Pointe Estates, which might be putting in streets, curb and gutters and all that?

Councilmember Blake, that is an automatic given. The building department doesn't handle that. That is something that Leeds Town should require.

Councilmember Rohr, I think that was the point I was trying to make.

Councilmember Blake, indicated he didn't realize we didn't require that. That is the minimal State testing and is completed prior to final recordation of the map.

Mayor Peterson, indicated he believes all that is required in the Towns Construction Standards that they have to meet State-mandated requirements.

Town Council discussed it further and the Mayor indicated subdivisions are something that the Town's Engineers look over and he is sure they would have thrown in a red flag had they not been completed on Silver Pointe Estates. The Mayor will check with DEQ on if there will be any restrictions on the parcels in Silver Pointe Estates.

13. Adjournment:

Councilmember Cundick adjourned the meeting.

Time: 10:01pm.

APPROVED ON THIS _____ DAY OF _____, 2016

Mayor, Wayne Peterson

ATTEST:

Kristi Barker, Clerk/Recorder