

MEMO



To: Mayor Olson and City Council

From: Camille Moffat, Planner I

Date: April 28, 2023

Re: **Proposed Amendment to The Orchards Development Agreement**

A development agreement for The Orchards development was approved in 2007. After 10 years and after some of the development had been constructed, it was determined that the development agreement needed to be re-written. The current development agreement for The Orchards development was entered into on December 13, 2017 and recorded on January 12, 2018. The development agreement for The Orchards established it as a Planned Unit Development (PUD) within the R-10 zone and entitled a total of 482 units to be built. A Property Development Concept Plan and Parks and Amenities Plan were included in the approved development agreement.

The current owners of the undeveloped real property of The Orchards development, Blue River Land Group LLC and Santaquin Development LLC, are proposing an amendment to the development agreement. The amendment would identify the remaining undeveloped property associated with the development agreement and primarily make changes to the Property Development Concept Plan and Parks and Amenities Plan. The owners are requesting that the Property Development Concept plan be amended to consolidate the number of buildings in the Apple Grove Apartments site of the subdivision. The proposal would reduce the number of apartment buildings from five to two, without reducing the number of individual units that were allowed per the original development agreement, which is 60 units.

Additionally, the owners propose amending the Parks and Amenities plan. Overall, the amendment would approve 15 proposed amenities, as opposed to the current 13 approved amenities. The amendment would approve an additional pavilion, tot lot, and two additional sport courts, and proposes to reduce the number of volleyball courts to be built from two to zero. In accordance with this amenities plan, the owners would construct two pickle ball courts in the Apple Grove Apartments site.

More details pertaining to the proposed amendment of The Orchards development agreement can be reviewed in the provided attachment of the draft development agreement amendment. Exhibit B-1 shows the proposed Property Development Concept Plan, and Exhibit D-1 shows the proposed Parks and Amenities Plan.

The Planning Commission held a public hearing and provided the following recommendation:

MOTION: Commissioner Weight made a motion to forward a positive recommendation to the City Council of the proposed amendment to The Orchards development agreement with the following condition:

- Legal counsel's non-substantive comments need to be incorporated.

Commissioner Romero seconded the motion.

Commissioner Wood, Yes; Commissioner Lance, Absent; Commissioner Hoffman, Yes; Commissioner McNeff, Absent; Commissioner Nixon, Yes; Commissioner Weight, Yes; Commissioner Romero, Yes. The vote was unanimously approved.

Recommended Motion:

Motion to approve Resolution 05-02-2023 with the following condition:

- Legal counsel's non-substantive comments need to be incorporated

Attachments

1. Orchards Development Agreement Amendment