



SMITHFIELD CITY CORPORATION
96 South Main
Smithfield, UT 84335

AGENDA

Public Notice is given that the Smithfield Planning Commission will meet in a regularly scheduled meeting at 96 South Main, Smithfield, Utah, on **Wednesday, August 16, 2023**. The meeting will begin at 6:30 PM.

Call to Order

1. Approval of Planning Commission Meeting Minutes from July 19, 2023.
2. Resident Input
3. Discussion and possible vote on the “Home Child Care or Preschool” Conditional-Use Permit Application by Leslie Phillips to operate the Magic Moments Daycare facility at 578 East 260 South. Parcel Number 08-154-0020. Zoned R-1-10 (Single Family Residential 10,000 Square Feet).
4. Discussion and possible vote on the request by Visionary Homes for approval of the Final Plat for The Village at Fox Meadows PUD, Phase 7, a (16) lot/unit subdivision located at approximately 600 North 770 West. Zoned R-1-10 PUD (Single Family Residential 10,000 Square Feet Planned Unit Development Overlay Zone).
5. Introduction and Public Hearing for the purpose of discussing Ordinance 23-23, an Ordinance rezoning Cache County Parcel Numbers 08-039-0015, 08-089-0003 and 08-089-0004 from A-10 (Agricultural 10-Acre) to R-1-10 (Single Family Residential 10,000 Square Feet). The parcels are located on the southwest corner of 440 North 800 West and total approximately 31.56 acres.
6. Discussion and possible vote on Ordinance 23-23.

Adjournment

*****Items on the agenda may be considered earlier than shown on the agenda.*****

In accordance with the Americans with Disabilities Act, individuals needing special accommodation for this meeting should contact the City Recorder at (435) 792-7990, at least three (3) days before the date of the meeting.



SMITHFIELD CITY PLANNING COMMISSION MINUTES July 19, 2023

The Planning Commission of Smithfield City met in the City Council Chambers
96 South Main, Smithfield, Utah at 6:30 p.m. on Wednesday, July 19, 2023

The following members were present constituting a quorum:

Members Present: Jamie Anderson, Katie Bell, Brooke Freidenberger, Scott Gibbons, Bob Holbrook, Jasilyn Heaps, Stuart Reis

Members Excused: Brian Higginbotham

Alternate Members In Attendance: Lazaro Soto

City Staff: Councilmember Sue Hyer, Councilmember Curtis Wall, Councilmember Jon Wells, Brian Boudrero, Kenzie Nelson

Others in Attendance: Grandon & Cara Brewer, Michael Sauer, Lee & Lupe Helms, Michelle Anderson, Tami Midzinski, Todd Orme, Danny Hansen, Caralee Stokes, Janet Hillyard, Jeff Barnes, Debbie Zilles

6:30 p.m. Meeting called to order by Chairman Gibbons

Consideration of consent agenda and approval of meeting minutes

After consideration by the Commission, Chairman Gibbons declared the minutes from the June 21, 2023 meeting to stand as submitted.

RESIDENT INPUT – No public comments.

AGENDA ITEMS

Discussion and possible vote on the conditional use permit request by Cara Brewer to have a nonconforming building addition at 315 North 100 East. Parcel Number 08-054- 0019. Zoned R-1-10 (Single-Family Residential 10,000 Square Feet).

Cara and Grandon Brewer are requesting approval of a conditional use permit for a home addition on their existing residence that is considered a non-conforming structure/lot. They would like to add a garage addition to the west of the house. The property and home are considered non-conforming due to the distance of the residence to the east property line. The new addition will not the height or outward appearance of the existing residence.

Mr. Boudrero explained the nonconformance is because the existing home was built in a previous zone (R-1-8) and the north side yard setback is 8.5'. The proposal is to build a garage that will be attached to their home on the south side where an open carport is. The requested new addition meets the setback requirement for the south side. There will be no change to the north side of the property.

MOTION: Motion by Commissioner Holbrook to **approve** the conditional use permit request by Cara Brewer to have a nonconforming building addition at 315 North 100 East. Parcel Number 08-054- 0019. Zoned R-1-10 (Single-Family Residential 10,000 sq ft). Commissioner Freidenberger seconded the motion. **Motion approved (7-0).**

Vote:

Aye: Anderson Bell, Freidenberger, Gibbons, Heaps, Holbrook, Reis

Discussion and possible vote on the request by Blue Ox Development for approval of the Final Plat for the Elk Ridge Subdivision, Phase 5, a (12) lot/unit subdivision located at approximately 120 South 1300 East. Zoned R-1-12 (Single Family Residential 12,000 sq ft).

Blue Ox Development is requesting approval for the final phase (Phase 5) in the Elk Ridge Subdivision. Twelve (12) single-family homes are being proposed in Phase 5. They are resubmitting this last phase again due to a lack of construction progress in the required 18 months.

Chairman Gibbons advised that the plat has been reviewed and approved by the Subdivision Technical Review Committee (STRC). All applicable requirements have been met.

Mr. Boudrero pointed out that the applicant has agreed to the City Engineer's request for an increase of the right-of-way width to 66'.

MOTION: Motion by Commissioner Anderson to **approve** the request by Blue Ox Development for approval of the Final Plat for the Elk Ridge Subdivision, Phase 5, a (12) lot/unit subdivision located at approximately 120 South 1300 East. Zoned R-1-12 (Single Family Residential 12,000 square ft). Commissioner Bell seconded the motion. **Motion approved (7-0).**

Vote:

Aye: Anderson Bell, Freidenberger, Gibbons, Heaps, Holbrook, Reis

Discussion and possible vote on the request by Heritage Land Development for approval of the Preliminary Plat for the Lupine Village Subdivision, a (130) lot/unit subdivision located at approximately 485 North 400 West.

Tami Midzinski and Heritage Land Development have resubmitted a preliminary site plan corresponding with the Master Planned Community (MPC) rezone. In addition to the site and development plan, they have included (as required) a phasing plan and landscaping plan. The plan includes 81 multi-family and 56 single-family lots, an interconnecting trail system, and open space with amenities. This version includes a separate piece of property for sale to a religious entity that is not included in the site calculations.

Mr. Boudrero advised all requirements have been met with the understanding that there will be a religious institution on a portion of the property (which is under contract), if not the project will have to be re-approved.

Commissioner Anderson asked about the lift station. Ms. Midzinski said the station will be located in the northwest corner, will cost ~\$650,000+, and will be maintained by the Homeowners Association (HOA). A reserve study will be completed before HOA fees are determined. Mr. Boudrero pointed out that the lift station is noted on the plat and included in the development agreement. In addition to all the amenities and associated phases, information on the eight (8) slab on grade (active adult) lots will be included. Ms. Midzinski said the HOA will maintain those 8 yards.

Commissioner Freidenberger asked about Phase 1 not being tied into the lift station. Ms. Midzinski explained that the HOA is set up in phases; single-family homes do not have the same fees that townhomes will have because the HOA maintains the exterior of the townhomes.

Commissioner Anderson asked why the stormwater cannot be tied into the City's stormwater system. Mr. Boudrero said the retention pond it is too far away to pipe it into the City's system. The numbers have been calculated so it will serve more as a retaining system than detention. The state requires 10% retention and 90% detention. This pond will be entirely retention. He did not have numbers regarding the capacity of the pond (as asked by Commissioner Anderson) but the City Engineer has the information. Specifics will be listed on the construction documents and will be included on the final plat. Ms. Midzinski explained that the pond will be dug deeper and consideration is given to how fast the pond can be drained.

Chairman Gibbons has concerns with the location of the pond in proximity to the lift station. Mr. Boudrero said that it should not be a problem, especially where it is across the street.

Commissioner Anderson said he is not sure how the 100-year storm event is calculated, but there have been a few over the last 15 years. His concern is that it cannot tie into City's stormwater system and water may not be able to be contained with a big storm. Mr. Boudrero pointed out that the City Engineer reviews this information and if a development cannot handle a 100-year storm event (which is the requirement) they typically have a spillover plan. Calculations are required to be reviewed/approved by the City Engineer.

Commissioner Bell is concerned about the roads (specifically 400 West). Ms. Midzinski said a Traffic Impact Study (TIS) was prepared and submitted, which indicates that the roads meet the requirements for what is being proposed. Commissioner Higginbotham noted that 400 West is not the only exit that can be used.

Ms. Midzinski outlined the design of the area between the 5-plexes and the road for the garages. Every townhome will have an individual garbage can. She confirmed for Commissioner Freidenberger that all 3,4 and 5-plexes will have 2-car garages.

Commissioner Freidenberger would like to propose a condition for fencing around lots 23-30 (ref: Cod 17.12.080). Ms. Midzinski said this is not a requirement in the MPC zone, however, the owners of the existing lots in that area purchased additional property to provide a buffer surrounding all three sides of their land (per their request). Chairman Gibbons said this makes their property line further away from the development. The HOA will allow homeowners to put up fences.

The Commissioners felt that fencing should not be required because of the additional land buffer.

MOTION: Motion by Commissioner Bell to approve the request by Heritage Land Development for approval of the Preliminary Plat for the Lupine Village Subdivision, a (130) lot/unit subdivision located at approximately 485 North 400 West. Commissioner Holbrook seconded the motion. **Motion approved (6-1).**

Vote:

Aye: Bell, Freidenberger, Gibbons, Heaps, Holbrook, Reis

Nay: Anderson

Introduction and **Public Hearing** for the purpose of discussing Ordinance 23-19, an Ordinance rezoning Cache County Parcel Numbers 08-042-0012, 08-042-0013, 08-042-0014, 08-042-0015 and 08-043-0015 from A-10 (Agricultural 10-Acre) to MPC (Master Planned Community). The parcels are located at approximately 485 North 400 West and total approximately 28.81 acres. The request submitted by Heritage Land Development.

Mr. Boudrero explained that this rezone request is related to the preliminary plan that was previously approved. Commissioner Heaps clarified that just because a preliminary plan is approved, it doesn't mean the zone change will automatically be approved.

7:02 Public Hearing Opened

Danny Hansen pointed out the 30' easement (on both sides) for the power lines near the north property line. Mr. Boudrero said that was taken into consideration and reviewed by the STRC.

Lee Helms, an adjacent property owner, said this project would be a total disregard for the established community. Despite the results of a traffic study, 400 North cannot handle that much additional traffic. There are many horse trailers, farm equipment vehicles, and semi-trucks that use that road daily. It would be better to rezone this property to residential (R-1). The neighbors are not happy with this proposal. He asked the Commission to take into consideration the lifestyle of the established community. He has been told this is "an experiment"; there are other MPC/PUD projects in the works, and he would those to be studied before another is approved.

Caralee Stokes would like to see these types of condensed community projects stopped because they are being overdone. Developers are taking advantage of cities because these are easy to get approved and make more money for them. She would like to see a halt put to this type of development.

Janet Hillyard is disappointed, they are being bombarded by development to the east, west, and now north. She and her husband have lived in their home for 48 years; they have cows and horses and now feel that they are being pushed out of the area. "Enough is enough" and she would like the Commission to consider the resident's feelings. She has lived peacefully for many years and would like to continue to do so.

Carmen said her parents have lived by the Hillyard's for over 35 years. She is concerned with the traffic, especially with young children in the area. Her parents worked hard for their property and they would like to stay there. She does not feel that the road will work for increased traffic.

Todd Orme lives on the other side of town and is not familiar with this area, however, after listening to the presentation he agrees with the idea of fencing. Although additional property was able to be purchased by homeowners, they should not have to pay for a fence.

7:18 Public Hearing Closed

Discussion and possible vote on <u>Ordinance 23-19</u> .
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Commissioner Anderson struggles with the HOA-owned lift station and the potential liability regarding possible flooding. Chairman Gibbons understands the concern; however, it would likely be the same with any other type of subdivision in that area. Commissioner Anderson said that would not necessarily be the case. Commissioner Freidenberger asked if a different subdivision design would mitigate the concern. Chairman Gibbons advised that lift stations must be built at the lowest point and a station will have to be put in regardless of the size of the development. Mr. Boudrero pointed out that there is another lift station to the west, owned by Visionary Homes.

Commissioner Bell had a project in Hyde Park, which required a water study and the installation of large detention ponds with an overflow plan, which she thought at the time it was ridiculous, but the pond has been effective. She trusts that engineers know what they are doing. Commissioner Anderson said the overflow is his concern for this proposal.

Ms. Midzinski noted that as part of the requirement, the road would be widened to 66' and improved. Mr. Boudrero explained that road improvements are made as property is subdivided and developed.

Ms. Midzinski said if the MPC is approved, she would be happy to include putting a fence (along lots 22-30) in the development agreement.

Commissioner Freidenberger understands the road concerns; however, sometimes there are lower speeds along narrow road stretches. The type of traffic should be taken into consideration. Ms. Midzinski said the engineers have worked on the radius coming out of Fox Meadows, if traffic uses the connection road it will help with the flow of traffic.

Chairman Gibbons noted that the density of this proposal is 130 units. If the property was zoned R-1-12, 100 units would be allowed. Commissioner Bell pointed out that an MPC would have more green space and amenities that a traditional subdivision would not have.

Commissioner Freidenberger asked if the retention pond could ever be connected to the City system; Mr. Boudrero said it could be at some point.

In answer to Commissioner Heaps question about sidewalks; Mr. Boudrero explained that Smithfield follows Utah's Land Use, Development, and Management Act (LUDMA) and the idealism of requiring right-of-way improvements only when subdivisions occur. Smithfield does have a policy where the City will pay for the materials if residents pay for the labor.

Commissioner Heaps said one of the reasons for an MPC is to distribute density throughout the city, rather than in one section of town. Chairman Gibbons said the idea of a an MPC is to build a community as opposed to just a development.

MOTION: Motion by Commissioner Bell to **forward a recommendation of approval to the City Council** for Ordinance 23-19, an Ordinance rezoning Cache County Parcel Numbers 08-042-0012, 08-042-0013, 08-042- 0014, 08-042-0015 and 08-043-0015 from A-10 (Agricultural 10-Acre) to MPC (Master Planned Community). The parcels are located at approximately 485 North 400 West and total approximately 28.81 acres. The request was submitted by Heritage Land Development. Commissioner Heaps seconded the motion. **Motion denied (4-3).**

Vote:

Aye: Bell, Gibbons, Heaps

Nay: Anderson, Reis, Holbrook, Freidenberger

Introduction and **Public Hearing** for the purpose of discussing Ordinance 23-22, an Ordinance amending the Smithfield City Municipal Code Title 17 "Zoning Regulations", Chapter 17.100 "Site Development and Landscaping", adding in its entirety Section 17.100.055 "Water Wise Landscaping Requirements".

Mr. Boudrero explained that this ordinance will allow Smithfield residents to be eligible to apply for Utah Water Savers cash incentives for converting to drought-resistant landscaping.

The following information has been proposed:

§ 17.100.55 WATER-WISE LANDSCAPING REQUIREMENTS

A. No lawn on parking strips or areas less than eight feet (8') in width in new development.

B. No more than fifty percent (50%) of front and side yard landscaped area in new residential developments is lawn. Lawn limitations do not apply to small residential lots with less than two hundred fifty (250) square feet of landscaped area.

C. In new commercial, industrial, institutional, and multi-family development common area landscapes, lawn areas shall not exceed twenty percent (20%) of the total landscaped area, outside of active recreation areas.

7:36 Public Hearing Opened

Mike Sauer is in favor of this ordinance. He is in the process of changing out his grass to artificial turf. He is spending \$30,000 for the transformation; however, it will save water and maintenance. This program will help a lot of people make this type of change.

Caralee Stokes said the public needs to know about this and it should not be approved without public input before people are told they have to change their landscaping.

Curtis Wall said the rebate incentive is \$1.50 per sq. ft. of grass that is replaced by waterwise landscaping. He has been working on his yard and is happy to help people and answer questions they might have. Commissioner Freidenberger noted that to qualify for the rebate, a pre-conservation site visit must be performed. Mr. Wall said one big benefit of the program is the water savings (both financially and physically). Governor Cox has put millions into this program. He encouraged the Commission to approve this ordinance. Residents are aware of the program and many are excited to begin. There has been some discussion about making changes in front of the City building. This a great opportunity for people to save money.

Todd Orme likes the opportunity and hopes to encourage citizens to do this. He lived in Las Vegas for many years and understands the need for this change. The program should be encouraged but not required and/or forced upon residents.

Jon Wells said the wording of the ordinance, especially regarding new development. He asked if phases in a development that have not been completed would be held to this requirement. Chairman Gibbons advised that anything that is been approved would be held to the standards of the ordinance at the time of approval. Mr. Wells encouraged the Commission to review the wording of the ordinance, especially related to “new development” for more clear guidance.

Mr. Boudrero pointed out that this will not be a “forced” ordinance, it is optional and will give developers and citizens the option to apply for the rebate if they desire.

7:47 Public Hearing Closed

Discussion and possible vote on <u>Ordinance 23-22</u> .
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Commissioner Andrson asked if this ordinance would be required or optional. Mr. Boudrero said this is a new subsection of §17.100 for individuals who want to take advantage of the landscape conversion incentive program through the Utah Water Savers program. The program is completely optional. Chairman Gibbons and Commissioner Anderson suggested adding the first two introductory paragraphs from the Staff Report into the ordinance to clear up any misconception (see below):

“The Cache Water District has opted out of joining the coalition for the landscape conversion incentive program through the Utah Water Savers program. The state, is however, allowing cities to join the eligible locations list individually as found at: <https://conservewater.utah.gov/landscape-rebates>.

The State of Utah has set a minimum standard to be eligible for landscape incentives (listed in the above website) in the “Landscape Ordinances” tab. Smithfield is proposing the following requirements as a subsection to §17.100 Site Development and Landscaping.”

Commissioner Freidenberger suggested adding “*new/existing*” developments under Section 1. A and B.

Chairman Gibbons said landowners have rights and there should not be onerous requirements placed upon their property, however, owners also have rights to develop their property. Ordinances help govern what can and cannot be done. He pointed out that he rights of landowners go “both ways”.

MOTION: Motion by Commissioner Anderson to **forward a recommendation of approval to the City Council** for Ordinance 23-22, an Ordinance amending the Smithfield City Municipal Code Title 17 “Zoning Regulations”, Chapter 17.100 “Site Development and Landscaping”, adding in its entirety Section 17.100.055 “Water Wise Landscaping Requirements” with the correction of “*new/existing*” wording added to §17.100.055 Items A and B and the addition of the first two paragraphs listed in the Staff Report (as discussed) to the beginning of the ordinance. Commissioner Holbrook seconded the motion. **Motion approved (7-0).**

Vote:

Aye: Anderson Bell, Freidenberger, Gibbons, Heaps, Holbrook, Reis

MEETING ADJOURNED at 7:59 p.m.

Minutes submitted by Debbie Zilles

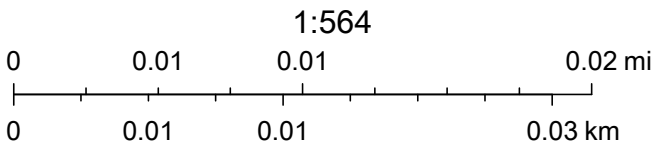
Scott Gibbons, Chairman

Parcel Map



8/9/2023, 12:34:42 PM

- Override 1
- Override 1
- Class B Surface Type
- ASPHALT
- GRAVEL
- DIRT
- Municipal Boundaries
- County Boundary
- Cache Parcels



Maxar, Microsoft



Smithfield City Staff Report

Community Development Department

Administration • Engineering • Planning • Zoning

Leslie Phillips Home Day Care Conditional Use Permit

August 16, 2023

This staff report is an analysis of the application information base on adopted city codes, standard city development practices and other available information. This report is to be used to review and consider the merits of the application. Additional information may be provided, that supplements or amends this report.

Project Information

Parcel ID: 08-154-0020

Applicant: Leslie Phillips

Action Type: Administrative

Staff Recommendation: Approval

Project Location

Location:

578 East 260 South
Smithfield, Utah

Lot Size:

0.28 Acres

Surrounding Uses:

North - Residential (R-1-10)
South - Residential (R-1-10)
East - Residential (R-1-10)
West - Residential (R-1-10)

Current Zoning:

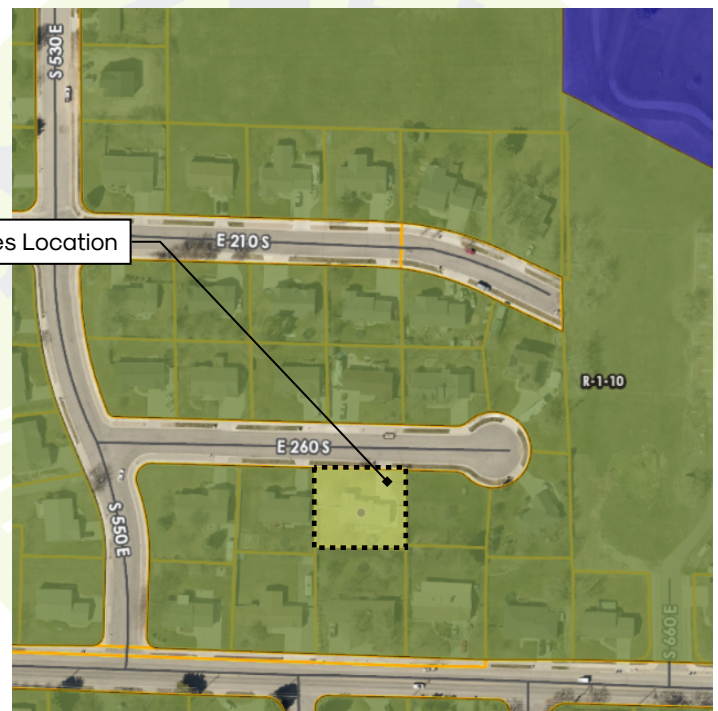
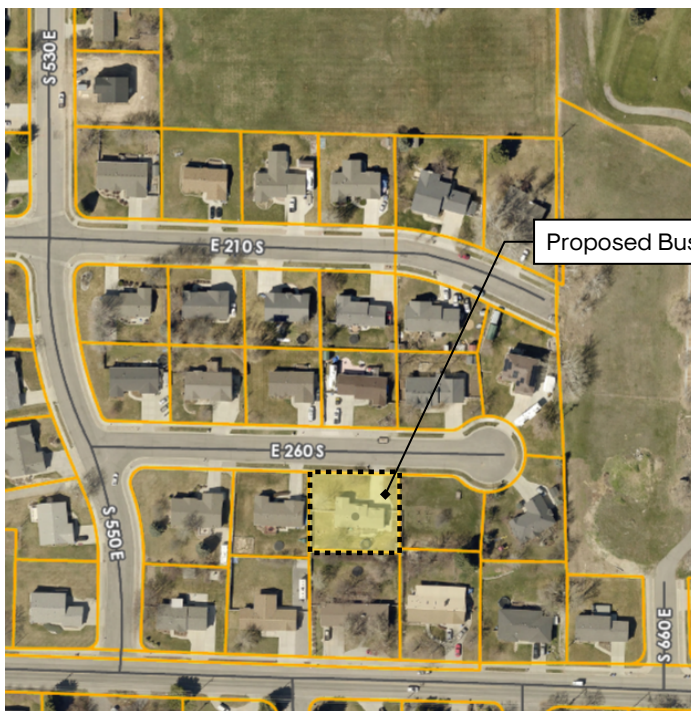
R-1-10 Residential

Proposed Zoning:

None

Project Summary

Leslie Phillips is requesting approval of a conditional use permit for a home based day care business. She would like to operate her child care business out of her home. Leslie has met all of the city, county and state codes that apply to child care and received all applicable licenses. She owns and lives in the residence and is proposing a maximum of 8 children. Her residence consists of up to five off street parking spaces.



08/09/2023

Smithfield City Community Development
96 South Main Street, Smithfield, Utah 84335

Phone: (435) 563.6226
Email: info@smithfieldcity.org

<http://smithfieldcity.org/comdev>
Administration • Engineering • Planning • Zoning

Page 1

Findings of Fact

1. The Use Matrix Table shows a "disruptive home occupation" to be a conditional use in R-1-10. §17.120.010
2. The definition of conditional use is found in the General Provisions of our zoning code. §17.04.070
3. Review criteria and general information for conditional uses can be found in §17.32.00.
4. The proposed business has been approved for all required county and state licenses as required in §5.20

Conclusion and Recommendation

Based on the findings of fact listed above, the staff recommends **approval** of the Leslie Phillips Daycare Conditional Use Permit as follows:

- A home occupation is allowed by conditional use in the residential zone (R-1-10). The proposed business complies with all of the required criteria found in §17.32.020.





VICINITY MAP

NTS

DATE OF PREPARATION
JULY 5, 2022

ENGINEER & SURVEYOR
CIVIL SOLUTIONS GROUP, INC.
MICHAEL TAYLOR, PE
CURTIS BOWN, PLS

498 WEST 100 SOUTH
PROVIDENCE, UTAH 84322
435-213-3762

OWNER

STERLING LAND HOLDINGS, LLC
50 East 2500 North Suite 101
North Logan, Utah 84341

SUBDIVIDER

VISIONARY HOMES/LAND HAVEN, INC
50 East 2500 North
North Logan, Utah 84341

NOTES:

- #5 REBAR & CAP TO BE SET AT ALL REAR LOT CORNERS. NAIL/WASHER TO BE SET IN THE TOP OF THE CURB AT THE EXTENSION OF THE SIDE LOT LINES.
- CURRENT ZONE: SINGLE-FAMILY RESIDENTIAL.
 - SETBACKS:
 - FRONT: 20'
 - BACK: 20'
 - SIDE: 6' (WITH 15' BETWEEN HOUSES)
 - STREET SIDE: 12'
- THE SANITARY SEWER GENERATED BY THE LOTS ON THIS PLAT SHALL FLOW TO A PRIVATE LIFT STATION, WHICH SHALL BE OPERATED AND MAINTAINED BY THE HOME OWNERS ASSOCIATION (HOA), VILLAGE AT FOX MEADOWS OWNERS ASSOCIATION, INC.
- LOTS: 16
- OPEN SPACE PARCELS: 1
- OPEN SPACE PARCEL 1 IS A NON-BUILDABLE PARCEL HEREBY DEDICATED TO, AND MAINTAINED BY THE VILLAGE AT FOX MEADOWS OWNERS ASSOCIATION, INC. TRAILS LOCATED ON THIS PARCEL SHALL BE ACCESSIBLE TO PUBLIC USE. THE OPEN SPACE PARCEL, IS SUBJECT TO A BLANKET EASEMENT OVER, ACROSS, ABOVE, AND UNDER THEM FOR INGRESS, EGRESS, INSTALLATION, MAINTENANCE, REPAIR, AND REPLACEMENT OF UTILITIES SERVICING THE PROPERTY. UTILITIES INCLUDE, BUT ARE NOT LIMITED TO: WATER, SEWER, DRAINAGE, GAS, TELEPHONE, CABLE, INTERNET, AND POWER.
- SMITHFIELD CITY SHALL HAVE THE RIGHT, BUT NOT THE DUTY, TO REQUIRE, AND IF NECESSARY, PERFORM OR CAUSE TO BE PERFORMED, AT THE EXPENSE OF THE OWNER OF THE OPEN SPACE AND OTHER PRIVATE AREA(S), INCLUDING CLUBHOUSE, POOL AND OTHER RECREATION FACILITIES, (HOA, HEREAFTER), ALL LANDSCAPING, SNOW REMOVAL, AND OTHER UPKEEP AND MAINTENANCE SERVICES, AS APPLICABLE, WITHIN THE OPEN SPACE AREA(S), IF THE HOA FAILS ADEQUATELY TO PERFORM SUCH TASK. THE CITY MAY TAKE THESE ACTIONS WHEN ASKED TO ASSUME RESPONSIBILITY FOR SUCH UPKEEP AND MAINTENANCE TASKS BY THE HOA AND THE CITY COUNCIL MAY ALSO TAKE SUCH ACTIONS WHEN IT DETERMINES THE NEED BASED ON A PATTERN OF NEGLECT AND LACK OF MAINTENANCE AND AFTER MEETING THE PROCEDURES OUTLINED IN THE COVENANTS, CONDITIONS AND RESTRICTIONS (CC&RS), RECORDED CONCURRENTLY WITH THIS FINAL PLAT. IN THE EVENT SMITHFIELD CITY EXERCISES THIS RIGHT, THE CITY SHALL BE ENTITLED TO ASSESS AND COLLECT THE NECESSARY HOA FEES AND RECOVER ANY ASSOCIATED COSTS AND ATTORNEY'S FEES. THIS NOTATION SHALL NOT BE AMENDED OR DELETED WITHOUT THE APPROVAL OF SMITHFIELD CITY. SMITHFIELD CODE 17.88.140(A)(6)(j)

LINE TABLE		
LINE #	BEARING	DISTANCE
L1	N88°59'15"E	5.14
L2	S55°07'58"E	9.37
L3	N61°06'17"W	50.00
L4	S28°51'59"W	10.44
L5	S29°58'10"W	15.82

LINE TABLE		
LINE #	BEARING	DISTANCE
L6	N74°29'48"W	12.70
L7	S29°58'10"W	68.84
L8	N29°58'10"E	53.02
L9	S28°51'59"W	34.46
L10	S28°51'59"W	24.02
L11	S28°51'59"W	24.03
L12	S28°51'59"W	24.04
L13	S75°03'27"E	48.56
L14	S55°07'58"E	7.74
L15	S55°07'58"E	47.33
L16	S55°07'58"E	50.83
L17	S36°57'20"W	45.53

WEST 1/4 CORNER
OF SECTION 21,
T13N, R1E, SLB&M
COUNTY MONUMENT
(FOUND)

2693.26
N0°16'37"W
1046.43

SOUTHWEST CORNER
OF SECTION 21, T13N,
R1E, SLB&M
REBAR & CAP (FOUND)

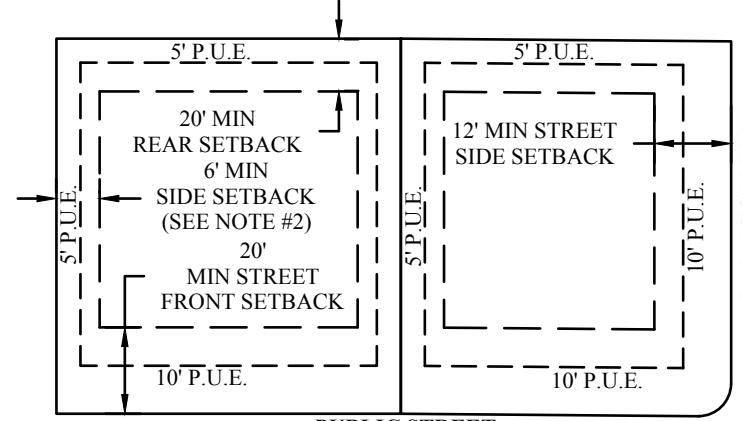
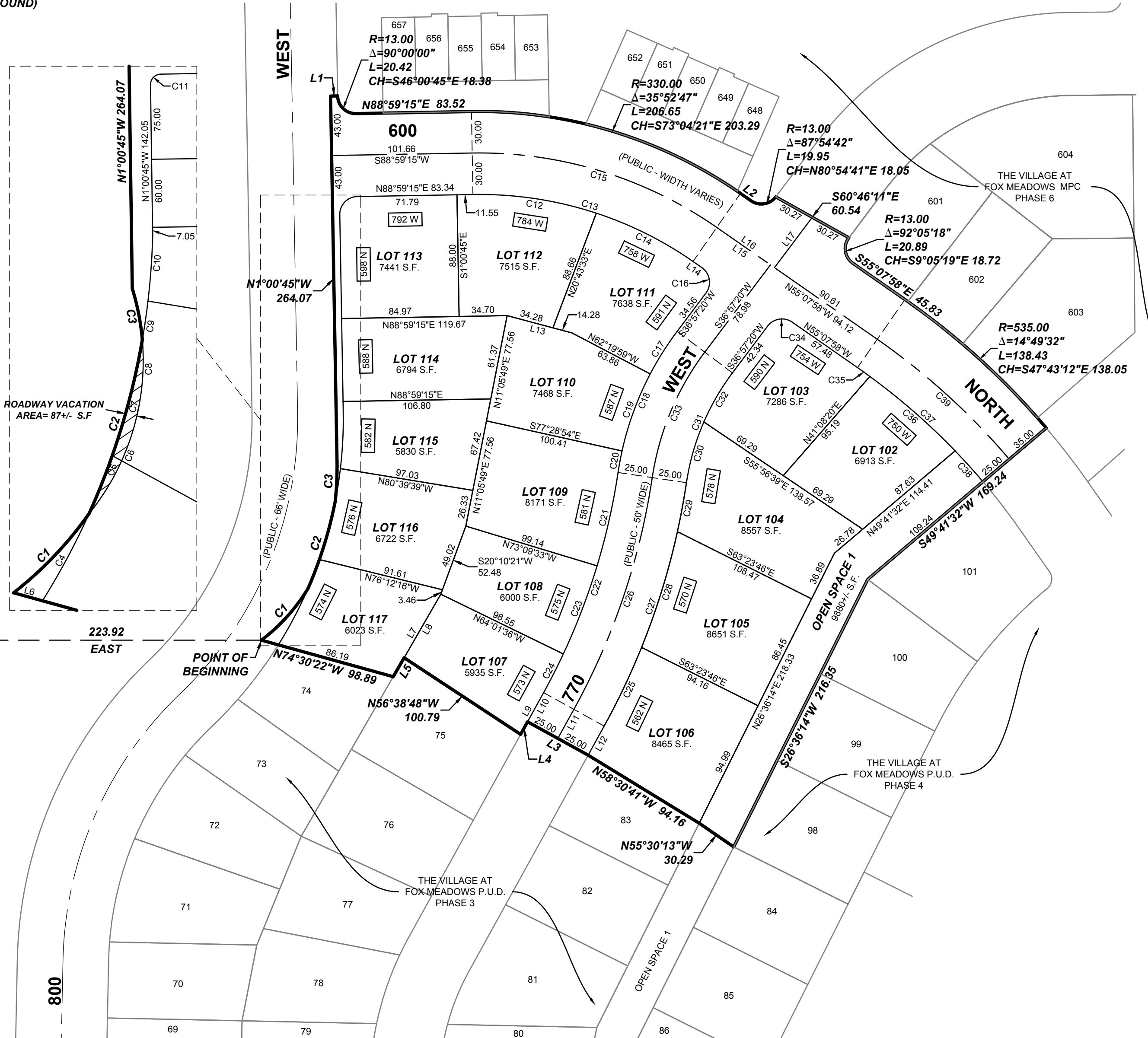
29
28
N0°16'37"W
2702.46 (BETWEEN MONUMENTS)

WEST 1/4 CORNER OF
SECTION 28, T13N,
R1E, SLB&M
1971 COUNTY MONUMENT (FOUND)

FINAL PLAT OF THE VILLAGE AT FOX MEADOWS P.U.D.

PHASE 7

LOCATED IN THE SW1/4 OF SECTION 21, T13N, R1E, S.L.B.&M.
SMITHFIELD, UTAH



PUE & SETBACK DETAIL
(TYPICAL SEE DRAWING FOR EXCEPTIONS)
NTS

ENGINEER'S APPROVAL

I CERTIFY THAT I HAVE EXAMINED THIS PLAT AND FIND IT TO BE CORRECT AND IN ACCORDANCE WITH THE INFORMATION ON FILE IN THIS OFFICE AND THE CITY ORDINANCE.

CITY ENGINEER

DATE

ATTORNEY APPROVAL

APPROVED AS TO FORM THIS _____ DAY OF _____, 20____.

CITY ATTORNEY

DATE

PLANNING COMMISSION APPROVAL

PRESENTED TO THE SMITHFIELD CITY PLANNING COMMISSION THIS _____ DAY OF _____, 20____, AT WHICH TIME THIS SUBDIVISION WAS RECOMMENDED TO THE CITY COUNCIL FOR APPROVAL.

PLANNING COMMISSION CHAIR

DATE

LEGISLATIVE BODY ACKNOWLEDGMENT

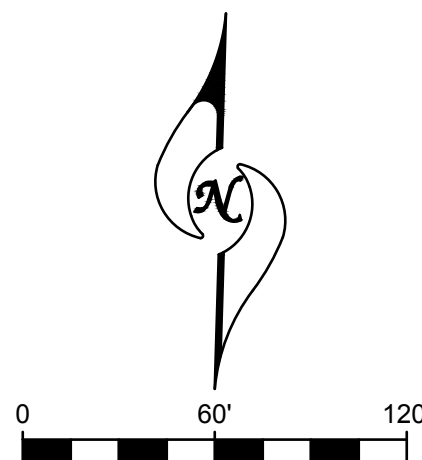
ON THIS _____ DAY OF _____, 20____, BEFORE ME _____, A NOTARY PUBLIC, PERSONALLY APPEARED BEFORE ME _____, WHOSE IDENTITY IS PERSONALLY KNOWN TO ME (OR PROVEN ON THE BASIS OF SATISFACTORY EVIDENCE) AND WHO BY ME DULY SWORE/AFFIRMED, DID SAY THAT HE/SHE IS THE _____ OF CACHE COUNTY CORPORATION, A UTAH CORPORATION, AND THAT SAID DOCUMENT WAS SIGNED BY HIM/HER IN BEHALF OF SAID CORPORATION BY AUTHORITY OF ITS BYLAWS, OR RESOLUTION OF ITS BOARD OF DIRECTORS, HE/SHE ACKNOWLEDGED TO ME THAT SAID CORPORATION EXECUTED THE SAME.

MY COMMISSION EXPIRES: _____ NOTARY PUBLIC (SIGNATURE)

RESIDING IN _____ COUNTY

MY COMMISSION NO. _____ (PRINTED FULL NAME OF NOTARY)
A NOTARY PUBLIC COMMISSIONED IN UTAH

CURVE TABLE				
CURVE #	RADIUS	DELTA	ARC LENGTH	CHORD
C1	133.00	21°52'26"	50.78	N41°59'45"E 50.47
C2	308.00	12°15'45"	65.92	N17°19'28"E 65.79
C3	233.00	7°10'21"	29.17	N2°34'26"E 29.15
C4	308.00	8°36'23"	46.26	S27°45'32"W 46.22
C5	308.00	4°09'24"	22.35	S21°22'38"W 22.34
C6	133.00	20°01'20"	46.48	N21°03'40"E 46.24
C7	308.00	8°06'21"	43.57	S15°14'46"W 43.54
C8	233.00	4°53'24"	19.89	N8°36'18"E 19.88
C9	308.00	4°28'24"	24.05	S8°57'23"W 24.04
C10	308.00	7°43'56"	41.57	N2°51'13"E 41.53
C11	13.00	90°48'04"	20.60	N44°22'57"E 18.51
C12	270.00	19°14'05"	90.64	N81°23'47"W 90.22
C13	270.00	35°52'47"	169.08	S73°04'21"E 166.33
C14	270.00	16°38'43"	78.44	S63°27'14"E 78.16
C15	300.00	35°52'47"	187.87	N73°04'21"W 184.81
C16	13.00	92°05'18"	20.89	S9°05'19"E 18.72
C17	225.00	9°17'19"	36.48	S32°18'41"W 36.44
C18	225.00	28°28'06"	111.80	S22°43'17"W 110.65
C19	225.00	15°08'55"	59.49	N20°05'34"E 59.32
C20	225.00	4°01'52"	15.83	S10°30'10"W 15.83
C21	475.00	8°21'13"	69.25	S12°39'56"W 69.19
C22	475.00	20°22'45"	168.95	S18°40'37"W 168.06
C23	475.00	8°14'02"	68.26	S20°57'28"W 68.20
C24	475.00	3°47'30"	31.43	S26°58'14"W 31.43
C25	525.00	6°52'32"	63.00	S25°25'43"W 62.96
C26	500.00	20°22'45"	177.84	S18°40'37"W 176.91
C27	525.00	20°22'45"	186.73	S18°40'37"W 185.75
C28	525.00	9°34'26"	87.72	S17°12'14"W 87.62
C29	525.00	3°55'47"	36.01	S10°27'08"W 36.00
C30	175.00	15°00'17"	45.83	S15°59'23"W 45.70
C31	175.00	28°28'06"	86.95	S22°43'17"W 86.06
C32	175.00	13°27'49"	41.12	S30°13'26"W 41.03
C33	200.00	28°28'06"	99.37	S22°43'17"W 98.35
C34	13.00	87°54'42"	19.95	S80°54'41"W 18.05
C35	475.00	1°19'33"	10.99	N54°28'12"W 10.99
C36	475.00	9°52'41"	81.89	S48°52'05"E 81.79
C37	475.00	14°49'32"	122.91	S47°43'12"E 122.57
C38	475.00	3°37'18"	30.03	S42°07'05"E 30.02
C39	500.00	14°49'32"	129.38	N47°43'12"W 129.02



SURVEYOR'S CERTIFICATE

I, CURTIS BOWN, DO HEREBY CERTIFY THAT I AM A PROFESSIONAL LAND SURVEYOR, AND THAT I HOLD CERTIFICATE NO. 12606452-2201 IN ACCORDANCE WITH TITLE 58, CHAPTER 22 OF UTAH STATE CODE. I FURTHER CERTIFY BY AUTHORITY OF THE OWNER(S) THAT I HAVE COMPLETED A SURVEY OF THE PROPERTY DESCRIBED ON THIS PLAT IN ACCORDANCE WITH SECTION 17-23-17 OF SAID CODE, AND HAVE ALSO SUBDIVIDED SAID TRACT OF LAND INTO LOTS, STREETS, AND EASEMENTS, AND THE SAME HAS, OR WILL BE CORRECTLY SURVEYED, STAKED AND MONUMENTED ON THE GROUND AS SHOWN ON THIS PLAT, AND THAT THIS PLAT IS TRUE AND CORRECT.

CURTIS BOWN
PROFESSIONAL LAND SURVEYOR
CERTIFICATE NO. 12606452-2201

DATE

BOUNDARY DESCRIPTION

A portion of the SW1/4 of Section 21, Township 13 North, Range 1 East, Salt Lake Base & Meridian, Smithfield, Utah, more particularly described as follows:

Beginning at a point on the northwesterly corner of THE VILLAGE AT FOX MEADOWS P.U.D., Phase 3, according to the Official Plat thereof on file in the Office of the Cache County Recorder, located N0°1637"W along the Section line 1,046.43 feet and East 223.92 feet from the Southwest Corner of Section 21, T13N, R1E, S.L.B.&M. (Basis of Bearing: S0°17'11"E along the Section line between the Southwest Corner of Section 21 and the West 1/4 Corner of Section 28); thence northeasterly along the arc of a 133.00 foot radius non-tangent curve (radius bears: N37°04'02"W) to the left 50.78 feet through a central angle of 21°52'26" (chord: N41°59'45"E 50.47 feet) to a point of compound curvature; thence northeasterly along the arc of a 308.00 foot radius non-tangent curve (radius bears: N66°32'40"W) to the left 65.92 feet through a central angle of 12°15'45" (chord: N17°19'28"E 65.79 feet) to a point of compound curvature; thence northeasterly along the arc of a 233.00 foot radius non-tangent curve (radius bears: N83°50'24"W) to the left 29.17 feet through a central angle of 7°10'21" (chord: N2°34'26"E 29.15 feet); thence N1°00'45"W 264.07 feet; thence N88°59'15"E 5.14 feet; thence southeasterly along the arc of a 13.00 foot radius non-tangent curve (radius bears: N88°59'15"E) to the left 20.42 feet through a central angle of 90°00'00" (chord: S46°00'45"E 18.38 feet); thence N88°59'15"E 83.52 feet; thence along the arc of a 330.00 foot radius curve to the right 206.65 feet through a central angle of 35°52'47" (chord: S73°04'21"E 203.29 feet); thence S55°07'58"E 9.37 feet; thence along the arc of a 13.00 foot radius curve to the left 19.95 feet through a central angle of 87°54'42" (chord: N80°54'41"E 18.05 feet); thence S60°46'11"E 60.54 feet; thence southeasterly along the arc of a 13.00 foot radius non-tangent curve (radius bears: S53°02'40"E) to the left 20.89 feet through a central angle of 92°05'18" (chord: S9°05'19"E 18.72 feet); thence S55°07'58"E 45.83 feet; thence along the arc of a 535.00 foot radius curve to the right 138.43 feet through a central angle of 14°49'32" (chord: S47°43'12"E 138.05 feet); thence S49°41'32"W 169.24 feet; thence S26°36'14"W 216.35 feet; thence N55°30'13"W 30.29 feet; thence N58°30'41"W 94.16 feet; thence N61°06'17"W 50.00 feet; thence S28°51'59"W 10.44 feet; thence N56°38'48"W 100.79 feet; thence S29°58'10"W 15.82 feet; thence N74°30'22"W 98.89 feet to the point of beginning. Contains: 4.11 +/- acres

OWNER'S DEDICATION

KNOW ALL MEN BY THESE PRESENTS THAT WE, THE UNDERSIGNED ARE THE OWNERS OF THE ABOVE DESCRIBED TRACT OF LAND, AND HEREBY CAUSE THE SAME TO BE DIVIDED INTO LOTS, AND STREETS, TOGETHER WITH EASEMENTS AS SET FORTH TO BE HEREAFTER KNOWN AS:

THE VILLAGE AT FOX MEADOWS P.U.D. PHASE 7

AND DO HEREBY DEDICATE FOR THE PERPETUAL USE OF THE PUBLIC ALL STREETS AND OTHER AREAS SHOWN ON THIS PLAT AS INTENDED FOR PUBLIC USE. THE UNDERSIGNED OWNERS ALSO HEREBY CONVEY TO ANY AND ALL PUBLIC UTILITY COMPANIES A PERPETUAL, NON-EXCLUSIVE EASEMENT OVER THE PUBLIC UTILITY EASEMENTS SHOWN ON THIS PLAT, THE SAME TO BE USED FOR THE INSTALLATION, MAINTENANCE AND OPERATION OF UTILITY LINES AND FACILITIES. THE UNDERSIGNED OWNERS ALSO HEREBY CONVEY ANY OTHER EASEMENTS AS SHOWN ON THIS PLAT TO THE PARTIES INDICATED AND FOR THE PURPOSES SHOWN HEREON.

IN WITNESS WHEREOF WE HAVE HEREUNTO SET OUR HANDS THIS _____ DAY OF _____, 20____.

LAND HAVEN, INC. _____ (SIGNATURE) CACHE COUNTY CORPORATION _____ (SIGNATURE)

BY: _____ (PRINTED NAME) BY: _____ (PRINTED NAME)

ITS: _____ ITS: _____

CORPORATE ACKNOWLEDGMENT

ON THIS _____ DAY OF _____, 20____, BEFORE ME _____, A NOTARY PUBLIC, PERSONALLY APPEARED BEFORE ME _____, WHOSE IDENTITY IS PERSONALLY KNOWN TO ME (OR PROVEN ON THE BASIS OF SATISFACTORY EVIDENCE) AND WHO BY ME DULY SWORE/AFFIRMED, DID SAY THAT HE/SHE IS THE _____ OF LAND HAVEN, INC., A UTAH CORPORATION, AND THAT SAID DOCUMENT WAS SIGNED BY HIM/HER IN BEHALF OF SAID CORPORATION BY AUTHORITY OF ITS BYLAWS, OR RESOLUTION OF ITS BOARD OF DIRECTORS, HE/SHE ACKNOWLEDGED TO ME THAT SAID CORPORATION EXECUTED THE SAME.

MY COMMISSION EXPIRES: _____ NOTARY PUBLIC (SIGNATURE)

RESIDING IN _____ COUNTY

MY COMMISSION NO. _____ (PRINTED FULL NAME OF NOTARY)
A NOTARY PUBLIC COMMISSIONED IN UTAH

CITY COUNCIL APPROVAL AND ACCEPTANCE

PRESENTED TO THE SMITHFIELD CITY COUNCIL THIS _____ DAY OF _____, 20____, AT WHICH TIME THIS SUBDIVISION WAS APPROVED AND ACCEPTED.

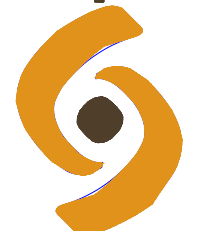
MAYOR _____ DATE _____

CITY RECORDER _____ DATE _____

FINAL PLAT
OF
THE VILLAGE AT FOX MEADOWS P.U.D.
PHASE 7
LOCATED IN THE SW1/4 OF SECTION 21,
T13N, R1E, S.L.B.&M.
SMITHFIELD, UTAH

civilsolutionsgroup inc.

CACHE VALLEY | P: 435.213.3762
SALT LAKE | P: 801.216.3192
UTAH VALLEY | P: 801.874.1432
info@civilsolutionsgroup.net
www.civilsolutionsgroup.net





Smithfield City Staff Report

Community Development Department
Administration • Engineering • Planning • Zoning

Village at Fox Meadows PUD Final Phase 7

August 16, 2023

This staff report is an analysis of the application information base on adopted city codes, standard city development practices and other available information. This report is to be used to review and consider the merits of the application. Additional information may be provided, that supplements or amends this report.

Project Information

Parcel ID: 08-042-0022

Applicant: Visionary Homes

Action Type: Administrative

Staff Recommendation: Approval

Project Location

Location:

600 North 770 West
Smithfield, Utah

Lot Size:

4.11 Acres

Surrounding Uses:

North - Residential (MPC)
South - Residential (R-1-10 PUD)
East - Residential (MPC)
West - Agricultural (A-10)
County

Current Zoning:

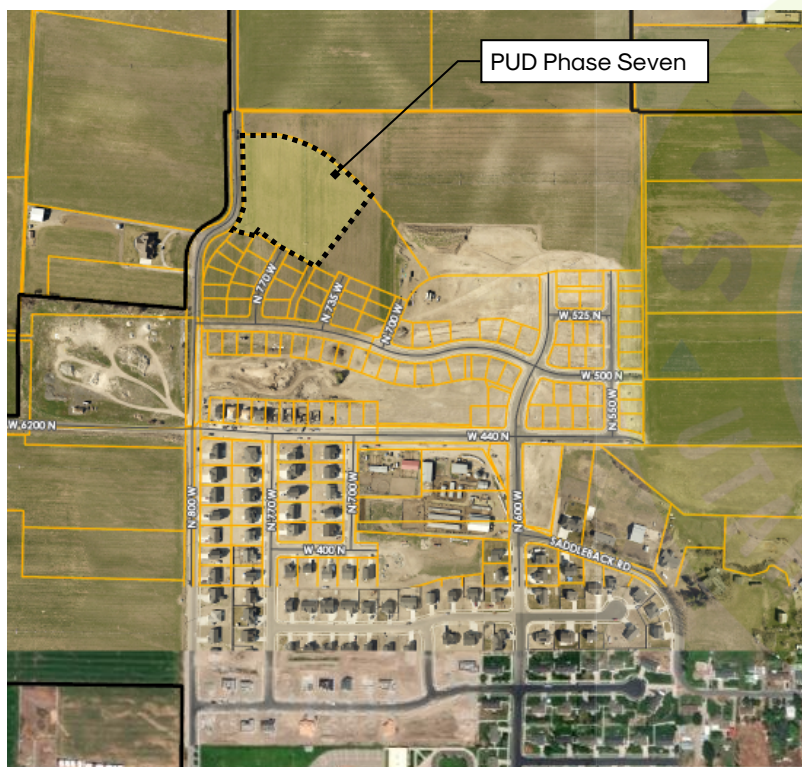
R-1-10 PUD (Residential)

Proposed Zoning:

None

Project Summary

Visionary Homes is requesting approval of the final plat for phase 7 of the Planned Unit Development. There are 16 parcels that consist of single family home layout. Phase 7 is the final phase of the Planned Unit Development. This phase was removed from phase 4 (to the south east) and phase 4 was amended and approved. The infrastructure located in the phase, particularly 600 North is required for construction of the MPC phase 6.



08/08/2023

Page 1

Smithfield City Community Development
96 South Main Street, Smithfield, Utah 84335

Phone: (435) 563.6226
Email: info@smithfieldcity.org

<http://smithfieldcity.org/comdev>
Administration • Engineering • Planning • Zoning

Findings of Fact

1. The details and information in this plat meets the requirements found in the major subdivision chapter. §16.07
2. The final plat was submitted in accordance with code found in the final plat. §16.12.020
3. All drawing details in this plat have been reviewed by the city staff. §16.12.040

Conclusion and Recommendation

Based on the findings of fact listed above, the staff recommends **approval** of Village at Fox Meadows PUD Final Phase 7, as meeting the requirements of Smithfield City Municipal Code.



ORDINANCE NO 23-23

AN ORDINANCE AMENDING TITLE 17, ZONING OF THE SMITHFIELD MUNICIPAL CODE, BY AMENDING THE ZONING MAP OF SMITHFIELD CITY.

BE IT ORDAINED by the City Council of Smithfield City, Utah as follows:

That certain map or maps entitled "Zoning map of Smithfield City, Utah" is hereby amended and the following described property is hereby rezoned from A-10 (Agricultural 10-Acre) to R-1-10 (Single Family Residential 10,000 Square Feet).

Approximate Property Location: On the southwest corner of 440 North 800 West

Cache County Parcel Numbers: 08-039-0015, 08-089-0003 and 08-089-0004

Parcel Number 08-039-0015

A portion of the SW1/4 of Section 21 & the NW1/4 of Section 28 & the NE1/4 of Section 29 & SE1/4 of Section 20, Township 13 North, Range 1 East, Salt Lake Base & Meridian, Smithfield, Utah, more particularly described as follows:

Beginning at a point on the west line of 800 West Street, located East 36.30 feet from the Northeast Corner of Section 29, T13N, R1E, S.L.B.&M. (Basis of Bearing: S0°17'11"E along the Section line between the Northeast Corner and the East 1/4 Corner of Section 29, T13N, R1E, SLB&M); thence S0°17'11"E along said westerly line 66.00 feet; thence S89°40'24"W 657.63 feet; thence N0°19'36"W 324.27 feet to the south line of 6200 North Street; thence along said south line the following 2 (two) courses and distances: southeasterly along the arc of a 2,980.00 foot radius non-tangent curve (radius bears: S1°02'57"W) to the right 52.05 feet through a central angle of 1°00'03" (chord: S88°27'01"E 52.05 feet); thence S87°57'00"E 606.18 feet to the west line of 800 West Street; thence S0°19'36"E along said west line 231.43 feet to the point of beginning.

Contains 4.70+/- Acres

Parcel Number 08-089-0004

A portion of the SW1/4 of Section 21 & the NW1/4 of Section 28 & the NE1/4 of Section 29 & SE1/4 of Section 20, Township 13 North, Range 1 East, Salt Lake Base & Meridian, Smithfield, Utah, more particularly described as follows:

Beginning at a point on the west line of 800 West Street, located East 36.30 feet and S0°17'11"E 66.00 feet from the Northeast Corner of Section 29, T13N, R1E, S.L.B.&M. (Basis of Bearing: S0°17'11"E along the Section line between the Northeast Corner and the East 1/4 Corner of Section 29, T13N, R1E, SLB&M); thence S0°17'11"E along said westerly line 437.14 feet; thence N89°09'00"W 596.64 feet; thence S9°19'15"W 275.00 feet to a Boundary Line Adjustment described in Book 2163 Page 1856 of the Official records of Cache County; thence N89°09'00"W along said Boundary Line Adjustment 720.23 feet to the west line of a field; thence N0°59'30"E along said west line and parallel to an existing irrigation line 1,022.20 feet to the

south line of 6200 North Street; thence along said south line the following 3 (three) courses and distances: S88°25'00"E 81.38 feet; thence S89°01'00"E 597.22 feet; thence along the arc of a 2,980.00 foot radius curve to the right 3.43 feet through a central angle of 0°03'57" (chord: S88°59'01"E 3.43 feet); thence S0°19'36"E 324.27 feet; thence N89°40'24"E 657.63 feet to the point of beginning.

Contains 22.99 +/- Acres

Cache County Parcel Number: 08-089-0003

A portion of the NW1/4 of Section 28 & the NE1/4 of Section 29, Township 13 North, Range 1 East, Salt Lake Base & Meridian, Smithfield, Utah, more particularly described as follows:

Beginning at a point on the west line of 800 West Street, located East 36.30 feet and S0°17'11"E along said westerly line 503.14 feet from the Northeast Corner of Section 29, T13N, R1E, S.L.B.&M. (Basis of Bearing: S0°17'11"E along the Section line between the Northeast Corner and the East 1/4 Corner of Section 29, T13N, R1E, SLB&M); thence S0°17'11"E along said westerly line 272.05 feet to a Boundary Line Adjustment described in Book 2163 Page 1856 of the Official records of Cache County; thence N89°09'00"W along said Boundary Line Adjustment 642.54 feet; thence N9°19'15"E 275.00 feet; thence S89°09'00"E 596.64 feet to the point of beginning.

Contains 3.87+/- Acres

APPROVED by the Smithfield City Council this 23rd day of August, 2023.

SMITHFIELD CITY CORPORATION

Kristi Monson, Mayor

ATTEST:

Justin B. Lewis, City Recorder





PARCEL 08-039-0015

A portion of the SW1/4 of Section 21 & the NW1/4 of Section 28 & the NE1/4 of Section 29 & SE1/4 of Section 20, Township 13 North, Range 1 East, Salt Lake Base & Meridian, Smithfield, Utah, more particularly described as follows:

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Contains: 4.70+/- acres

PARCEL 08-089-0004

A portion of the SW1/4 of Section 21 & the NW1/4 of Section 28 & the NE1/4 of Section 29 & SE1/4 of Section 20, Township 13 North, Range 1 East, Salt Lake Base & Meridian, Smithfield, Utah, more particularly described as follows:

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Contains: 22.99+/- acres

PARCEL 08-089-0003

A portion of the NW1/4 of Section 28 & the NE1/4 of Section 29, Township 13 North, Range 1 East, Salt Lake Base & Meridian, Smithfield, Utah, more particularly described as follows:

Beginning at a point on the west line of 800 West Street, located East 36.30 feet and S0°17'11"E along said westerly line 503.14 feet from the Northeast Corner of Section 29, T13N, R1E, S.L.B.&M. (Basis of Bearing: S0°17'11"E along the Section line between the Northeast Corner and the East 1/4 Corner of Section 29, T13N, R1E, SLB&M); thence S0°17'11"E along said westerly line 272.05 feet to a Boundary Line Adjustment described in Book 2163 Page 1856 of the Official records of Cache County; thence N89°09'00"W along said Boundary Line Adjustment 642.54 feet; thence N9°19'15"E 275.00 feet; thence S89°09'00"E 596.64 feet to the point of beginning.

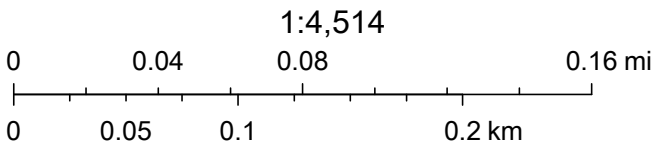
Contains: 3.87+/- acres

Parcel Map



8/9/2023, 12:26:26 PM

- | | | |
|----------------------|----------------------|-----------------|
| Override 1 | GRAVEL | County Boundary |
| Class B Surface Type | DIRT | Cache Parcels |
| ASPHALT | Municipal Boundaries | |



Maxar



Smithfield City Staff Report

Community Development Department
Administration • Engineering • Planning • Zoning

Visionary West 800 West Rezone

August 16, 2023

This staff report is an analysis of the application information base on adopted city codes, standard city development practices and other available information. This report is to be used to review and consider the merits of the application. Additional information may be provided, that supplements or amends this report.

Project Information

Parcel ID: 08-039-0015

Applicant: Visionary Homes

Parcels: 08-089-0003

Action Type: Legislative

08-089-0004

Staff Recommendation: None

City Meeting: Planning Commission

Project Location

Location:
440 North 800 West
Smithfield, Utah

Lot Size:
31.56 Acres

Surrounding Uses:
North - Agricultural/County (A-10)
South - County
East - Residential (R-1-10)
West - County

Current Zoning:
A-10 Agricultural

Proposed Zoning:
R-1-10 Residential

Project Summary

Visionary Homes is requesting a rezone of the three properties that are located approximately West of 800 West and 440 North. The future land use map, shows the proposed property as agricultural. They are just South of the city owned parcel on 440 North.

