CITY OF NORTH SALT LAKE
COMMUNITY & ECONOMIC DEVELOPMENT

10 East Center Street, North Salt Lake, Utah 84054
(801) 335-8700
(801) 335-8719 Fax

NORTH SALT LAKE PLANNING COMMISSION
NOTICE & AGENDA
June 25, 2019
6:30 p.m.

Notice is given of a public meeting of the North Salt Lake Planning Commission to be held on the above noted date and time in the North Salt Lake City Council chambers located at 10 East Center Street. The agenda will be as follows:

Welcome, Pledge, and Introduction

1) Public comments

2) Public Hearing-Consideration of a request to rezone property at 867 West 3800 South from Highway Commercial (CH) to Residential (R1-7), Torey Brown, applicant

3) Discussion only-Development options for property located at 150 East 350 North under the current R1-7 zone or P-District rezone proposal, Liberation Development Investments, applicant

4) Report on City Council actions on items recommended by Planning Commission

5) Approval of minutes:

   a. June 11, 2019

Adjourn

The public is invited to attend all Planning Commission meetings. If you need special accommodations to participate in the Planning Commission meeting, please call the City offices at (801) 335-8700. Please provide at least 24 hours notice for adequate arrangements to be made. Times noted on the agenda are estimates only – the Commission may proceed faster or slower than these estimates indicate.

Notice of Posting:
I, the duly appointed recorder for the City of North Salt Lake, hereby certify that the foregoing agenda was posted on the Utah Public Notice website, at city hall, and sent to the required newspapers this 20th day of June, 2019.

Dated this 21st day of June, 2019.

Lynn Horrocks

CITY OF NORTH SALT LAKE CORPORATE SEAL 1946 STATE OF UTAH

CITY OF NORTH SALT LAKE
COMMUNITY & ECONOMIC DEVELOPMENT

10 East Center Street, North Salt Lake, Utah 84054
(801) 335-8700
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MEMORANDUM

TO: Planning Commission

FROM: Kate Werrett, Planner

DATE: June 25, 2019

SUBJECT: Rezone from Highway Commercial (CH) to Residential (R1-7) for 38 Street Salon located at 867 West 3800 South

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RECOMMENDATION

The Development Review Committee (DRC) recommends approval of the rezone request for 38 Street Salon located at 867 West 3800 South with the following conditions:

1. Reduction of vehicular access to one thirty foot (30') maximum wide driveway;
2. Installation of a park strip and sidewalk as well as the restoration of the curb and gutter in accordance with City standards;
3. Removal of the 38 Street Salon Sign; and
4. Submission of a site plan depicting how the commercial parking area will be renovated to become a residential front yard.

BACKGROUND

The requested rezone is from Highway Commercial (CH) to Residential (R1-7) for the parcel located at 867 West 3800 South. The property contains approximately 11,238 square feet and has one structure. The parcel is adjacent to Chesham Village.

This property is owned by Torey Brown and currently used as the 38 Street Salon. With the construction of Chesham Village to the west, the lot is completely surrounded by residential parcels. The Browns plan to renovate the building, converting the commercial building into a home, and live there with a home occupation salon. The Highway Commercial (CH) zone does not permit single residential development containing less than five (5) dwelling units. To allow for a single family parcel, the applicant is requesting a rezone to Residential (R1-7).

The residential use of this property is compatible with the surrounding residential uses. The parcels to the north, south, and east of the parcel are unincorporated Davis County and Bountiful single family homes with similar lot sizes. The proposed R1-7 zone has similar lot and setback requirements to these adjacent unincorporated parcels. Properties zoned R1-7 have a minimum size of 7,000 which this parcel complies with.

REVIEW

The applicant has submitted a proposed floorplan for the building which will modify its internal use to a residential home with an area for a home occupation. This renovation will include a five foot addition to provide space for a kitchen. A two chair in-home salon will be created. Home occupations are permitted in all residential zones as long as they are incidental and secondary to the use of the dwelling. Only members of the family who reside in the dwelling may work on site with the exception that one additional person may be employed as a secretary, apprentice or assistant.

Currently, the front portion of the lot contains a parking lot and two driveway access areas. Section 10-6-2 of the City Code states that residential lots with less than 100 feet of frontage cannot have more than one driveway. The maximum width of the driveway is also noted as thirty feet (30') wide at the street lot line. Due to this requirement in the code, the DRC recommends conditioning approval on the reduction of vehicular access to one thirty foot (30') wide driveway.

The DRC also recommends conditioning approval on the restoration of the curb and gutter and the installation of both a park strip and sidewalk in accordance with City standards. Currently the sidewalk and park strip in front of Chesham Village stop at this parcel's property line. The curbing along the parcel's frontage is also not to City standards and appears to have been cut when the driveways were installed.

Due to the commercial appearance of the building, the DRC recommends conditioning approval upon the receipt of a site plan site plan depicting how the commercial parking area will be renovated to become a residential front yard. While there is no front yard impervious surface area limitation in the Code, the DRC suggests that plans for a more residential frontage with landscaping could be requested. This site plan should also demonstrate the removal of the commercial signage which is not permitted for home occupations nor in residential zones.

POSSIBLE MOTION

I move that the Planning Commission recommend approval to the City Council of the proposed rezone from Highway Commercial (CH) to Residential (R1-7) for the parcel located at 867 West 3800 South with the following conditions:

5. Reduction of vehicular access to one thirty foot (30') maximum wide driveway;
6. Installation of a park strip and sidewalk as well as the restoration of the curb and gutter in accordance with City standards;
7. Removal of the 38 Street Salon Sign; and
8. Submission of a site plan depicting how the commercial parking area will be renovated to become a residential front yard.

Attachments

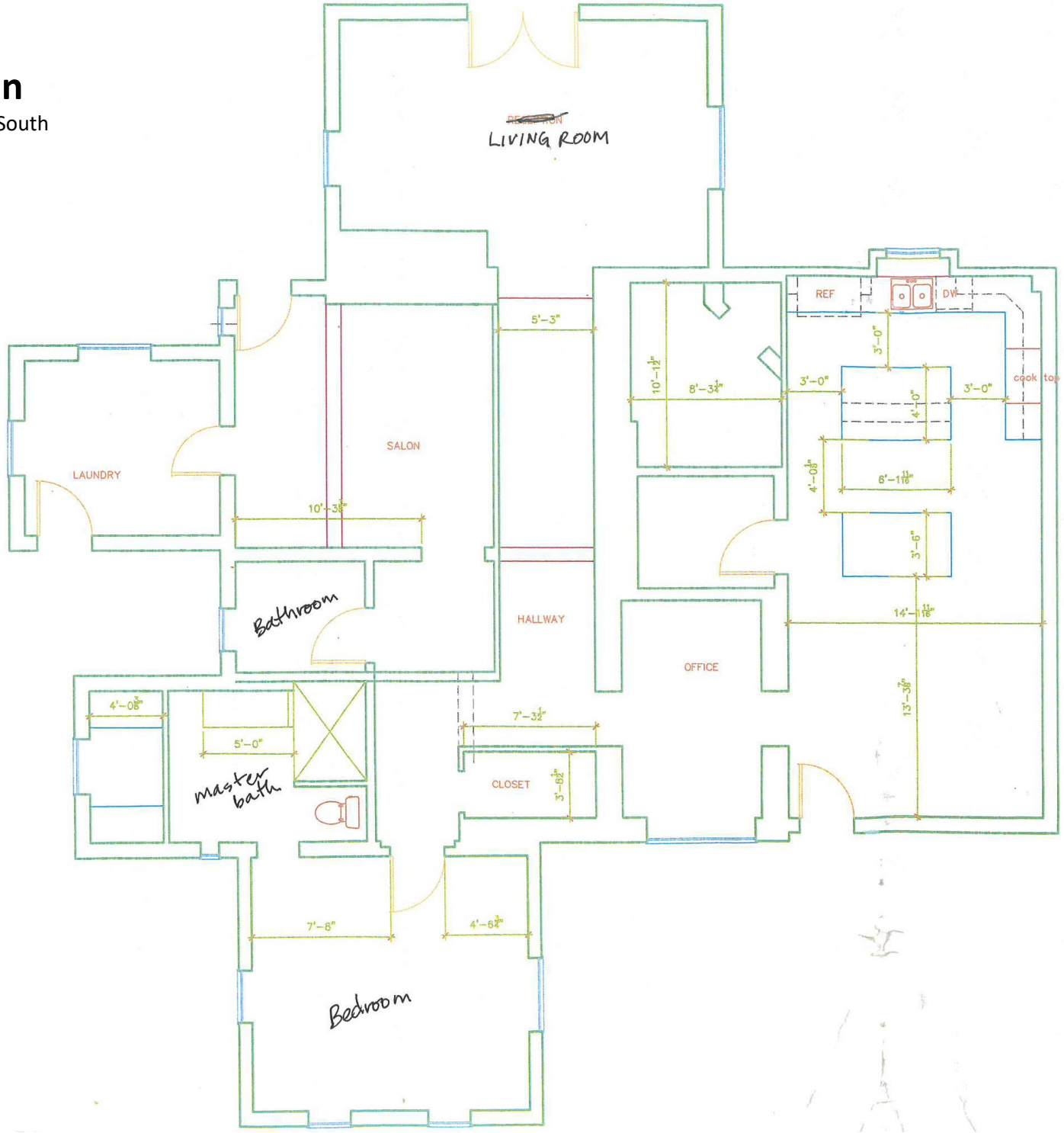
1) Aerial/Zoning Map
2) Floor Plan

Rezone
867 West 3800 South
Aerial/Zoning



Floor Plan

867 West 3800 South



CITY OF NORTH SALT LAKE
COMMUNITY & ECONOMIC DEVELOPMENT

10 East Center Street, North Salt Lake, Utah 84054
(801) 335-8700
(801) 335-8719 Fax

MEMORANDUM

TO: Planning Commission

FROM: Sherrie Llewelyn, Community Development Director

DATE: June 25, 2019

SUBJECT: Discussion Item-Development options for property located at 150 East 350 North

RECOMMENDATION

The applicant has requested a work meeting with the Planning Commission to discuss the development potential for this property.

BACKGROUND

The Planning Commission made a recommendation to the City Council to deny a General Development Plan for the proposed Arrowhead Apartments located at 150 East 350 North on July 16, 2018. The proposed plan contained a single apartment building of 3 stories and 27 units. The applicant requested the recommendation be held from the City Council agenda until an alternative plan could be proposed.

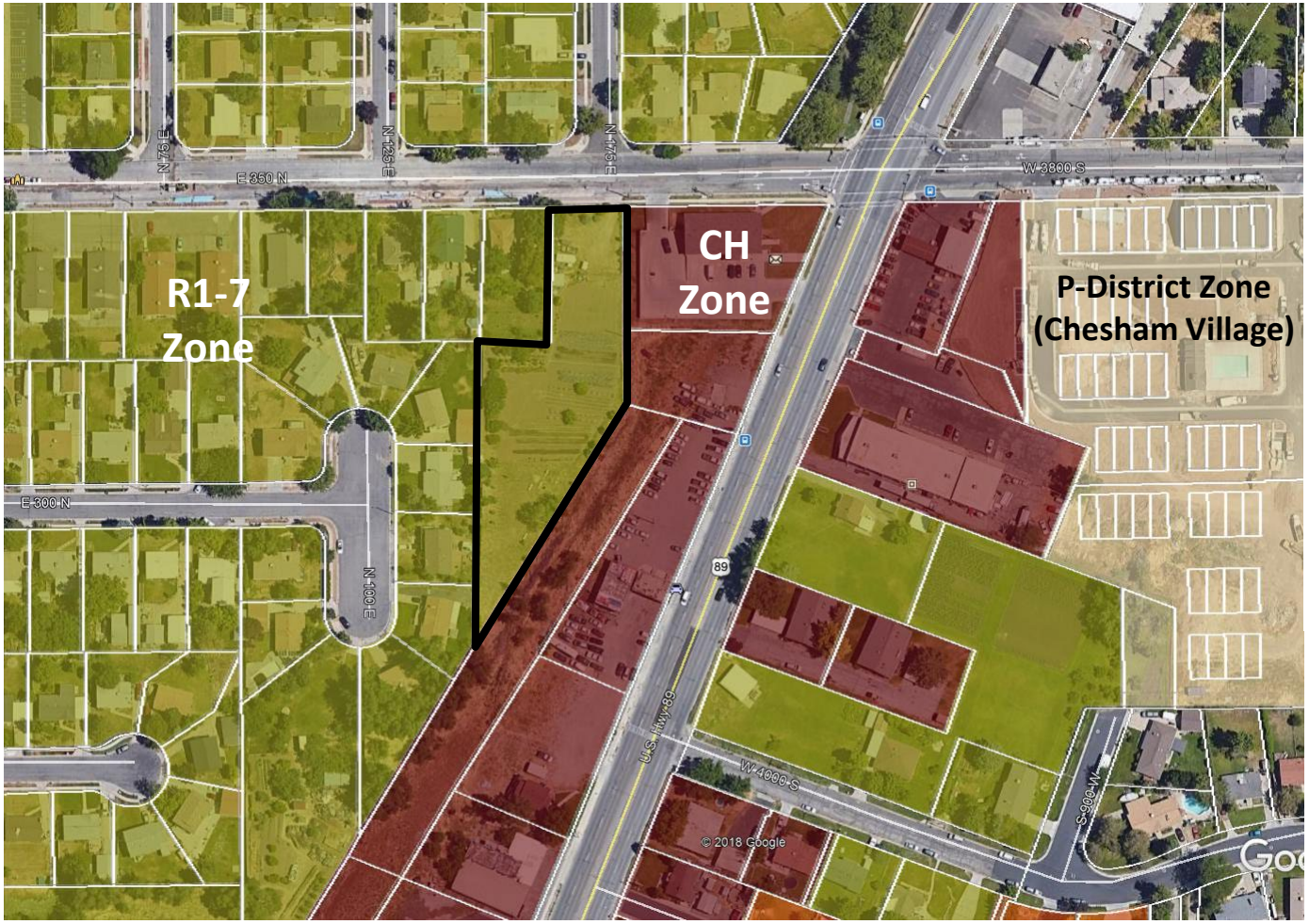
The developer has requested a work meeting with the Planning Commission to obtain feedback on a revised 2 story (20 unit) apartment building under a proposed P-District rezone. They have also proposed a 10 unit (5 twin homes/duplexes) PUD under the existing R1-7 zone.

The two alternatives have been attached for the Planning Commission's review.

Attachments

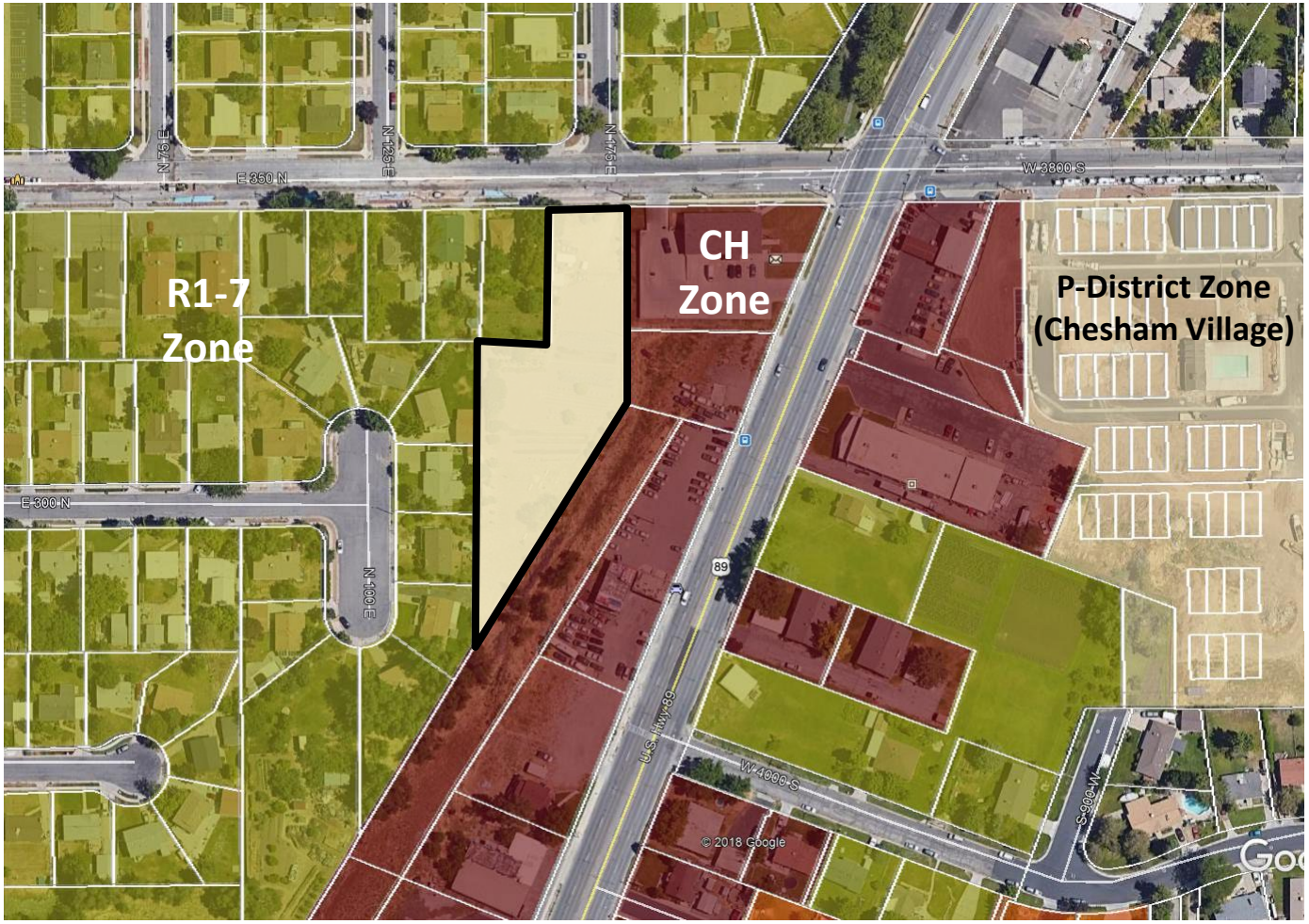
1) Aerial/Zoning Map
2) Revised Proposed General Development Plan & Architecture
3) Proposed Alternative Twinhome/Duplex PUD

Arrowhead -150 East 350 North
Current Zoning

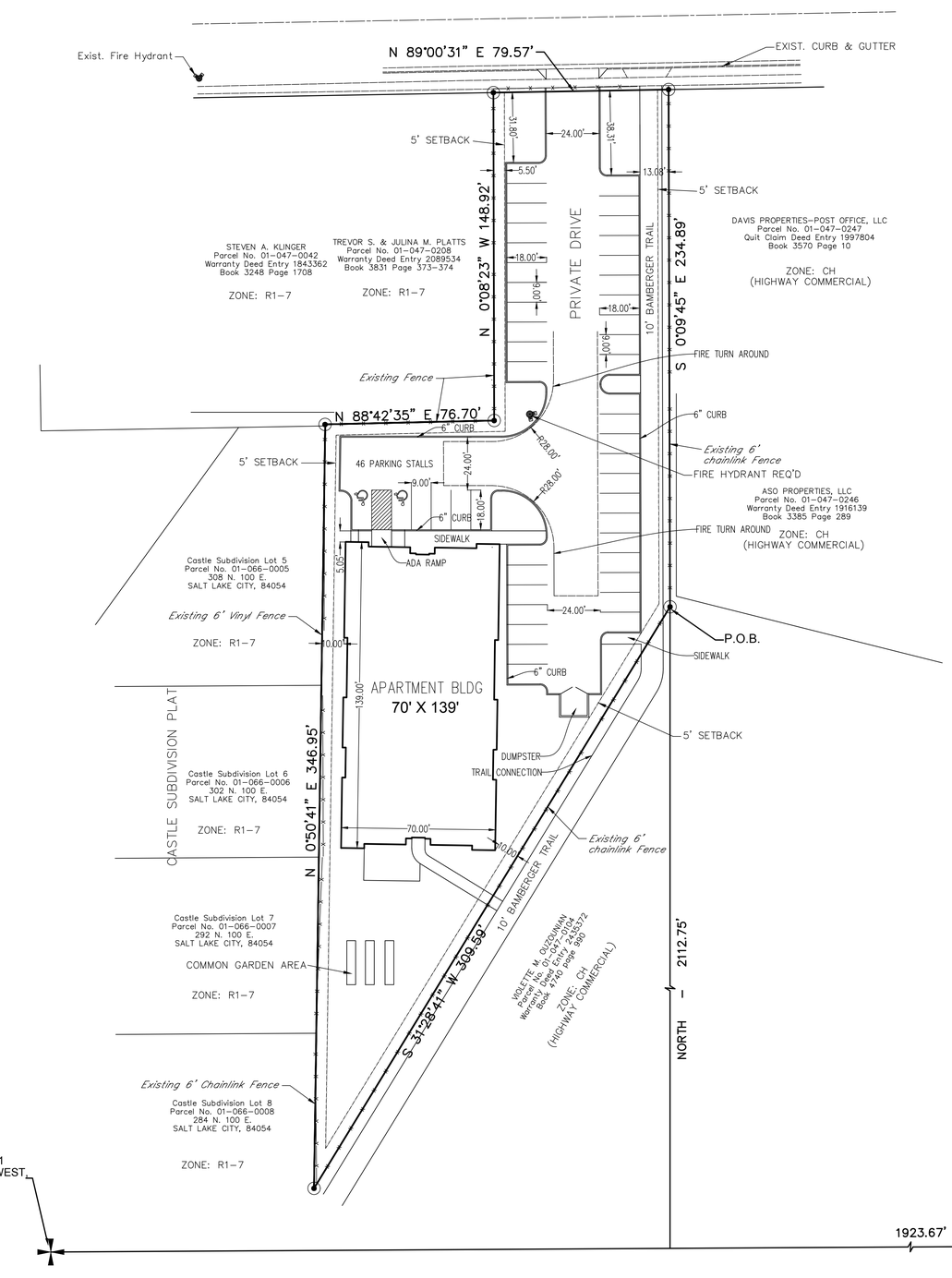


- Special Use Restricted (SR)
- Residential (RM-7)
- Residential (RM-20)
- Residential (R1-7)
- Residential (R1-12)
- Residential (R1-10)
- Natural Open Space (NOS)
- General Industrial (MG)
- Manufacturing-Distribution (MD)
- Existing Uses Overlay (EUO)
- Commercial Shopping (CS)
- Highway Commercial (CH)
- General Commercial (CG)
- Planned District (P)

Arrowhead Apartments-150 East 350 North
Proposed Zoning



- Special Use Restricted (SR)
- Residential (RM-7)
- Residential (RM-20)
- Residential (R1-7)
- Residential (R1-12)
- Residential (R1-10)
- Natural Open Space (NOS)
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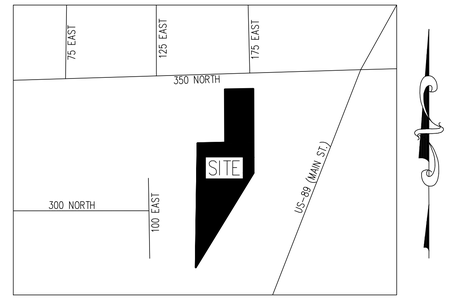
BOUNDARY DESCRIPTION

BEGINNING AT A POINT WHICH IS NORTH 89°54'24" WEST ALONG THE SECTION LINE 1923.67 FEET AND NORTH 2112.75 FEET FROM THE SOUTHWEST CORNER OF SECTION 1, TOWNSHIP 1 NORTH, RANGE 1 WEST, SALT LAKE BASE AND MERIDIAN; THENCE SOUTH 31°28'41" WEST ALONG AN EXISTING FENCE LINE 309.59 FEET TO THE EASTERLY BOUNDARY LINE OF CASTLE SUBDIVISION ON FILE WITH THE DAVIS COUNTY RECORDER'S OFFICE; THENCE NORTH 00°50'41" EAST (RECORD: NORTH 00°40'36" EAST) ALONG SAID BOUNDARY LINE AND ITS LINE EXTENDED 346.95 FEET TO A FENCE CORNER, THENCE NORTH 88°42'35" EAST ALONG AN EXISTING FENCE LINE 76.70 FEET TO A FENCE CORNER, THENCE NORTH 00°08'23" WEST ALONG AN EXISTING FENCE LINE 148.92 FEET TO THE SOUTH RIGHT OF WAY LINE OF 350 NORTH STREET IN NORTH SALT LAKE, UTAH; THENCE NORTH 89°00'31" EAST ALONG SAID RIGHT OF WAY 79.59 FEET TO AN EXISTING FENCE LINE; THENCE SOUTH 00°09'45" EAST ALONG AN EXISTING FENCE LINE 234.89 FEET TO THE POINT OF BEGINNING.

AREA = 1.055 ACRES (45,954 S.F.)

30 15 0 30 60 90

Scale 1" = 30'



VICINITY MAP

REVISIONS		
Rev.	Date	Description

Mike Watson Investing
c/o Paul Poteet
253-320-0357

EXCEL ENGINEERING
David W. Peterson, P.E., License #270393
12 West 100 North, Suite 201, American Fork, UT 84003
P: (801) 756-4504; david@excelcivil.com

ARROWHEAD APARTMENTS

NORTH SALT LAKE UTAH

Drawn by: D.W.P.
Designed by: D.W.P.
Checked by: D.W.P.

CONCEPT PLAN

Scale: 1"=30'
Date: 05/07/19
C1

LANDSCAPE REQUIREMENTS

TOTAL PROPERTY	45,954 SF
OPEN SPACE	15,355 SF (33% OF PROPERTY)
REQUIRED SHRUBS	1 SHRUB / 25 SF OF PLANTER BED
	148 SHRUBS (3,694 SF) REQUIRED
	148 SHRUBS / GRASSES PROVIDED

GENERAL NOTES

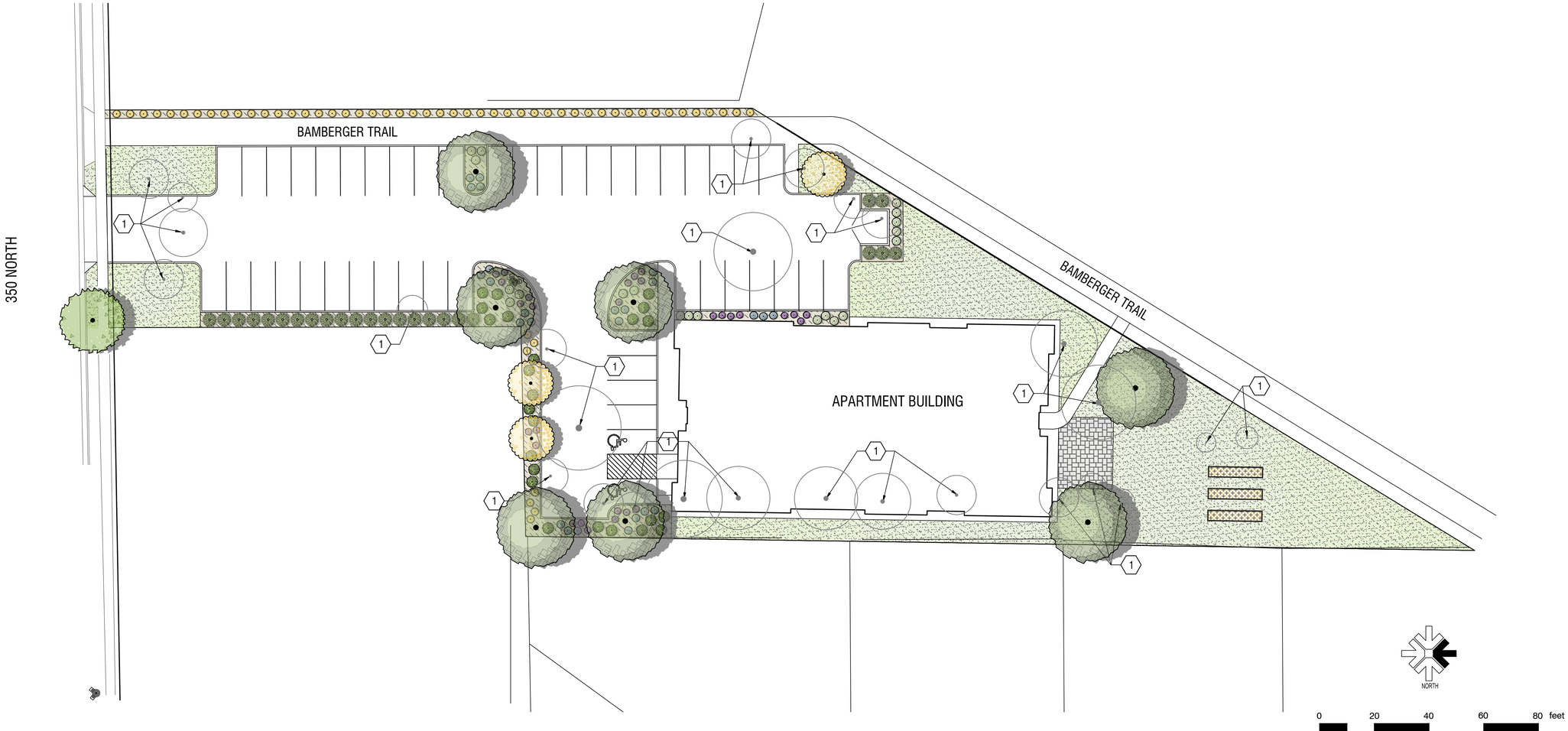
- ALL EXISTING LANDSCAPING TO BE REMOVED AND CLEARED BEFORE CONSTRUCTION.
- PLAYGROUND DESIGN AND INSTALLATION PER OWNER.
- ALL TURF GRASS AREAS TO RECEIVE AUTOMATIC SPRINKLERS (ROTORS, SPRAY HEADS, ETC.)
- ALL PLANTER BED AREAS TO RECEIVE AUTOMATIC DRIP IRRIGATION SPRINKLERS (DRIPLINE, DRIP EMITTERS, MICRO SPRAYS, ETC.)

REFERENCE NOTES SCHEDULE

SYMBOL	DESCRIPTION	QTY
1	EXISTING TREE TO BE REMOVED	
SYMBOL	DESCRIPTION	QTY
	TURF GRASS	10,949 sf
	PLANTER BED	3,694 sf
	GARDEN BOXES	205 sf
	BBQ PATIO	507 sf

CONCEPT PLANT SCHEDULE

	350 NORTH STREET TREE -	1
	DECIDUOUS SHADE TREE -	7
	ORNAMENTAL -	3
	LARGE SHRUB -	24
	SMALL SHRUB -	20
	LARGE EVERGREEN SHRUB -	24
	SMALL EVERGREEN SHRUB -	25
	ORNAMENTAL GRASS -	55
	PERENNIAL -	29



NOT FOR CONSTRUCTION

design west | architects
255 SOUTH 300 WEST LOGAN UT 84321
350 SOUTH 400 EAST SUITE 304 SLC, UT 84111

ARROWHEAD APARTMENTS

APPROX. 175 EAST 350 NORTH, NORTH SALT LAKE

SUMMA TERRA VENTURES
SPRINGVILLE, UTAH

MARK	DATE:	DESCRIPTION:

PROJECT #:	519056
DRAWN BY:	ALTHOUSE
CHECKED BY:	HISLOP
ISSUED:	05/07/2019

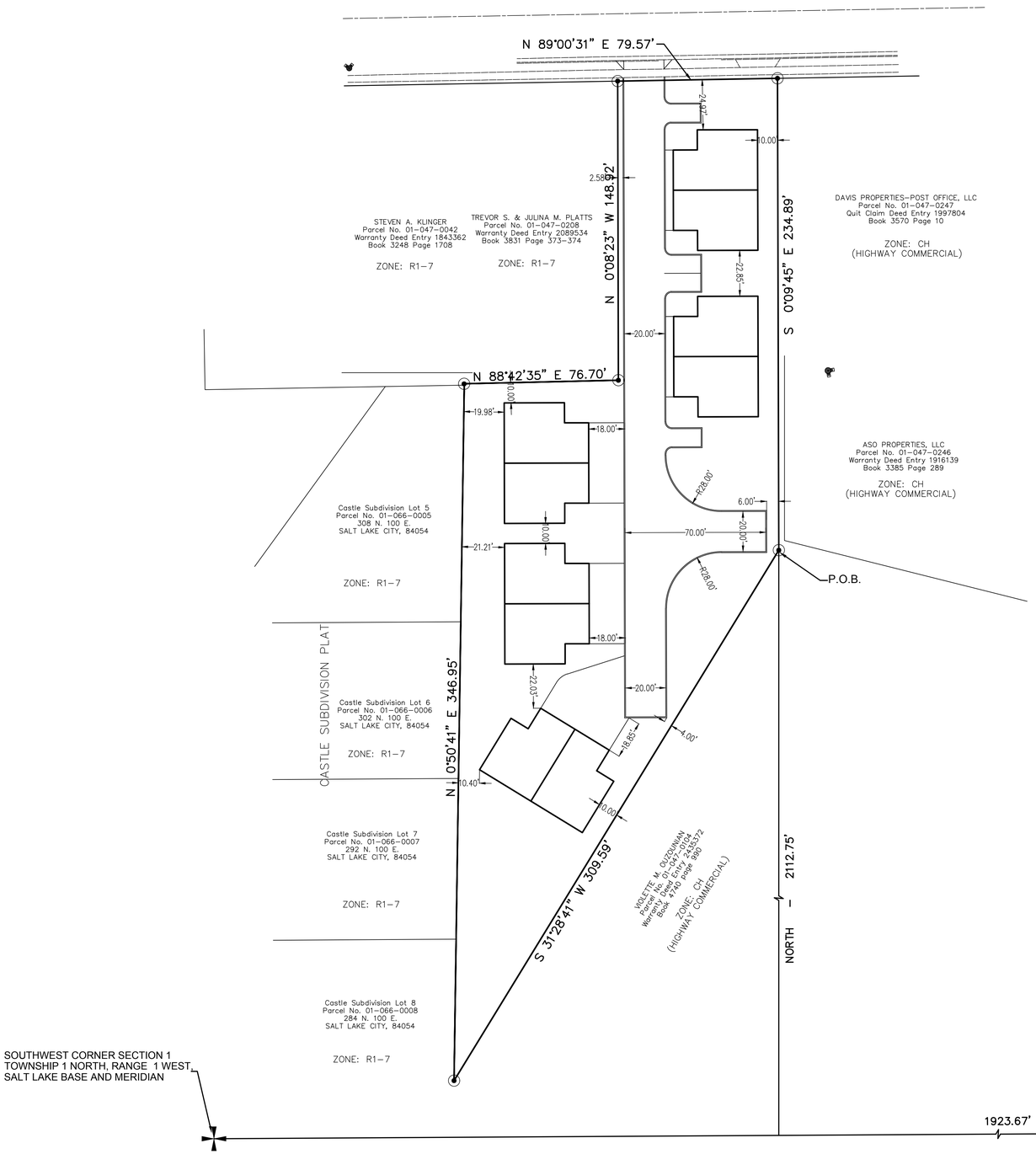
PRELIMINARY LANDSCAPE PLAN

L-101

© COPYRIGHT DESIGN WEST ARCHITECTS



PERSPECTIVE RENDERING



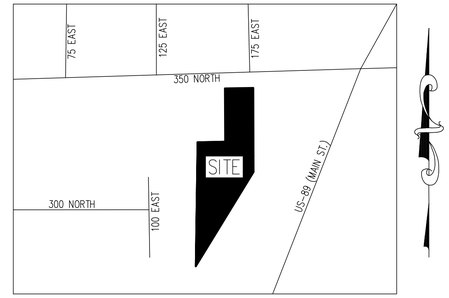
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AREA = 1.055 ACRES (45,954 S.F.)

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Scale 1" = 30'



VICINITY MAP

REVISIONS		
Rev.	Date	Description

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c/o Paul Potect
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David W. Peterson, P.E., License #270393
12 West 100 North, Suite 201, American Fork, UT 84003
P: (801) 756-4504; david@excelcivil.com

ARROWHEAD DUPLEXES

NORTH SALT LAKE UTAH

Drawn by: D.W.P.
Designed by: D.W.P.
Checked by: D.W.P.

CONCEPT PLAN

Scale: 1"=30'
Date: 06/12/19
C1

CITY OF NORTH SALT LAKE
PLANNING COMMISSION MEETING
JUNE 11, 2019

DRAFT

Commission Chair Pro Tem William Ward called the meeting to order at 6:30 p.m. and Natalie Gordon led those present in the Pledge of Allegiance.

PRESENT: Chair Pro Tem William Ward
Commissioner Brandon Tucker
Commissioner BreAnna Larson
Commissioner Natalie Gordon

EXCUSED: Commission Chair Ted Knowlton
Commissioner Stephen Garn
Commissioner Kent Kirkham

STAFF PRESENT: Sherrie Llewelyn, Community Development Director; Kate Werrett, Planning Technician; Andrea Bradford, Minutes Secretary.

OTHERS PRESENT: Scott Williams, Dee Lalliss, Barry Bryson, Judy Rogers, Manuel Delgado, residents; Parker McGarvey, CW Land; Garrett Seely, Red Pine Investments; Duffy Williams, Centerville.

1. PUBLIC COMMENTS

There were no public comments.

2. CONSIDERATION OF AN APPLICATION TO REZONE PROPERTY LOCATED AT 256 SOUTH HIGHWAY 89 FROM HIGHWAY COMMERCIAL (CH) TO P DISTRICT AND DEVELOPMENT AGREEMENT FOR WILLIAMSBURG LUXURY APARTMENTS, PENDLETON CONSTRUCTION, APPLICANT

Sherrie Llewelyn reported that the property, located at 256 South Highway 89, currently consisted of Hughes RV, Chile Amor, Blue Salon, etc. The proposed redevelopment was previously granted General Development Plan approval in February 2016 and the approval was renewed in October of 2018. As this application began prior to the most recent code amendment regarding Planned (P) District zones a public hearing will be held at the end of the process rather than at the beginning.

The property is a total of 5.91 acres and is currently zoned Highway Commercial (CH) with a proposal for 214 multifamily residential units in four buildings with 10,444 square feet of retail

space in building A. The proposal includes 81 one bedroom units, 110 two bedroom units, and 23 three bedroom units ranging in size from 668 to 1200 square feet. The parking includes 170 underground parking spaces, 46 carports, and 199 surface parking stalls for a total of 415 parking spaces onsite. The proposed parking ratio would be 1.94 spaces per unit which was previously negotiated as part of the General Development plan.

Mrs. Llewelyn then showed the site plan and said the buildings would be four stories in height with colonial architecture. Building B would be slightly closer to Highway 89 due to the necessity of additional right of way dedication for a shoulder per UDOT request and the needed easement for the new UTA bus shelter to be relocated closer to the intersection. She explained that fencing and the relocation of the bus stop would help to discourage jaywalking across Highway 89 in this location. Staff also requested a 15 foot right of way dedication in the event of installation of a future light at Eaglegate Drive, as which time a sidewalk would be needed when an additional crosswalk would be installed with a traffic signal.

The proposed landscaping would be 28% of the site with an eight foot park strip containing street trees, a seven foot sidewalk, and landscaped areas with a clubhouse, pool, picnic/BBQ area and sports court for either volleyball or pickleball.

The architecture would be colonial inspired with red/brown brick, white stone, and gray and white stucco. The buildings would have equal treatment on all elevations and would be four to five stories with a maximum height of 52 feet along Highway 89 and 62 feet along I-15. In the northwest corner of the property a trail connection would need to be added to the site plan which was sent to the developer's engineer. There would only be one vehicular access onto the property at Eagleridge Drive, per UDOT restrictions, with a second access that would be gated and used only as an emergency egress for the fire district.
The Development Review Committee (DRC) recommended approval of the final rezone, development agreement, and site plan for Williamsburg Luxury Apartments with the conditions that a pedestrian access be added to the site plan at the northwest corner, provisions for transit shelter/stop added to the site plan as shown, a sidewalk location at northeast property line be corrected without taper, and any engineering redline corrections.

Chair Pro Tem Ward opened the public hearing at 6:39 p.m.

Dee Lalliss, 300 North, commented on the setback of Building B from Highway 89. He felt that the five foot setback from the property line was not enough. Sherrie Llewelyn replied that the building would be five feet from the sidewalk where the bus stop was located but the rest of the building would be 20 feet from the curb. She said that there had been no changes to the layout from the original plan, which was submitted in 2016 except for the bus stop and shelter. Building A would be 49 feet from the property line and 15 feet from the curb and Building C would be 15 feet from the property line and 35 feet from the curb.

Barry Bryson, 349 Odell Lane, commented that he liked the project and said his only concern was traffic. He asked if a traffic study had been performed. Sherrie Llewelyn replied that some adjustments would be made to the existing traffic light for egress/ingress into the property. She explained that UDOT would only allow one access.

Barry Bryson then said he heard a rumor that there would be 600 units overall. Sherrie Llewelyn replied that there would be 214 units in this development.

Chair Pro Tem Ward closed the public hearing at 6:44 p.m.

Commissioner Gordon asked about the retail component and if there was a front elevation. Sherrie Llewelyn explained that all of the buildings would have the exact same architecture.

Chair Pro Tem Ward spoke on the setbacks and if there was a concern that it was too close to the street. Sherrie Llewelyn replied that there would not be a pedestrian presence except at the bus stop. She also said that UDOT required additional right of way for a shoulder at the entrance/exit.

Commissioner Tucker asked if the sidewalk would be extended to the south if a light was warranted in the future. Sherrie Llewelyn replied that funding would be obtained through a grant or by other means at that time. She said that the easement would allow for a sidewalk in the future but would be landscaping at this time.

Commissioner Gordon clarified that the parking per unit was already negotiated. Sherrie Llewelyn replied that this was correct.

Commissioner Tucker moved that the Planning Commission recommend to the City Council approval of a zone change from CH to P District for Williamsburg Luxury Apartments and proposed development agreement for the property located at approximately 256 South Highway 89 with the following findings and conditions:

Findings:

1) **The proposed P District can be substantially completed within two (2) years of the establishment of the P District.**
2) **The development contains one phase that can exist as an independent unit capable of creating an environment of sustained desirability and stability; and that the uses proposed will not be detrimental to present and potential surrounding uses, but will have a beneficial effect which could not be achieved under other zoning districts.**
3) **The proposed increased density will not generate traffic in such amounts as to overload the street network outside the P District.**
4) **The area surrounding said development can be planned and zoned in coordination and substantial compatibility with the proposed development.**

5) **Any exception from standard ordinance requirements is warranted by the design incorporated into the final plan.**
6) **The P District is in conformance with the City General Land Use plan.**
7) **Existing or proposed utility services are adequate for the population and use densities proposed.**

Commissioner Gordon seconded the motion. The motion was approved by Commissioners Ward, Tucker, Larson and Gordon. Commissioners Knowlton, Garn and Kirkham were excused.

3. CONSIDERATION OF A SITE PLAN FOR WILLIAMSBURG LUXURY APARTMENTS AT 256 SOUTH HIGHWAY 89, PENDLETON CONSTRUCTION, APPLICANT

Commissioner Gordon moved that the Planning Commission recommend to the City Council the approval of a site plan for Williamsburg Luxury Apartments located at approximately 256 South Highway 89 with the following conditions:

Conditions

1) **Pedestrian access be added to the site plan at the northwest corner;**
2) **Provision for transit shelter/stop added to the site plan as shown;**
3) **Sidewalk location at northeast property line be corrected without taper; and**
4) **Any redline engineering corrections.**

Commissioner Tucker seconded the motion.

Commissioner Larson asked about the completion date of building A. Chris Hartel, Pendleton Construction, replied that the Chile Amor restaurant had an existing lease which would end in November 2020. He said that they would attempt to buy out the lease which would allow construction to begin in October of this year. Mr. Hartel said the worst case would be that construction could not begin until November of 2020.

The motion was approved by Commissioners Ward, Tucker, Larson and Gordon. Commissioners Knowlton, Garn and Kirkham were excused.

Sherrie Llewelyn commented that she believed Chile Amor would relocate to another location in the City.

4. CONSIDERATION OF AN APPLICATION FOR GENERAL DEVELOPMENT PLAN AND TO REZONE PROPERTY LOCATED AT 877 NORTH CUTLER, RED PINE INVESTMENTS, APPLICANT

Kate Werrett reported that the DRC recommended approval of the rezone request with three conditions for final architecture design, materials, and colors, for the submittal of a required development agreement, and final approval of the P District rezone. The proposed development plan, located at 877 North Cutler Drive, consists of 2.15 acres zoned General Commercial (CG). The parcel is adjacent to Foxboro Terrace Apartments and Foxboro Stonehaven East PUD.

The current owner of the property, Leo Thurston, used the land for asphalt truck storage. Red Pine Land, LLC has a purchase agreement with Mr. Thurston for the development proposal. Together, they are requesting a General Development Plan and rezone to a P District.

Ms. Werrett explained that according to the P District regulations in Chapter 13 of the City's Land Use Ordinance a general development plan must be accompanied by a P District rezone application. The Planning Commission would hold a public hearing on the rezone request prior to approval of the general development plan with final approval of the zone change, including the successful negotiation of a development agreement and preliminary subdivision plan. The general development plan must receive a positive recommendation from the Planning Commission prior to moving forward to the City Council.

The City Council establishes by ordinance a P District provided the following findings are made including the proposed P District, or first phase, can be substantially completed within two (2) years of the establishment of the P District, each phase of the development can exist as an independent unit capable of creating an environment of sustained desirability and stability, or that adequate assurance will be provided that such objective will be attained; and that the uses proposed will not be detrimental to present and potential surrounding uses, but will have a beneficial effect which could not be achieved under other zoning districts, that the streets proposed are suitable and adequate to carry anticipated traffic, and increased densities will not generate traffic in such amounts as to overload the street network outside the P District, commercial development can be justified economically at the locations proposed, if any, to provide commercial facilities, the area surrounding said development can be planned and zoned in coordination and substantial compatibility with the proposed development, any exception from standard ordinance requirements is warranted by the design and amenities incorporated into the final plan, the P District is in conformance with the city general land use plan, and that existing or proposed utility services are adequate for the population and use densities proposed.

Kate Werrett provided an overview of the proposed development which included 23 single family homes on approximately 3,400 square foot lots. The overall density of the project would be 10.7 dwelling units per acre with the majority of the lots having a 40 foot width and a depth of 82 to 85 feet. The smaller lots would have a width of 27 feet with the other lots to have homes with 30 to 32 foot widths. Each home would have a two car garage and a two car driveway. The development would look similar to nearby portions of Foxboro including Edinburgh Drive.

The proposed development would have private streets, owned and maintained by a homeowners association with access to the community from Cutler Drive. The existing sidewalk and park strip along Cutler Drive would be improved to meet City standards but there would be no internal sidewalks would be installed in the project. One design constraint that would need to be addressed involves the utility connections along Cutler Drive. As the portion of Cutler Drive adjacent to the site is a new road and the city prohibits the cutting of streets for a period of five years the developer is reviewing alternative solutions to provide access to water and sewer utilities.

Ms. Werrett spoke on the floorplans and said the proposed single family homes would be two stories with designs ranging from traditional to contemporary. The design parameters would be established within the adopted CC&Rs and reviewed by an Architectural Design Committee prior to submittal for a building permit to the city. The DRC recommended the following architecture improvements be clarified in the development agreement including if applied to a front elevation, architectural features such as brick or stone wainscoting shall be wrapped around the side façade a minimum of 18 inches, main front siding material to continue on the side elevations, all windows on the same wall plan shall be the same height and have the consistent architectural treatments, no home of the same model and elevation shall be built on the lot adjacent or directly across the street, the garage façade shall extend no more than five feet from the front façade or porch roof line, and construction will be of high quality materials such as brick, stone, stucco and cement fiber board. The final architecture will be determined prior to development agreement approval and based upon Planning Commission recommendations.

Kate Werrett stated that fencing would be installed by the builder at the corner lots and along all side yard property lines. Specific fencing has not been proposed at this time but would need to be specified in the development agreement. She clarified that no action would be taken on the rezone request until final development agreement and preliminary plan.

Chair Pro Tem Ward opened the public hearing at 7:00 p.m.

Barry Bryson, 349 Odell Lane, asked if this was the initial proposal and said that this development, and the Williamsburg Luxury Apartments, were nicely done. Sherrie Llewelyn clarified that this was the initial proposal and that there had been no public comments received by staff after the notices were mailed.

Chair Pro Tem Ward closed the public hearing at 7:01 p.m.

Commissioner Gordon spoke on the walkability of the neighborhood and asked if there was a discussion with neighboring property owner Woodside Homes about the possibility of putting a trail or opening onto Stonehaven Drive. Garrett Seely, Red Pine Investments, replied that they originally wanted to connect to Stonehaven Drive; however, as Stonehaven was an HOA they would need to obtain two thirds of the homeowners vote for access to occur.

Commissioner Gordon asked about the square footage of the homes and setbacks. Garrett Seely replied that the square footage would range from 1,600 to 2,000 ad the setbacks would be five feet from the lot line to the side of the house which was comparable with other homes in the area.

Commissioner Gordon asked if the HOA would provide snow removal and parking restriction enforcement. She also asked about snow storage. Garrett Seely replied that the HOA would provide those services. He said that snow storage would be provided at the end of the hammerhead turnaround.

Commissioner Gordon asked about the fencing type. Garrett Seely replied that it would be vinyl fencing to match the existing fencing.

Commissioner Gordon commented that approximately ten years ago there were concerns about the soil in this location. She asked if soil testing had been done. Garrett Seely replied that they had done soil and environmental testing. He said that any existing trash on site would be removed.

Commissioner Gordon moved that the Planning Commission recommends approval to the City Council the proposed general development plan for Fox Hollow Homes located at 877 North Cutler Drive with the following conditions to be incorporated within the final zone change and development agreement approval:

1) **Final architecture design, materials, colors shall be modified as stated in the staff report for the development agreement;**
2) **Submittal of a required development agreement; and**
3) **Final approval of the P District rezone.**

Commissioner Larson seconded the motion. The motion was approved by Commissioners Ward, Tucker, Larson and Gordon. Commissioners Knowlton, Garn and Kirkham were excused.

Commissioner Gordon clarified that she lived in this area which was why she took the lead in asking the questions.

5. CONSIDERATION OF SUBDIVISION CONCEPT PLAN APPROVAL FOR TAG ORCHARD A TOWNHOME DEVELOPMENT LOCATED AT 142 SOUTH ORCHARD DRIVE (CURRENT ZONING MULTIFAMILY RESIDENTIAL RM-20), TAG SLC, APPLICANT

Sherrie Llewelyn reported that there were two existing homes located on the property at 142 South Orchard Drive. The property is zoned RM-20, which allows for multifamily at 20 units per acre. The proposal is for a PUD subdivision with 27 townhomes on 1.30 acres. She explained the minimum lot area of 7,000 square feet for a single family dwelling with an additional 1,900 square feet for each additional dwelling unit. Under the State Code subdivisions are administrative actions and if the PUD meets the minimum standards for the ordinance the City Council and Planning Commission are required to approve the development with conditions to address any mitigating factors including drainage, signage, or fencing, etc. The Planning Commission's PUD approval to the City Council occurs in three steps including concept plan, preliminary plan, and final plat.

Mrs. Llewelyn said that the dedication of right of way of 959 square feet (4.8 feet) of property would bring the base density to 26.62 units. The property boundary gap between this property and Towne Plaza may increase the area of the project by approximately 480 square feet. The Planning Commission would need to determine the recommended density of either 26 or 27 units based upon the area of the property pre or post dedication of the right of way on Orchard Drive.

The proposed layout included 27 townhomes on the 1.3 acre site with the two existing single family homes on the site to be razed. The lots would be platted as "for sale" townhomes in a PUD with the shared private road and common area. All units will have rear entry garages including those that face Orchard Drive. There will be a 20 foot drop in elevation from east to west. The main private street on the lot would have a slope of 10% for the longest portion of its run.

The standard setbacks under the RM-20 zone are front setbacks of 25 feet, side setbacks of 8 feet for a total of 20 feet on both sides and rear setbacks of 20 feet. Under a PUD Subdivision the Planning Commission can determine the required setbacks which may be varied from the standard. The proposed layout has a front setback, along Orchard Drive, of 15 feet from the new property line after the dedication of 4.5 feet to complete the required 66 feet right of way width. The applicant is proposing a five foot sidewalk, a setback distance from the building to the curb of 22.5 feet, and a proposed side yard setbacks of 6 feet. The layout meets the minimum rear setback.

The maximum height for the RM-20 Zone is 35 feet with a maximum number of two stories. Under a PUD Subdivision, the Planning Commission would determine the maximum height, which may be varied from the standard. The proposed townhomes facing Orchard Drive are two stories high with a pitched roof for a total height of 29 feet. The downhill side of the units will be

three stories with a rear entry garage on the basement level. The two most western units will also be this type with two stories at the front door and three stories on the downhill garage side. The middle three buildings will all be three stories with a maximum height of 39 feet.

Mrs. Llewelyn spoke on lot size, coverage, landscaping and parking. She said the minimum lot size for the zone has been met. The townhomes constitute approximately 18,190 square feet of the 1.3 acre townhome site which is 32% coverage. The maximum coverage by buildings is 50%. The proposed landscaping on the townhome site is approximately 16,733 square feet or approximately 29.6% of the site which meets the minimum requirement of 10% landscaping.

The required parking under the code is 2.25 parking spaces for each residential unit with one covered stall per unit. Each of the proposed townhomes have two car wide garages with 54 parking spaces and an additional seven spaces required for guest parking with eleven spaces proposed which exceeds the minimum requirement. However, the proximity of the guest parking to the individual units is not proportionally dispersed throughout the units, so that it is within 200' feet of the unit it is supposed to serve as two of the spaces are within 200 feet of 21 units, but the other 9 parking spaces are only within 200 feet of 13 units. As it is unlikely that guests would park at the far west (downhill) to visit units 1-6 or 20-27 this may pose parking problems on Orchard Drive, particularly parking in the bike lanes. Prior to preliminary plat the guest parking should be more evenly distributed within the project.

Neither the subdivision nor the PUD ordinances require the provision of any amenities in a subdivision and no amenities have been proposed.

Sherrie Llewelyn said that public comment notice was sent out by the City, as required for all concept plans, asking for any information or concerns regarding the following topics including erosion, dust, soils and top soil loss, grades, slope stability and geologic hazards, ground water, water courses, flood hazards and areas, vegetative types, wildlife and habitat, essential urban services presently available, fire potential, accumulation of solid and liquid wastes, and potential area-wide economic impact of the development. She commented that two written comments were received with one expressing concern over the density of the project and the other regarding the storm drainage and a retaining wall. The City Engineer spoke with the neighbor to the south about his drainage and retaining concerns, he is now aware of the issues and will review the final plans to assure that the situation would be addressed. As an administrative action, concept plan approval does not require a public hearing.

Chair Pro Tem Ward summarized that the concerns were related to the units per acreage before or after the dedication and the overall unit count.

Commissioner Larson said that the rear corner of the property seemed problematic as well as the fact that the front of the units faced into a fence and asked if the layout could be changed so that

the front doors faced another direction and created more of a community feel. The Commission felt that reconfiguring the layout was a reasonable condition to impose.

Commissioner Tucker commented that the Planning Commission could recommend reconfiguration of the layout but not require it as a condition. Sherrie Llewelyn replied that the Commission could recommend that the developer review the layout.

Commissioner Ward said that this would be a legitimate public impact and that a reasonable condition to mitigate that issue could be imposed as a condition.

Commissioner Gordon asked for the distance from the front doors on units 9-14 to the back fence. Sherrie Llewelyn replied that it was 23.2 feet. She suggested that the doors on units 7 and 8 could be moved.

Commissioner Gordon suggested tabling the application as the applicant was not present to address the concerns raised by the Planning Commission.

Commissioner Gordon moved to table the concept plan for Orchard Drive Townhomes PUD, located at approximately 142 South Orchard Drive. Commissioner Tucker seconded the motion. The motion was approved by Commissioners Ward, Tucker, Larson and Gordon. Commissioners Knowlton, Garn and Kirkham were excused.

6. CONSIDERATION OF A CONDITIONAL USE PERMIT FOR A CONSTRUCTION/SALES TRAILER AT 620 NORTH ORCHARD DRIVE (THE WINNIE), CW LAND, APPLICANT

Kate Werrett reported that the DRC recommended approval of the temporary sales trailer for The Winnie at 620 North Orchard Drive, Unit 33 with the following condition that the duration of the temporary use permit shall be no longer than twelve months and a building permit shall be obtained prior to placement on the site. CW Land received final plat approval for Phase 1 of The Winnie townhomes. The applicant requested a temporary sales trailer at the site to be placed at 620 North Orchard Drive on lot 33. The sales trailer would serve as the sales office for the duration of the project. CW Land plans to install the trailer in August of 2019 and to remove it by August of 2020. The roadway and parking stalls adjacent to the location would be completed prior to the installation of the trailer.

Temporary uses are defined by City Code section 10-1-44 and approved by the Planning Commission as a conditional use. The code states that temporary use is defined as “Any use of land which, in the determination of the Planning Commission, and approved by the City Council, shall not extend beyond two (2) years from inception of such land use. A determination as to whether or not a land use is temporary shall be based solely upon facts submitted to the planning

commission at the time of application for a conditional use permit for a temporary use. Unless found to be temporary, any such use of the land shall be presumed to be permanent."

Parker McGarvey, CW Land, said that the trailer would only be located on the site until the model home was completed. He commented that they did not anticipate needing the trailer for the full year.

Commissioner Gordon moved that the Planning Commission approve the temporary sales trailer for The Winnie at 620 North Orchard Drive, Unit 33 with the following conditions:

1) **The duration of the temporary use permit shall be no longer than twelve months;**
2) **A building permit shall be obtained prior to placement on the site.**

Commissioner Larson seconded the motion. The motion was approved by Commissioners Ward, Tucker, Larson and Gordon. Commissioners Knowlton, Garn and Kirkham were excused.

7. REPORT ON CITY COUNCIL ACTIONS ON ITEMS RECOMMENDED BY PLANNING COMMISSION

Sherrie Llewelyn reported that The Ridge final plat and zone changer were approved with the development agreement and construction would commence this summer.

8. APPROVAL OF MINUTES

The Planning Commission meeting minutes of May 14, 2019 were reviewed and approved. **Commissioner Gordon moved to approve the minutes of the May 14th meeting as presented. Commissioner Tucker seconded the motion. The motion was approved by Commissioners Ward, Tucker, Larson and Gordon. Commissioners Knowlton, Garn and Kirkham were excused.**

The Planning Commission meeting minutes of May 28, 2019 were reviewed and approved. **Commissioner Tucker moved to approve the Planning Commission meeting minutes for the May 28th meeting. Commissioner Gordon seconded the motion. The motion was approved by Commissioners Ward, Tucker and Gordon. Commissioner Larson abstained from voting. Commissioners Knowlton, Garn and Kirkham were excused.**

9. ADJOURN

Chair Pro Tem Ward adjourned the meeting at 7:35 p.m.

_____ _____

Chair Recorder

_____

Secretary