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
July 23, 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) Consideration of a Conditional Use Permit for Jensen's Architectural Woodwork at 100 West Center Street, Ken Jensen, applicant *(administrative action)*

3) Consideration of a Conditional Use Permit for Chronic Therapy Cultivation at 270 West 500 North, Matthew Saunders, applicant *(administrative action)*

4) Consideration of a General Development Plan amendment for Eaglewood Village at 1381 South Orchard Drive, Brighton Development Utah, applicant *(administrative action)*

5) Consideration of a Site Plan for The Yard at 331 North Main Street, Knowlton General, applicant *(administrative action)*

6) Consideration of a Final Plat for Orchard Grove PUD at 378 East Odell Lane, Brighton Development Utah, applicant *(administrative action)*

7) Consideration of Final P-District Rezone and Development Agreement for Wellington Place Subdivision at 877 North Cutler Drive, Red Pine Investments, applicant *(legislative action)*

8) Consideration of Preliminary & Final Plat for Wellington Place Subdivision at 877 North Cutler Drive, Red Pine Investments, applicant *(administrative action)*

9) Discussion Item-Possible Land Use Code amendments related to the R1-7, RM-7, RM-20, and P-District zones

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

11) Approval of minutes:

a. July 9, 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 _____ day of _____, 20___.

Dated this ____ day of _____, 20___.

_____

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: July 23, 2019

SUBJECT: Conditional Use Permit for Jensen's Architectural Woodwork, Inc. located at 100 West Center Street

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RECOMMENDATION

The Development Review Committee (DRC) recommends approval of the conditional use permit for Jensen's Architectural Woodwork, Inc. located at 100 West Center Street with the following conditions:

1. Final approval from the fire marshal prior to business license approval.
2. Site improvement items listed in the staff report to be included in the future Site Plan Amendment Application.

BACKGROUND

The applicant, Jensen's Architectural Woodwork, Inc., is proposing to locate a wood working business which specializes in cabinets at 100 West Center Street. "Wood product manufacturing" is a conditional use under "Manufacturing" in the Manufacturing-Distribution (MD) Zoning District.

There will be eight employees working at this location. Services will include building cabinets and other finish carpentry. Onsite equipment will include: table saws, an air compressor, an edgebander, joiner, planer, dust collection, surface sander, and a forklift. Operation hours will be from 6:00 am-4:00 pm.

The location currently has a dustless gravel driveway and parking area. In the future, the applicant plans to undertake the site plan amendment process to improve the parking lot and surface area with an upgraded hard surface material. This site improvement will likely take place in the next 3-5 years. When the Site Plan Amendment application is submitted, the Development Review Committee recommends that this site be brought into compliance with the City's standards. At that time the following improvements will be required:

1. Stormwater retention and detention

2. Hard surfaces such as the drive lane and parking areas be finished to city standards
3. Landscaping installation on a minimum of 10% of the property
4. Installation of curb and gutter along Main Street adjacent to the lot
5. Possible widening of Main Street adjacent to the lot

Due to the expectation that future improvements will be made to the site by the applicant, the DRC recommends conditioning this approval on the applicant's agreement to complete all requirements listed above when they file their site plan amendment application.

The DRC noted that this use will require fire sprinklers and recommends final approval of the fire marshal as a condition of approval. Staff has not identified any issues with locating this business at the location requested.

This conditional use permit is subject to the requirements of the City's Land Use Ordinance (10-7-1-4), requiring that every Conditional Use Permit shall expire by limitation and become null and void if the work authorized by such permit has not commenced within one (1) year, or is not completed within two (2) years from date of issue.

POSSIBLE MOTION

I move that the Planning Commission approve the conditional use permit for Jensen's Architectural Woodwork, Inc. located at 100 West Center Street with the following conditions:

1. Final approval from the fire marshal prior to business license approval.
2. Site improvement items listed in the staff report to be included in the future Site Plan Amendment Application.

Attachments

1) Aerial/Zone Map

Conditional Use Permit
Jensen's Architectural Woodwork - 100 West Center Street
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)

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MEMORANDUM

TO: Planning Commission

FROM: Kate Werrett, Planner

DATE: July 23, 2019

SUBJECT: Conditional Use Permit for Chronic Therapy Cultivation located at 270 West 500 North

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RECOMMENDATION

The Development Review Committee (DRC) recommends approval of the conditional use permit for Chronic Therapy Cultivation located at 270 West 500 North, subject to the following conditions:

1. Confirmation of a state license prior to business license approval.
2. Submission of the State accepted security plan.
3. Submission of a letter from South Davis Sewer District confirming approval of discharge into sewer from cultivation operation prior to business license approval.
4. Final approval of fire marshal.
5. Installation of odor control system such as a carbon scrubber or other acceptable device approved by the building official.

BACKGROUND

The applicant, Chronic Therapy Cultivation, has requested to open an indoor agricultural cultivation business which will be located at 270 West 500 North. This use is a conditional use under “Crop Production” in the MD Zoning District.

There will be eight employees working at this location and no onsite retail sales. The crop which will be grown is medical marijuana. Within the building 9,000 sq. ft. will be used for office space and 9,000 sq. ft. will be used for onsite warehousing. Chronic Therapy Cultivation will operate a secure facility with no public traffic within the facility. Staff has not identified any issues with locating this business at the location requested.

Chronic Therapy Cultivation has submitted their application to the State of Utah Department of Agriculture and Food to grow for medicinal uses. Approval and license receipt from the State is required to legally grow the crop in the Utah and is governed by Administrative Rule R68-27. The key elements of the rule are:

- Submittal of an operating plan with floor plans outlining areas of cultivation, drying, processing, and packaging
- Various security measures including, alarm system, continuously recording video surveillance with high resolution, security controlled areas, lighted access areas, security logs and ID badges
- Inventory control systems to follow plants through all phases of production
- Background checks for facility agents and registration cards
- Maintenance of material safety data sheets (MSDS) for all pesticides, fertilizers or other agricultural chemicals, along with safe storage and use protocols
- Transportation manifest control systems
- Minimum requirements for storage and handling of cannabis
- Standards for cannabis waste disposal plan
- Notification and approval of any change in operation plans
- Renewal requirements
- Violation penalties

Due to the odors associated with the cultivation and processing of the crop, the DRC recommends a carbon scrubber be required or similar odor control system be installed. Carbon scrubbers filter the air before it is released outside the building.

This conditional use permit is subject to the requirements of the City's Land Use Ordinance (10-7-1-4), requiring that every Conditional Use Permit shall expire by limitation and become null and void if the work authorized by such permit has not commenced within one (1) year, or is not completed within two (2) years from date of issue.

POSSIBLE MOTION

I move that the Planning Commission approve the conditional use permit for Chronic Therapy Cultivation located at 270 West 500 North subject to the following conditions:

1. Confirmation of a state license prior to business license approval.
2. Submission of the State accepted security plan.
3. Submission of a letter from South Davis Sewer District confirming discharge into sewer from cultivation acceptable prior to business license approval.
4. Final approval of fire marshal.
5. Installation of odor control system such as a carbon scrubber or other acceptable device approved by the building official.

Attachments

1) Location Map
2) Building Detail Sheet

Conditional Use Permit
Chronic Therapy Cultivation - 270 West 500 North
Aerial





270 E. 500 N., North Salt Lake, UT 84054
Contact: Ralph Merrill (801) 696-8460

Price: $2,047,000
Price/Sq. Ft.: $110 for 18,000 sq. ft. finished space. (3,000 ft. is mezzanine office.)
Total Land Area: 1.54 acres, (including the 1/3 unused acre on east side).
Sale Type: Owner/User
Total Building Size: 18,000 sq. ft. Main Level Office: 6,000 sq. ft. Mezzanine Office: 3,000 sq. ft. Warehouse: 9,000 sq. ft.
Warehouse Ceiling Height: 14'eve - 25' ridge clearance Warehouse Doors: (two total) 10'x10' and 10'x12' Depressed Truck Ramp: semi-truck capable with hydraulic dock leveler Parking: for 33 cars
Walk-in vault (200 sq. ft.) Alarm system Four car executive indoor storage and parking Two second floor executive suites with showers and toilets
Electrical Service: 600 amp. 3 phase, expandable to 800 amps.
Optional .6 acre parcel also available on north side for up to 12,000 sq. ft. warehouse expansion, yard storage, or parking. Price: $169,000 ($6.49/sq. ft.). Not included in the above asking price. This plot is parceled under a separate deed.

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COMMUNITY & ECONOMIC DEVELOPMENT

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MEMORANDUM

TO: Planning Commission

FROM: Sherrie Christensen, Community Development Director

DATE: July 23, 2019

SUBJECT: Consideration of amendment to the General Development Plan for Eaglewood Village lots 1B, 2 & 3, located at approximately 1381 South Orchard Drive

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RECOMMENDATION

The Development Review Committee (DRC) recommends approval of the amendment to the general development plan for Eaglewood Village lots 1B, 2 & 3 located at approximately 1381 South Orchard Drive with the following amendments to the plan and included within the amended development agreement, as appropriate:

1. If on-street parking is to be utilized, the City Council shall determine if the streets shall be vacated and become private streets owned and maintained by the developer.

BACKGROUND

The city and the developer of Eaglewood Village entered into a development agreement on June 12, 2007. The original agreement had a general development plan with 340,000 sq. ft. office space, 120,000 sq. ft of retail and 252 residential units in the lower portion of the project. In 2011 and 2012 the agreement was amended to construct 4 story apartment buildings with a total of 410 units on lots 4 & 5. Since that time a 5,000 sq. ft. gas station/convenience store has been built on lot 6 and lot 1A is approved for a 3,800 sq. ft. Quick Quack car wash. The remaining lots for development are lots 1B which is 4.047 acres (between the Car Wash and Gas Station), lot 2 which is 3.379 acres (south of Eaglegate Drive adjacent to Hwy 89) and lot 3 which is 6.477 acres (east of Orchard Drive and south of the Village apartments). Brighton Development Utah has entered into a contract with the developer to purchase these 3 lots for developing retail, office, and residential spaces. Brighton had a work session with the City Council to discuss the proposed concept and received positive feedback to proceed with an application to amend the General Development Plan and propose an amendment to the development agreement.

REVIEW

The developer is proposing to build seven buildings on the 3 properties. Lot 1 B is proposed for

buildings #6 & #7 with approximately 17,600 sq. ft. of commercial space (office/retail) and building #5 with 103 residential units. The developer has requested an amendment to the permitted use table for hotels, as there is a possibility that building #5 could be developed as a hotel. Lot 2 will contain buildings #2 #3. Building #2 is a mixed use building with 18,000 sq. ft. of commercial area on the ground floor level and 60 residential units. Building #3 is solely residential and contains 71 units. Lot 3 contains buildings #1 & #4 with 98 &92 residential units. All of the buildings are a maximum 4 stories. At this stage final architecture has not been completed. The unit counts and bedroom mixes are conceptual and may vary with final site plan approvals which shall be done on a lot by lot basis.

The developer is proposing a reduced parking requirement based upon bedroom count. The principles stated within the Town Center Master Plan calls for reduced parking requirements for mixed use developments that utilize shared parking. Based upon that the developer is proposing the following parking requirement analysis:

Residential Uses					
Bed Count	Units	Standard Req.	Total	Proposed Req.	Total
Studio	10	2.25	22.5	1.25	13
1 bedroom	208	2.25	468	1.5	312
2 Bedroom	182	2.25	409.5	1.75	319
3 Bedroom	24	2.25	54	2	48
	424	Total	954 spaces	Total	691 spaces
		25% redux	715		
Commercial Uses					
	Sq. Ft.	Standard Req.	Total	Proposed Req.	Total
Retail/Comm.	27,600	4/1,000	111	1/1,000 sq. ft.	28
Office	16,000	4/1,000 sq. ft.	64	3/1,000 sq. ft.	48
		Total Comm.	175	Total Comm.	76 Spaces
		25% Redux	132		

Shared Use/Peak Usage Table			
	7 am-6 pm	6 pm-12 am	12 am-6 am
Residential	75% (519)	80% (553)	100% (691)
Office	100% (48)	5% (3)	5% (3)
Commercial	100% (28)	80% (23)	0% (0)
Parking Demand	595	579	691
Proposed Parking	Surface Stalls	Garage Stalls	Total Proposed
	691	57	748 spaces

The proposed parking ratios may vary with individual site plan and unit counts and final programmed use of the buildings. The DRC feels confident that the sites can be developed as proposed and have adequate parking for the mixed use nature of the development.

The DRC does have some concern with the proliferation of on-street parking and the issues related to snow removal and maintenance. The DRC is recommending that if on street parking is to be utilized for the development that the portions of Orchard Drive and Eaglegate Drive adjacent to the development be vacated and become private streets. The final determination on the decision to vacate the streets shall be that of the City Council upon negotiation with the developer and the property owner of the Eaglewood Village apartments.

The final architecture has not been designed and it is proposed that the attached examples of architectural styles be identified within the development agreement, with final architectural design to be determined at site plan review in accordance with the design principles established in the Town Center Master Plan and form based code when adopted.

The development agreement will require landscaping of 25% of the subject lots. The agreement further stipulates that if the developer is able to obtain permission for off-site landscape improvements on the UDOT property which lies between Lot 2 and Hwy 89 the minimum on site landscape requirement will be reduced to 20%.

The site has good pedestrian circulation throughout the development and ties access to Highway 89 and the future bus rapid transit line. More detailed pedestrian facilities and bicycle facilities will be reviewed with individual site plan approvals on each lot. The proposed development will be in conformance to the goals of the adopted Town Center Master Plan.

The approval requested is to amend the general development plan and seek an amendment to the development agreement with the City Council. If the GDP is approved for amendment, the applicant will be required to submit a full site plan application with complete engineering for review, prior to seeking a building permit for construction.

POSSIBLE MOTION

I move that the Planning Commission recommend to the City Council the approval of the amended general development plan for Eaglewood Village, lots 1B, 2, & 3 located at approximately 1381 South Orchard Drive with the following amendments to the plan and included within the amended development agreement, as appropriate:

Findings:

1. The proposed amended General Development plan conforms to the city's comprehensive general plan;
2. The plan will meet all requirements of the development code and development agreement.

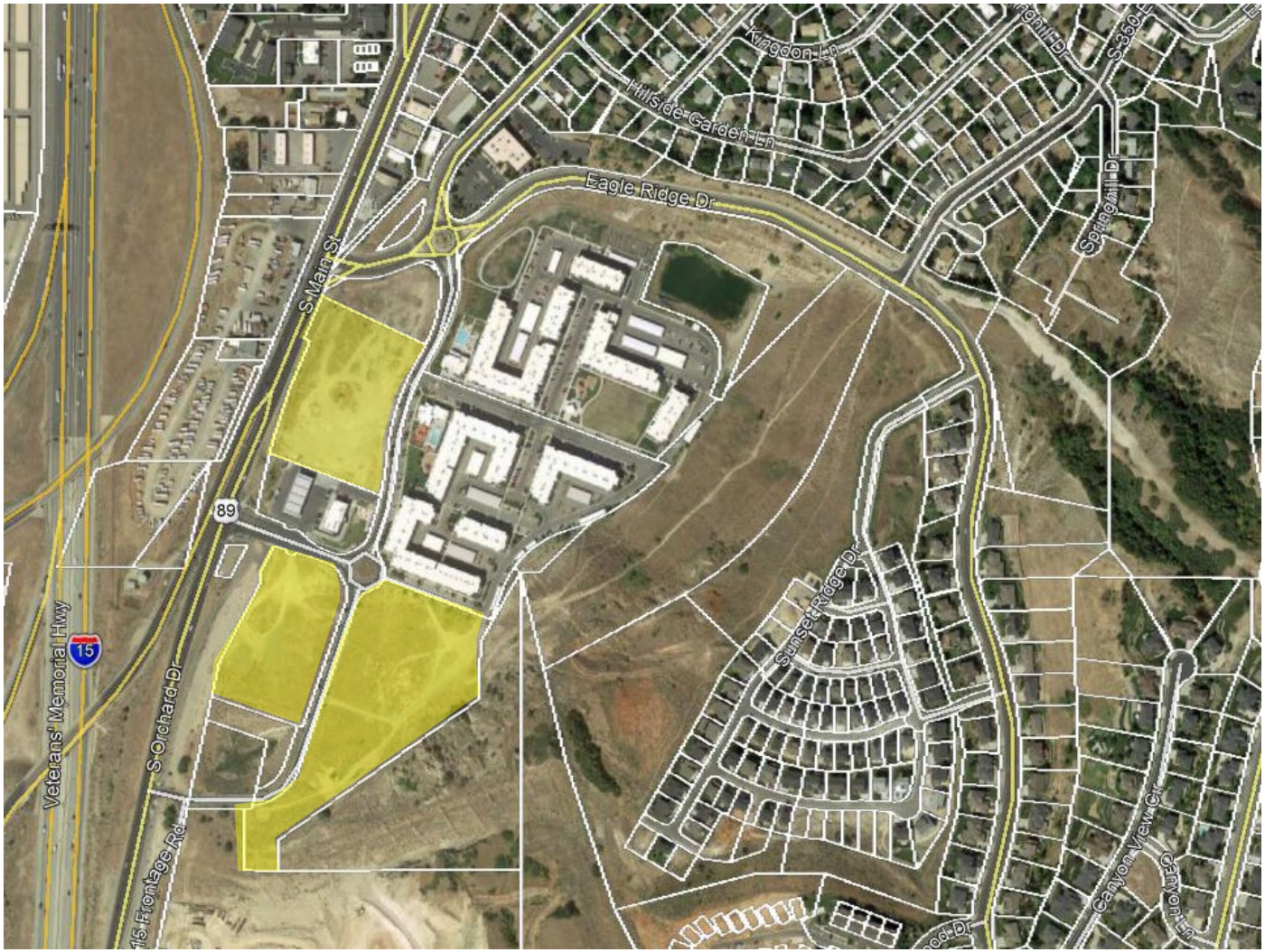
Conditions & amendments to the plan:

1. If on-street parking is to be utilized, the City Council shall determine if the streets shall be vacated and become private streets owned and maintained by the developer.

Attachments:

1) Aerial
2) Sample Architecture
3) Existing General Development Plan
4) Proposed Amended General Development Plan
5) Proposed Amended Development Agreement

Eaglewood Village
General Development Plan Amendment
Aerial





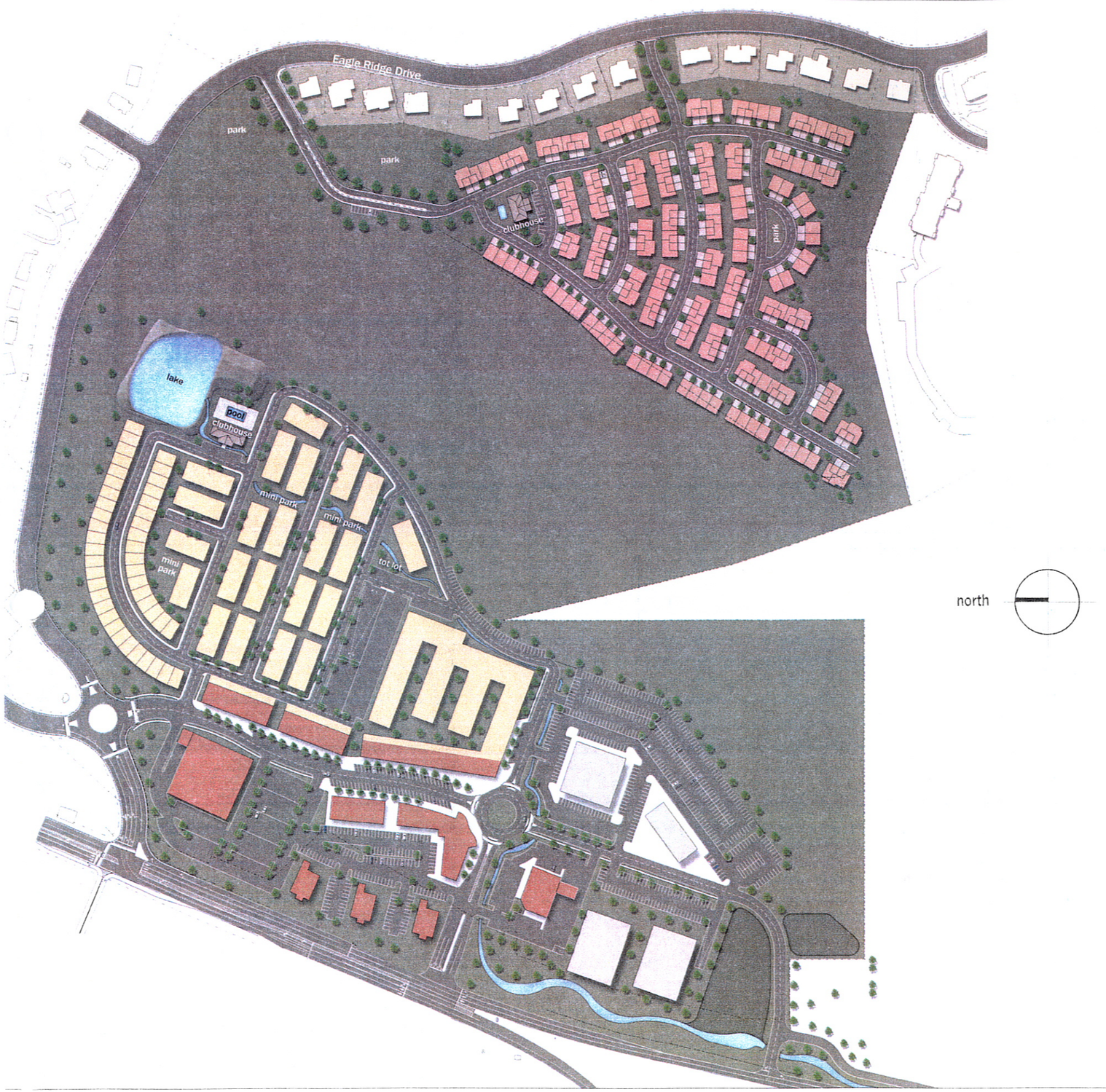






Architectural Examples

2007 General Development Plan (Site Plan)



PROJECT SITE DATA

OFFICE:
340,000 S.F.
1,360Parking Stalls
4/1000 Parking Ratio

RETAIL:
120,000 S.F
600 Parking Stalls
5/1000 Parking Ratio

RESIDENTIAL: UPPER Portion

	44	3 BR Rambler 2 Car Garage
	116	3 BR Townhouse 2 Car Garage
TOTAL	**160 units**	

RESIDENTIAL: Lower Portion

Townhouse	43	3 BR Row Townhouse 2 Car Garage
	8	2 BR Rambler 1 Car Garage
	36	3 BR Rambler 2 Car Garage
	44	3 BR Townhouse 2 Car Garage
Subtotal	131 units	
Over Retail	27	2 BR Flat 1 Car Garage
Subtotal	27 units	
4 Story Flats	25	1 BR
	63	2 BR
	101	3 BR
	63	Hybrid 2 / 3 BR
Subtotal	252 units	
Required Parking	491 units	
	Surface Parking	235 stalls
	Structured Parking	256 stalls
TOTAL	**410 units**	

site plan

EAGLEWOOD VILLAGE
COMPASS DEVELOPMENT GROUP



1 A0.1 SITE PLAN1 1" = 80'-0"

UNIT COUNT	1BED	2BED	3BED	STUDIO	TOTAL
BUILDING 1	60	34	-	4	98
BUILDING 2	27	27	-	6	60
BUILDING 3	23	34	14	-	71
BUILDING 4	35	47	10	-	92
BUILDING 5	63	40	-	-	103
TOTAL:	**208**	**182**	**24**	**10**	**424**
RATIO:	(49%)	(43%)	(6%)	(2%)	(100%)

AREA COUNT	PER FLOOR	TOTAL
BUILDING 1	23,587 SF	94,348 SF
BUILDING 2	17,928 SF	71,712 SF
BUILDING 3	20,901 SF	83,604 SF
BUILDING 4	26,306 SF	105,224 SF
BUILDING 5	24,176 SF	96,704 SF
BUILDING 6	8,000 SF	8,000 SF
BUILDING 7	9,600 SF	9,600 SF
TOTAL:	-	469,192 SF

COMMERCIAL AREAS:

BUILDING 2	18,000 SF
BUILDING 6	8,000 SF
BUILDING 7	9,600 SF

UNIT AREAS:

1 BEDROOM - 630 SF - 728 SF

2 BEDROOM - 875 SF - 1075 SF

3 BEDROOM - 1,190 SF - 1,250 SF

STUDIO - 425 SF

Proposed GDP Amended Site Plan (2019)

PARKING COUNT

SURFACE STALLS: 691

GARAGE STALLS: 57

TOTAL: **748 STALLS**

(1.76 STALLS PER UNIT)

PARKING COUNT PER PHASE:

NORTHERN PHASE: (BUILDING 5)

- 103 UNITS
- 183 STALLS
- 1.77 STALLS PER UNIT

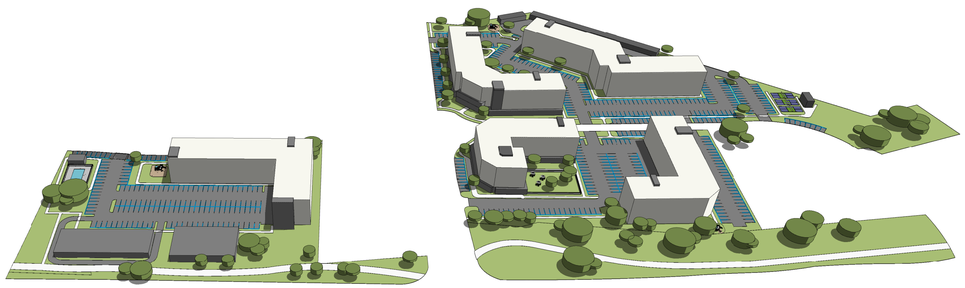
SOUTHERN PHASE: (BUILDINGS 1-4)

- 321 UNITS
- 565 STALLS
- 1.76 STALLS PER UNIT

PARKING BY USE:

COMMERCIAL (27,600 SF)	1 STALL PER 1,000 SF	28 REQ.
OFFICE (16,000 SF)	3 STALL PER 1,000 SF	48 REQ.
RESIDENTIAL (424 UNITS)	1.75 STALLS PER UNIT	742 REQ.

- TIME OF USE (7AM - 6PM):
  1. 75% RESIDENTIAL 557 STALLS
  2. 50% OFFICE 24 STALLS
  3. 100% COMMERCIAL 28 STALLS
  TOTAL 609 STALLS
- TIME OF USE (6PM - MIDNIGHT):
  1. 80 % RESIDENTIAL 594 STALLS
  2. 5% OFFICE 3 STALLS
  3. 80% COMMERCIAL 23 STALLS
  TOTAL 620 STALLS
- TIME OF USE (MIDNIGHT TO 7AM):
  1. 100 % RESIDENTIAL 742 STALLS
  2. 5% OFFICE 3 STALLS
  3. 0% COMMERCIAL 0 STALLS
  TOTAL **745 STALLS REQ.**



2 A0.1 3D MASSING.

LINETYPE LEGEND

- PROPERTY LINE
- SITE SETBACK/EASEMENT LINES
- SITE FEATURES
- ROOF FEATURES
- MAJOR EXISTING TOPOGRAPHY
- MINOR EXISTING TOPOGRAPHY
- MAJOR PROPOSED TOPOGRAPHY
- MINOR PROPOSED TOPOGRAPHY

N

A0.1

SITE PLAN OPTION 1

EAGLEWOOD VILLAGE

MAY 6, 2019

135 E. CENTER STREET, NORTH SALT LAKE, UTAH 84054 | 849 W. HILL FIELD RD. STE. 201 LAYTON, UT 84041 | 150 N. MAIN STREET STE. 101 HEBER CITY, UT 84032 | (801) 936-1343

JZW ARCHITECTS

SIXTH AMENDMENT TO DEVELOPMENT AGREEMENT FOR EAGLEWOOD VILLAGE

THIS SIXTH AMENDMENT TO THE DEVELOPMENT AGREEMENT FOR EAGLEWOOD VILLAGE (the "Sixth Amendment") is made and entered into effective as of the _____ day of_____, 2019 (the "Effective Date"), by and between **THE CITY OF NORTH SALT LAKE**, a Utah municipal corporation (the "City"), and **BRIGHTON DEVELOPMENT UTAH LLC**, a Utah limited liability company (the "Developer") as a successor in interest to EAGLEWOOD VILLAGE, INC.. The Developer and the City are sometimes collectively referred to herein as the "Parties" or singularly as a "Party." Unless otherwised defined herein, capitalized terms in this Sixth Amendment are defined as provided for in the Original Agreement (defined below) or the previous Amendment (defined below).

RECITALS

A. WHEREAS, The City entered into a certain Development Agreement for Eaglewood Village dated June 12, 2007 (the "Original Development Agreement") with Developer, in connection with the development of certain real property owned by Developer and located in the City of North Salt Lake, which property is commonly referred to as "Eaglewood Village" (the "Property"). The Original Development has been subsequently amended by a certain First Amendment to Development Agreement for Eaglewood Village dated December 21, 2010 (the "First Amendment"), by a certain Second Amendment to Development Agreement for eaglewood Village dated August 2, 2011 (the "Second Amendment"), by a certain Third Amendment to Development Agreement for eaglewood Village dated September 27, 2011 (the "Third Amendment"), by a certain Fourth Amendment to Development Agreement for eaglewood Village dated November 6, 2014 (the "Fourth Amendment"), and by a certain Fifth Amendment to Delopment Agreeement for Eaglewood Village dated June 5, 2018 . The Original Development Agreement, the First Amendment, Second Amendment, Third Amendment, Fourth Amendment, and Fifth Amendment are collectively referred to herein as the "Development Agreement." Capitalized terms not otherwise defined herein shall have the respective meanings ascribed to such terms in the Development Agreement.

B. WHEREAS, the Developer has requested that the Development Agreement be modified to amend the General Development Plan in relation to the the allowed use mixture and layout upon lot 1B Eaglewood Village Subdivision 3rd Amendment and Lots 2 and 3 Eaglwood Village Subdivision Amended, as defined in "Exhibit A", Legal Description.

C. WHEREAS, the Property lies within the City's P Zoning District.

D. WHEREAS, pursuant to Section 10-13-2-D of the City's development code, exceptions to or modification of the general standards for development within the residential and

commercial zoning districts may be granted in the P District Zoning if the City determines that such exceptions are desirable and warranted.

E. WHEREAS, on or about July 2, 2019, the Developer applied to the City to amend the General Development Plan to modify the General Development Plan to include modifying: the building types to include retail commercial, office, mixed use commercial and residential and residential buildings; the site plan; building configuration; building elevations; site landscaping; and fencing (the "General Development Plan Amendment").

F. WHEREAS, on_____, 2019, the City's Planning Commission issued a positive recommendation to the City Council for the approval of the General Development Plan Amendment, subject to certain conditions.

G. WHEREAS, the Parties now desire to enter into this Sixth Amendment in order to amend the Original Agreement to reflect the approved General Development Plan Amendment including amending the following exhibits that were attached to the Original Agreement: Exhibit "B" Site Plan Renderings; Exhibit "C" Eaglewood Village P District Building Standards; and Exhibit "D" Signage Guidelines.

AGREEMENT

NOW, THEREFORE, in consideration of the mutual covenants contained herein, and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the City and Developer hereby agree as follows:

a. The Parties hereby agree:

1. Those portions of Exhibits "B" (Site Plan Renderings) attached to the Original Agreement relating to lot 1B Eaglewood Village Subdivision 3rd Amendment and Lots 2 and 3 Eaglwood Village Subdivision Amended ("Subject Lots") are hereby modified as shown on Exhibit "B" attached hereto and by this reference made a part hereof, which is now the "General Development Plan" for the "Subject Lots". The Site Plan Rendering is conceptual and may be modified in accord with the terms stipulated within the amened exhibits as attached and as mutually agreed upon by the Parties.

2. Exhibits "C" and "D" as attached to the Original Agreement are hereby modified as shown and subject only to Eaglewood Village Subdivision lots 1B, 2, and 3 as defined in Exhibit "A" Legal Description. Exhibits "C" Land Use and Architectural Standards and "D" Signage Standards attached hereto and by this reference made a part hereof. Exhibits "C"and "D" attached hereto are collectively referred to herein as the "Amended Exhibits".

b. Pursuant to and as required by Section 12 of the Original Agreement, Developer hereby assigns to _____, and the City hereby consents

to such assignment, all of its rights and obligations under Original Agreement relating to the Subject Lots by virtue of _____ having acquired fee simple title to_____ _____ from the Developer.

c. _____, as the Owner of _____ _____, is hereby vested with the right to construct approximately 25,000 sq. ft. of Retail Space and approximately 16,000 sq. ft. of Office Space in the approximate location and layout shown on the attached Amended General Development Plan.Additionally the Developer shall have the right to construct up to an additional 446 Residential Units provided the minimum parking standard as established in Exhibit "C" has been satisfied and in the approximate location and layout shonw on the attached Amened General Development Plan. In the event that a hotel is built in place of one of the residential buildings, the number of hotel rooms and final number of residential units shall be reduced based upon the ability of the developer to meet the minimum shared parking requirements established within Exhibit "C" and upon the other limitations and minimum requirements as further described in the Attached Exhibits.

d. By signing below, _____, as the owner of Lots _____ _____, hereby consents to the terms and conditions of the Original Agreement, as modified by this Sixth Amendment.

e. The Original Agreement, as amended by this Sixth Amendment, is hereby ratified and confirmed, and remains in full force and effect. To the extent that the terms of this Sixth Amendmment conflict with the Original Agreement, the terms of this Sixth Amendment shall control.

[THE REMAINDER OF THIS PAGE IS INTENTIONALLY LEFT BLANK;
SIGNATURES FOLLOW ON NEXT PAGE]

IN WITNESS WHEREOF, the Parties hereto have executed this Sixth Amendment by and through their respective, duly authorized representatives effective as of the day and year first hereinabove written.

ATTEST:

_____
City Recorder

CITY:

CITY OF NORTH SALT LAKE

_____
By: Len Arave
Its: Mayor

DEVELOPER:

BRIGHTON DEVELOPMENT UTAH, LLC.,
a Utah corporation

By:_____
, Manager

SUCCESSOR:

By:_____
, Manager

EXHIBIT "A"
To Sixth Amendment To Development Agreement

"Subject Lots"

Parcel 1:

01-501-0002

ALL OF LOT 1B, EAGLEWOOD VILLAGE SUBDIVISION 3RD AMENDMENT. CONT. 4.04700 ACRES.

Parcel 2:

01-472-0002

ALL OF LOT 2, EAGLEWOOD VILLAGE SUBDIVISION AMENDED. CONT. 3.37900 ACRES.

Parcel 1:

01-472-0006

ALL OF LOT 3, EAGLEWOOD VILLAGE SUBDIVISION AMENDED LYING WITHIN THE SOUTH DAVIS WATER DISTRICT. CONT. 6.477 ACRES (SPLIT FOR TAXING PURPOSES.)

EXHIBIT "B"
To Sixth Amendment To Development Agreement

General Development Plan
(Subject Lots Only)

EXHIBIT "C"
To Sixth Amendment To Development Agreement

Eaglewood Village P District Land & Architectural Standards

SECTION 1: BUILDING STANDARDS

A. Purpose. This Exhibit outlines the standards pursuant to which Eaglewood Village shall be developed within the P District. References herein to the term "Code" shall refer to Title 10 of the North Salt Lake City Code, Land Use and Subdivision Ordinances.

B. Building Standards.

1. Lot Area:
    i. Due to the nature of development, there shall be no minimum lot area.
2. Maximum Coverage Area:
    i. Due to the nature of the mixed use development and the unusual shape of the properties, the maximum coverage area shall be as illustrated on Exhibit B, General Development Plan.
3. Maximum Height & Stories of Buildings:
    i. The maximum height for all structures in the P District shall be 75 feet from average finished final grade and a maximum of six (6) stories.
4. Lot Width and Depth:
    i. The minimum lot width and depth for the lot shall be as depicted on on Exhibit B, General Development Plan.
5. Setbacks from Highway 89, Orchard Drive and Eaglegate Drive:
    i. The minimum front yard setback shall be ten (10') feet from right-of-way or back of sidewalk whichever is greater.
    ii. Balconies may encroach into the front setback up two and one-half (2 ½') feet.
6. Other property line setbacks:
    i. The minimum side yard setbacks shall be five (5) feet.
    ii. The minimum rear yard setback shall be five (5) feet.
7. Minimum Landscape Percentage.
    i. The minimum landscape percentage for the entire development shall be 25%.
    ii. In the event that a perpetual agreement is reached for the installation and maintenance of offsite landscape improvements upon the adjacent UDOT and North Salt Lake owned parcels, the required landscaping upon the Subject Lots shall be reduced to 20%.
8. Accessory Buildings:
    i. Carports, or other vehicle storage structures
    ii. Incidental maintenance structures
9. Fence:
    i. The maximum solid fence height within 20 feet of a public street shall be four (4') feet.

ii. The maximum height for the remainder of the perimeter fence shall be eight (8) feet. Fencing material shall be composite fencing type.

10. Parking shall be provided in accordance with the following standards:

Bedroom Count	Standard
Studio	1.25
1 bedroom	1.5
2 Bedroom	1.75
3 Bedroom	2
Hotel	1
	Standard
Retail/Comm.	1/1,000 sq. ft.
Office	3/1,000 sq. ft.

The total required parking shall be established at site plan based upon the following table for shared use to establishe the peak parking demand which shall be the minimum parking required.

Shared Use/Peak Usage Table			
	7 am-6 pm	6 pm-12 am	12 am-6 am
Residential	75%	80%	100%
Office	100%	5%	5%
Commercial	100%	80%	0%

C. Permitted Residential Uses.
1. Multi-family residential dwellings
2. Home occupations as regulated by North Salt Lake Land Use Code, Section 10-10-5, as amended.

D. Permitted Live Work Units, Permitted Uses.
1. Retail sales;
2. Personal and professional services;
3. Art studios and gallery;

E. Prohibited Live Work Units, Prohibited Uses.
1. Restaurant
2. Alcohol sales
3. Tobacco sales

4. All other prohibited uses in the CH Zone or subsequent Town Center Zone, as amended

F. Permitted Commercial Uses

Insert the table from the previous DA

PERMITTED USES EAGLEWOOD VILLAGE	RETAIL	OFFICE
Hotel and Hospitality	P	P

G. Prohibited Commercial Uses

1. Those uses strictly prohibited in the CH Zone or subsequent Town Center Zone, as amended.

SECTION 2: ARCHITECTURAL STANDARDS

The Architectural Rules and Design Standards and Construction Guidelines, as contained herein, are to be used as guidelines for the owner and builder in preparing plans and specifications for any proposed construction or improvement in City Center and Park Lofts at City Center, North Salt Lake and for maintaining an orderly construction environment. These guidelines will be used by the Declarant in conjunction with the Declaration of Covenants, Conditions, Restrictions, and Easements (Declaration), and any undefined terms shall have the same meaning as contained therein.

A. Exterior Elevations

All exterior residential and commercial elevations shall be consistent with general scheme and design as depicted below and as approved in the General Development Plan for City Center. The units shall utilize shared common space and shared guest parking with the commercial uses. In order to create a cohesive architectural theme the following designs, shall be utilized:

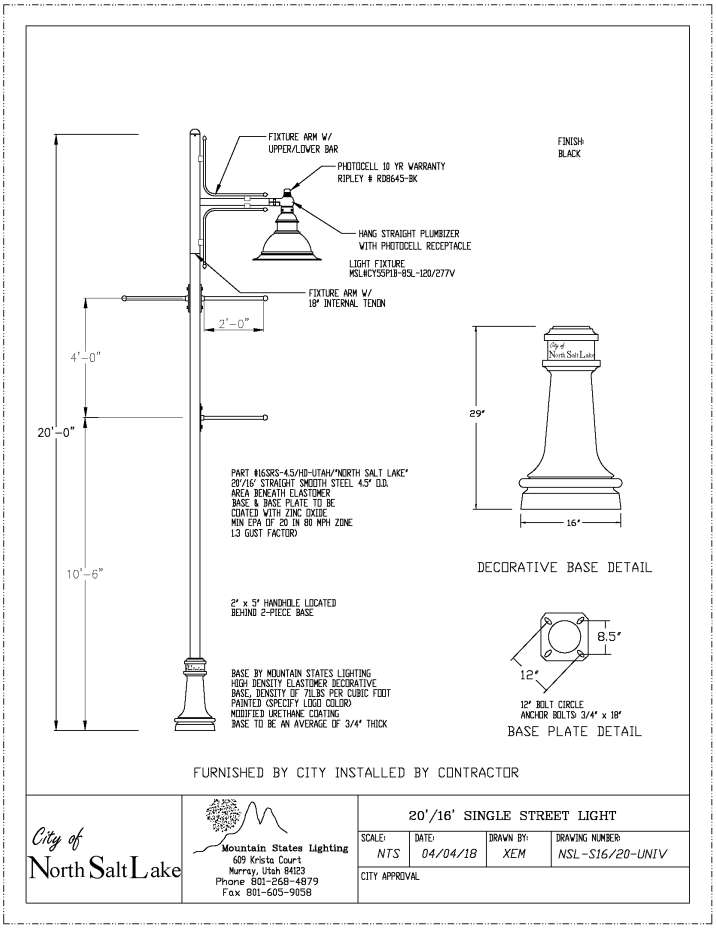
INSERT GRAPHICS

B. Exterior Finishes and Colors

1. Materials and Colors. Materials and colors shall be determined by the Planning Commission and City Council during site plan approval. All materials used shall be of high quality and the design of the buildings shall be in accord with the Town Center Master Plan and Town Center design standards, as adopted.

2. Lamp Posts, Building Lighting and other lighting shall be approved at Final site plan approval. Any reasonable variation shall be approved by North Salt Lake Community Development Director.

   The entire development shall be regularly interspersed by themed lighting/light poles. Declarant will install the approved North Salt Lake City Center light poles (below) along the street frontages, as agreed upon during site plan approval. Interior site lighting and building lighting shall be of similar quality and design to the City Center Street Lights.



3. Declarant will submit a lighting plan detailing the location of the proposed lamp posts. Street light locations are depicted on the Utility Plan Sheet of the approved Civil Construction Drawings.

4. All site/building lighting shall be shielded and directed downward so light spill does not adversely affect adjacent properties or streets.

C. Landscaping

Upon completion of each unit, the Declarant shall install landscaping in accordance with the approved landscape plan. A unity of the design of an overall development master plan shall be achieved by the repetition of certain plant varieties, colors and materials to tie the overall development together. All landscaping and irrigation shall utilize efficient landscaping techniques and drought tolerant species where possible.

D. Mailboxes

Mailbox clusters, with mailboxes and newspaper receptacles will be provided by Declarant based on the requirements and approval of the U.S. Postal Service. Replacement necessitated by damage from whatever source shall be at the expense of the builder or owner. All mailbox clusters for residential uses shall be provided interior to the residential buildings.

E. Fencing Material

The Project fencing shall be approved at final site plan approval of each parcel and shall be of high quality materials in accord with the design standards for the Town Center Master Plan and design standards as adopted.

F. Residential Amenities

The following residential & community amenities shall be provided as generally depicted on the General Development Plan:

1. Community clubhouse, pool, and recreational facilities which may include pickleball, basketball, volleyball or other outdoor exercise/sports facilities.
2. Outdoor gathering spaces along trails, sidewalks, patios, or courtyard areas.
3. Tot lot.
4. Dog exercise area, fenced.

EXHIBIT "D"
To Sixth Amendment To Development Agreement

Signage Guidelines

The following sign regulations shall apply to the Eaglewood Village P-District

A. **Commercial Signage**

1. On-site signs be allowed for wall or hanging signs that are of consistent design elements to the architecture. Material, height, lighting, and lettering style, must create a visual continuity and add quality to the development. Monument, pole, or pylon multi-tenant signs shall not be permitted

2. Wall signs shall be permitted as follows:
   a. Each storefront shall be permitted one (1) wall sign per façade;
   b. The maximum wall sign area shall not exceed 15% of the storefront surface area (average height x lineal building/unit width) not to exceed 100 square feet.
   c. Signs shall be placed on the building façade to be scaled appropriately with the façade width and height and not conflict with the architectural design features of the building.
   d. Examples of appropriate design and placement for wall signs:





3. Window signs are allowed for ground floor windows only. They shall not be located to block clear view of exits or entrances or to create a safety hazard. Window signs shall not disrupt the employee visibility to the parking area or of law enforcement personnel into the business. The following shall also apply:
   a. Window signs shall not cover more than fifty percent (50%) of any single window, nor more than thirty percent (30%) of the entire surface area of a group of windows on each building façade;
   b. Window signs and permanent wall signs combined shall not exceed thirty percent (30%) of the exterior wall area of the tenant;

c. Properties subject to sale, lease, or rent may be allowed to have a window sign up to one-hundred (100) square feet regardless of permanent wall signage.
d. Appropriate window sign example:





4. Awning & Canopy Signs shall be permitted only main floor doors and windows as follows:
   a. Materials: Fabricate awnings using fire-resistant canvas in a color that is appropriate to the period of the building.
   b. Shape: Select awning shapes that reflect the door or window openings they cover. Limit valances to approximately eight to twelve inches in length.
   c. Lettering and symbols: Lettering should generally be placed on the valance portion of the awning.
   d. Internal illumination: Do not use internal illumination or other techniques that cause awnings to glow; however, illumination may be concealed in the awning to provide directional light to illuminate sidewalks or storefronts.
   e. Appropriate awning and canopy signs:



5. Projecting Signs are the preferred sign design for main floor retail businesses and shall be of consistent design as per the architectural standards enumerated in the development restrictive covenants.
    a. Placement—Mount projecting signs perpendicularly to a building or column while allowing eight feet of overhead clearance above public walkways.
    b. Public right-of-way—Limit the extension of projecting signs from the building facade into the public right-of-way for a maximum distance of eight feet or a distance equal to two-thirds the width of the abutting sidewalk, whichever distance is greater.
    c. Area-Projecting signs should be scaled appropriately in response to the building façade and number of tenants.



6. Temporary Signs
    a. Banners-one 3 x 12 foot banner per year is permitted to celebrate a grand opening, anniversary, or announce major sales. The banner can be displayed for a period not to exceed 45 consecutive days for existing businesses and 60 days for new businesses.
    b. A-Frame/Post-Style Commercial Sidewalk signs are permitted subject to the following performance standards:
        i. Maximum height-4 feet
        ii. Maximum sign area-2 x 2 feet.
        iii. Sign frame shall be constructed of black wrought iron or similar metal material.
        iv. Sign can only be displayed during business hours.
        v. One sign allowed per business.
        vi. Sign shall not impede pedestrian traffic or pose a safety hazard.
        vii. Example temporary sign:



7. PROHIBITED SIGNS. The following is a list of some of the signs that are prohibited:
    a. Permanent signs that are designed to rotate or move by any means.
    b. Signs mounted on trailers.
    c. Signs with exposed braces and guy wires.
    d. Signs with blinking, flashing or moving lights, not including time/temperature and similar public service displays.
    e. Signs with changeable copy.
    f. Flags or banners, balloons, or inflatable signs.
    g. Examples of prohibited signs.







B. **Residential Signs**.
1. Residential identification signs shall be limited to no more than one (1) per entrance;
2. Signs shall only display the name, logo, and address of the development;
3. Residential identification signs shall not exceed a height of seven feet (6') and a total size of one hundred (50) square feet of sign area;
4. Maximum sign text shall be fifty percent (25%) of sign area;
5. Signs located at entrances must be set back a minimum of five feet (5') from the property line and shall not be placed within the clear view area of any driveway;
6. Indirect illumination is permitted;
7. One (1) temporary sign is allowed for sale, lease, or rent of residential property per street frontage and is limited to no greater than thirty-two (32) square feet for a period of time not to exceed one (1) year from the issuance of a certificate of occupancy.

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: July 23, 2019

SUBJECT: Site plan for The Yard duplex apartment project located at 331 North Main

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RECOMMENDATION

The Development Review Committee (DRC) recommends approval to the Planning Commission the site plan for The Yard located at 331 North Main Street subject to the following:

1. Guest parking spaces are modified to be within 200 feet walking distance of each unit;
2. A minimum 3' landscape buffer is added to the south property line between the common drive and the abutting property owners;
3. The site plan be adjusted to meet the minimum front setback of 25';
4. The street trees be placed to be evenly spaced and outside the 10' clear view area of the driveways;
5. The fire turnaround be approved by the Fire Marshal;
6. Engineering redlines be corrected on the construction drawings.

BACKGROUND

The purpose of this application is to facilitate a site plan approval for a duplex rental project known as The Yard located 331 North Main Street. The property is a total of approximately 1.42 acres (61,855.2 sq. ft.) and is zoned R1-7. This property is being developed under the adopted zoning ordinance. The property has one existing home on the site that will be removed.

APPLICABLE ORDINANCES

10-11-3: Use Regulations

	Zone					
	R1-12	R1-10	MU	R1-7	RM-7	RM-20
Single-family dwelling.	P	P-	-	P	P	P
Two-family dwelling.	P	P	-	P	C	P

Area Regulations							
	The minimum lot area in square feet for a single-family dwelling structure in the districts regulated by this chapter shall be:	12,000	10,000	96,800	7,000	7,000	7,000
	The lot area in square feet for a duplex:	-	-	-	8,500	8,500	8,500
Building Site Regulations:							
Height Regulations:							
	The maximum height for all buildings and structures in feet. See section 10-1-25 of this title.	35	35	35	35	35	35
Area & Yard Regulations:							
	The maximum coverage in percent for any lot in the districts regulated by this chapter shall be:	30	35	-	35	50	50
	Front Setback	25	25	25	25	25	25
	Side yard	8	8	60	8	8	8
	Total combined side yard	20	20	60	20	20	20
	Rear yard	25	25	60	25	20	20

10-6-5: Minimum Off Street Parking Stall Requirements (by use)		
F. Residential:		
	More than 4 dwelling units	2 stalls per unit, plus 0.25 stall per unit for guest parking with minimum of 1 covered stall per unit
	Guest/visitor parking	Off street parking stalls in multi-family development shall be distributed proportionally to the dwelling unit locations. Generally, such parking shall not be located more than 200 feet from the dwelling units intended to be served
10-6-7: DESIGN ELEMENTS:		
E. Perimeter Landscaping Strips: A landscaped screen, berm or fence may be required by the planning commission or city council around the perimeter of the parking area to mitigate intrusion of lighting from headlights and other potential negative impacts to surrounding property. All perimeter landscaping strips shall be a minimum of eight feet (8') in width.		

REVIEW

The proposed use of duplexes are a permitted use in the R1-7 zone. The minimum area required for each duplex is 8,500 sq. ft. The lot contains a total of 61,855.2 sq. ft. which permits 7 duplexes with a total of 14 units. The proposed project will be a common site development with a shared drive, guest parking,

and common open space area. The project is required to meet all minimum standards for the zone.

The units are 2 stories high and are arranged with a common courtyard. Each unit will a two car (side by side) garage. Additional guest parking is required at 0.25 spaces per unit for a total of four spaces. The site plan currently demonstrates 7 guest parking spaces, exceeding the minimum requirement. The site will need to be amended to locate guest parking within 200 feet of each of the units. Additionally the2 units with direct access to Main Street will have driveways capable of parking an additional 4 guest cars.

The front setback of the units fronting on Main Street must be modified to meet the minimum 25' setback.

Improvements to the landscaping are estimated at 18,607 sq. ft. or approximately 29% of the site, exceeding the minimum 10%. Maximum building coverage for the zone is 35% and the proposed plan has 35% building coverage. The proposed street trees have been evaluated on the draft street tree ordinance and the trees are permitted for the size and width of the park strip. The only condition related to the street trees is to ensure the trees are evenly spaced and outside the 10' clear view area of the driveways. The site will also require an amendment to include a minimum 3' setback from the property line and the driveway to serve as a landscape buffer between the south property line and the drive aisle. The Planning Commission may require a buffer up to 8 feet in width.

The fire marshal is requiring a modification to the hammerhead turnaround to meet the requirements of the fire code and any approval will be conditioned upon meeting the fire code.

There are also a few minor engineering redlines that must be addressed prior to final approval by the City Council. Namely demonstration of easement through property on the south side for sewer connection, modification of location of water meters and required hydrants with 8" water line, addition of garbage enclosure detail and street light detail.

Site plan approval under Code Section 10-20-5 is reviewed by the Planning Commission and City Council for all multi-family developments greater than 6 units.

POSSIBLE MOTION

I move that the Planning Commission recommends approval to the City Council of the proposed site plan for The Yard located at 331 North Main Street subject to the following findings and conditions:

Findings:

1. The proposed development is in compliance with the minimum standards for the R1-7 zone, site plan and parking regulations.

Conditions:

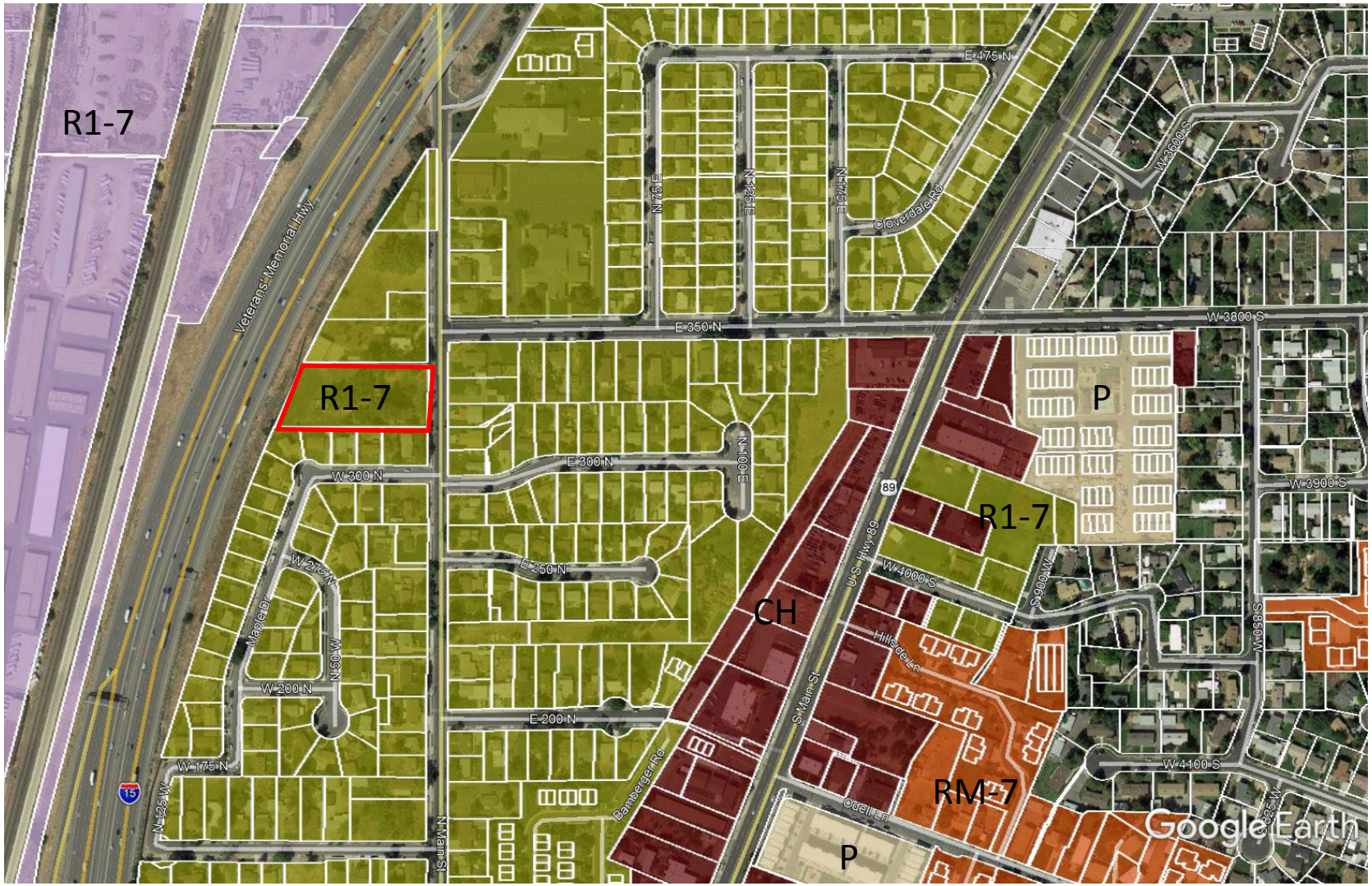
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4. The street trees be placed to be evenly spaced and outside the 10' clear view area of the driveways;

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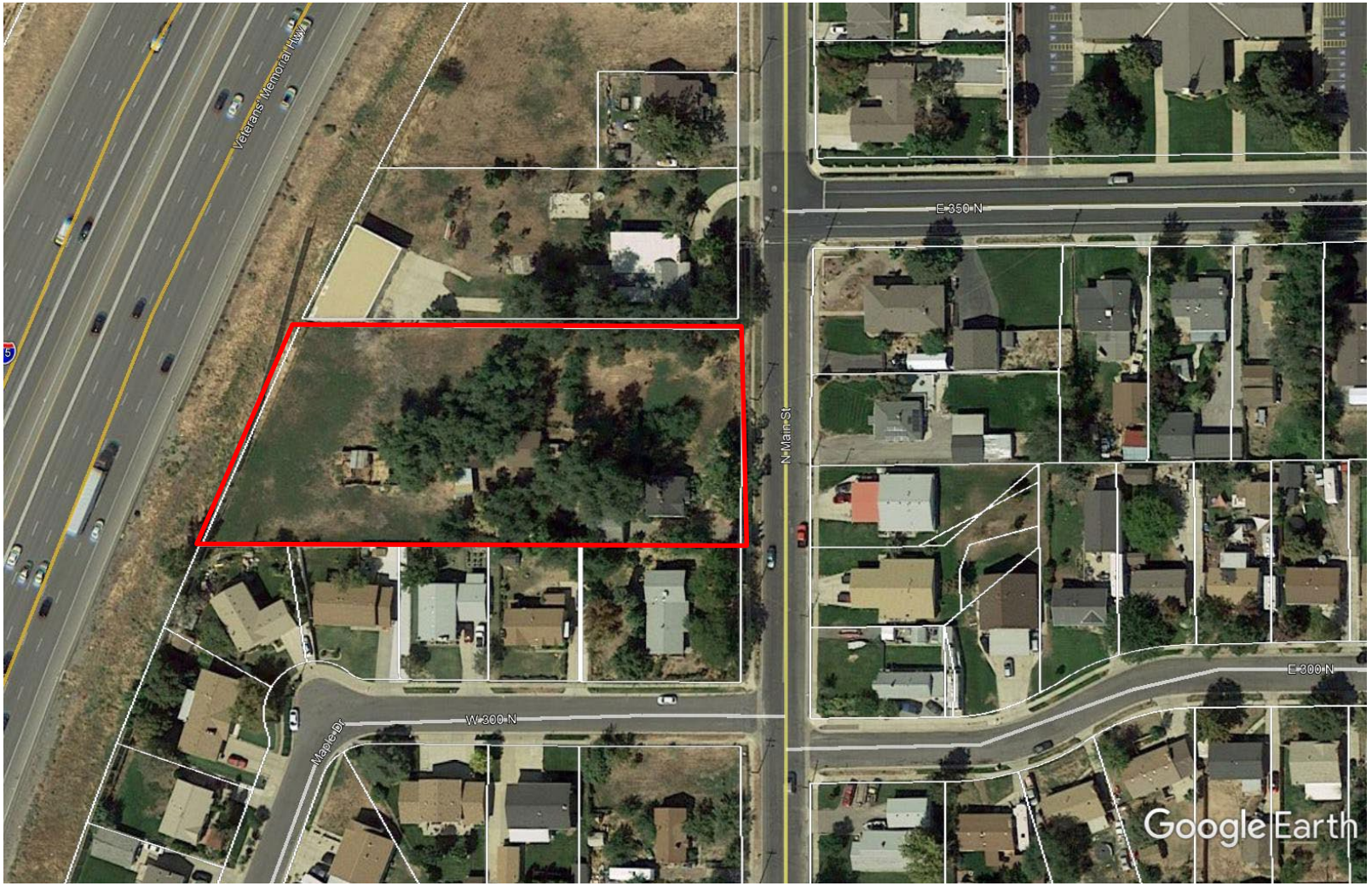
Attachments:

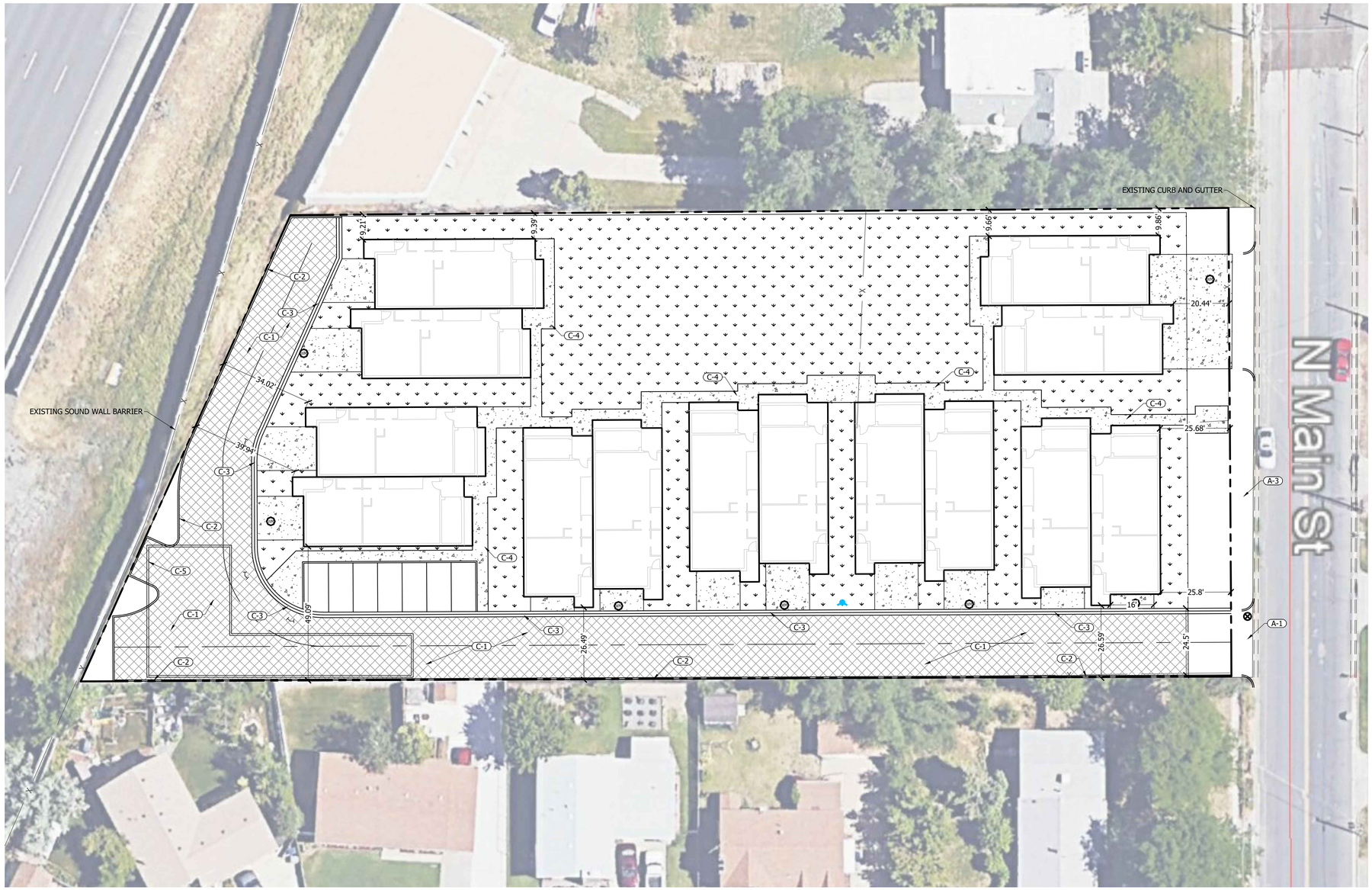
1) Aerial Map
2) Site Plan
3) Landscape Plan

Site Plan
The Yard
Zoning



Site Plan
The Yard
Aerial





20 0 20 40 60

SCALE: 1" = 20'

AREA TABULATION

	sq.ft.	Acres	%
BUILDING	22,217	0.51	35.56%
IMPROVEMENTS	21,650	0.50	34.65%
LANDSCAPE	18,607	0.43	29.78%
TOTAL	62,474	1.43	100.00%

SYMBOL LEGEND

- C-1 ASPHALT & BASE PER DETAIL, SHEET DT100
- C-2 24" CONCRETE HIGH-BACK CATCH CURB & GUTTER PER DETAIL, SHEET DT100
- C-3 24" MOUNTABLE RELEASE CURB & GUTTER PER DETAIL, SHEET DT100
- C-4 CONCRETE SIDEWALK PER DETAIL, SHEET DT100
- C-5 DUMPSTER PAD AND APRON PER DETAIL, SHEET DT100
- A-1 NEW DRIVE APPROACH PER NORTH SALT LAKE CITY STANDARDS
- A-2 SAWCUT AND REPLACE CONC CURB AND GUTTER PER NORTH SALT LAKE CITY STANDARDS

ALL ITEMS WITHIN THE PUBLIC RIGHT-OF WAY TO CONFORM TO THE RIGHT-OF-WAY OWNER'S STANDARDS & SPECIFICATIONS.

ACCESSIBLE AREA CONSTRAINTS

ALL ACCESSIBLE AREAS ARE TO MAINTAIN THE FOLLOWING MAXIMUM SLOPES AND TOLERANCES:

ACCESSIBLE PARKING:
MAXIMUM SLOPE OF 1:48 (2%) THROUGHOUT.

ACCESSIBLE ROUTE:
MINIMUM WIDTH OF 48". MAXIMUM SLOPE OF 1:20 (5%) ALONG THE ROUTE, MAXIMUM CROSS-SLOPE OF 1:48 (2%).

ACCESS ROUTE TURNAROUNDS:
A CLEAR 60" TURNING DIAMETER. MAXIMUM SLOPE OF 1:48 (2%) IN ANY DIRECTION.

LEVEL LANDING / EXTERIOR DOOR LANDING:
MINIMUM SIZE OF 60"X60". MAXIMUM SLOPE OF 1:48 (2%) IN ANY DIRECTION.

ACCESSIBLE EGRESS TO PUBLIC WAY:
MAXIMUM SLOPE OF 1:20 (5%) ALONG THE ROUTE, MAXIMUM CROSS-SLOPE OF 1:48 (2%).

ADA ACCESS RAMPS:
MAXIMUM SLOPE OF 1:12 (8.33%), WITH A MAXIMUM CROSS-SLOPE OF 2%. THE TRANSITION BETWEEN ASPHALT AND CONCRETE IS NOT TO EXCEED 1/2" VERTICAL (1/4" IF BEVELED).

1470 South 600 West
Woods Cross, UT 84010
Phone 801.298.2236
www.Entellus.com

Entellus™

REGISTERED PROFESSIONAL ENGINEER
7/2/19
No.189586
SCOTT T. ARGYLE
STATE OF UTAH

Client: CLIENT
Contact: CONTACT
Phone # & Email: PHONE
EMAIL
Address: ADDRESS1
ADDRESS2

THE YARD

331 NORTH MAIN ST

LOCATED IN THE XX 1/4 OF SECTION X, T.X., R.X., S.L.B.&M. NORTH SALT LAKE CITY, DAVIS COUNTY, UTAH

ORIGINAL APPROVAL DATE: 1-1-01

	COMMENT	REVISION DATE
REV #		
REV 1:		DATE
REV 2:		DATE
REV 3:		DATE
REV 4:		DATE
REV 5:		DATE
REV 6:		DATE
REV 7:		DATE
REV 8:		DATE

DRAWN: 7/2/19
APPROVED: XXX 7/2/19
PROJECT #: 1185014
SET 1-1185014.dwg

C300
SITE PLAN

Planter Boxes Arrangement

Symbol	Description
Perennials	
	BLUE FESCUE 12" SPREAD
	ARTEMISIA
	BLANKET FLOWER
	CONE FLOWER
	CORAL BELLS
	COTTON TAIL THRIFT
	FIREWITCH DIANTHUS
	LIME MOUND SPIREA

Planter Pots Arrangement

Symbol	Description
Annuals	
	GREEN/PURPLE/PINK TRAILING PETUNIAS
	SWEET POTATO VINE
	DUSTY MILLER

Landscape

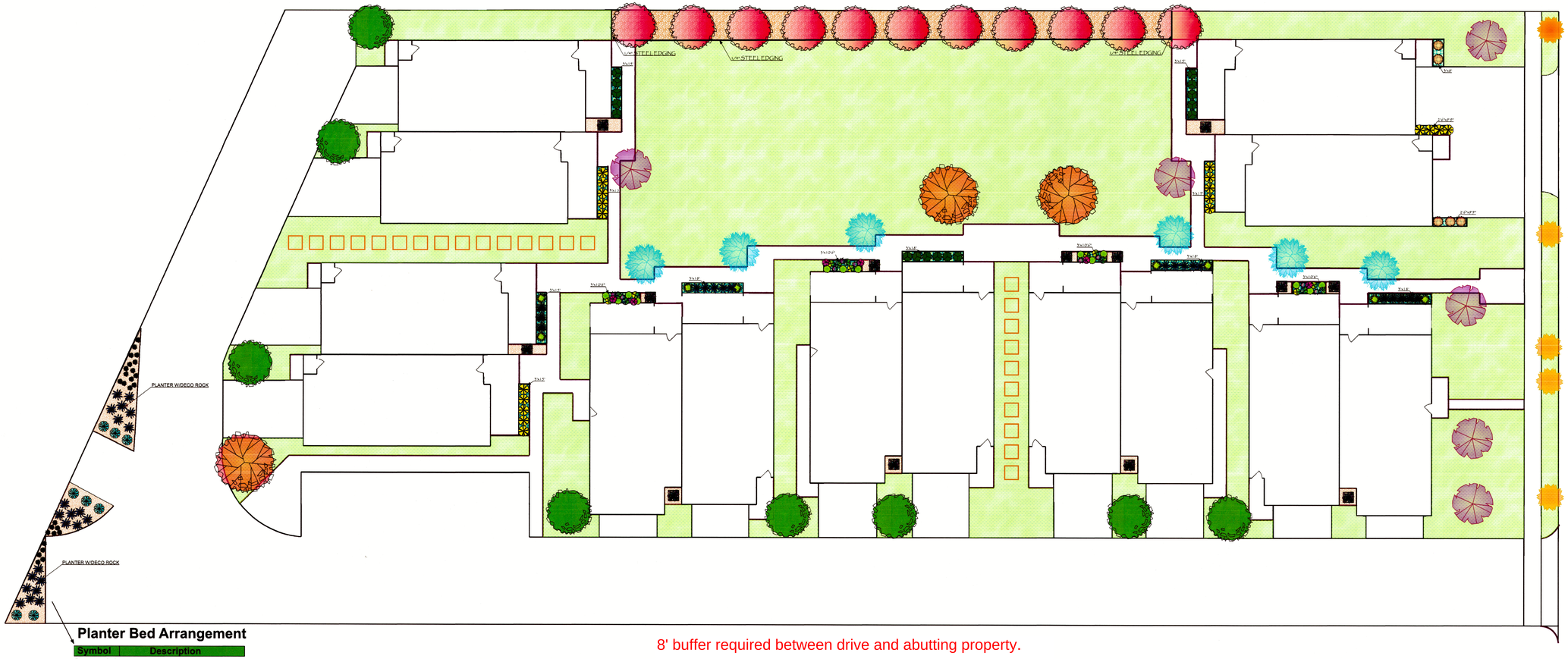
Quantity	Symbol	Description
Shrubs/Grasses		
16		GREEN BEAUTY BOXWOOD 3' SPREAD
19		SENSATION JAPANESE BARBERRY 3' SPREAD
8		LEMON SWIRL AUSTRALIA BRUSH CHERRY 3' SPREAD
5		NEON FLASH SPIREA 3' SPREAD
9		BLUE OAT GRASS 2' SPREAD
9		BLUE FESCUE 12" SPREAD

Landscape

Quantity	Symbol	Description
Trees		
5		GINKO, COLUMNAR GOLDENSPIRE 5'-6' SPREAD Ginkgo
11		CRIMSON SPIRE OAK 10'-15' SPREAD
6		CRIMSON CENTURY MAPLE 15'-25' SPREAD
3		AUTUMN BLAZE MAPLE 40'-50' SPREAD
8		COLUMNAR NORWAY MAPLE 15' SPREAD
6		MUSASHINO COLUMNAR ZELKOVA 15'-20' SPREAD

Materials

Quantity	Symbol	Description
		1/4" STEEL EDING
		1/4" STEEL PLANTER BOX 3'X15'--QTY 6 3'X18'--QTY 4 2'6"X9'9"--QTY 2 3'X8'--QTY 1 3'X10'6"--QTY 4
		48"X48" CEMENT PAVER
		DECO ROCK
		3'X3' STEEL PLANTER POTS VARIOUS HEIGHTS



Minimum park strip width is 5' for Ginkgo tree

15'-20' tree spacing

make tree spacing equal

avoid 10' clear view area of driveways

Planter Bed Arrangement

Symbol	Description
Perennials	
	RUSSIAN SAGE 3' SPREAD
	BLUE OAT GRASS 2' SPREAD
	BLUE FESCUE 12" SPREAD

8' buffer required between drive and abutting property.

LICENSED LANDSCAPE ARCHITECT
STEVEN K. ERICKSON
No. 102074
STATE OF UTAH
July 21, 2019

811 Know what's below. Call before you dig.

COMPANY:
SEASONS FOUR LANDSCAPE
640 NORTH MAIN ST. STE 1223
NSL, UT 84054
SEASONSFOURLANDSCAPE.COM
801.694.3141

SHEET DESCRIPTION:
LANDSCAPE PLAN

PROJECT:
THE YARD
MAIN ST
NSL, UTAH 84054

REVISIONS:
A1

DATE:
06/27/2019

JOB NUMBER:
THE YARD

DRAWN BY:
RUSSELL SMOCK
TONY LAWSON

CHECKED BY:
CHECKED:

SCALE:
1" = 16'

SHEET:
1 of 1

ALL IDEAS, DESIGNS, ARRANGEMENTS, AND PLANS INDICATED OR REPRESENTED IN THIS DRAWING ARE OWNED BY AND THE POPERTY OF PROCESS STUDIO PLLC AND WERE CREATED, EVOLVED, AND DEVELOPED FOR USE ON AND IN CONNECTION WITH THIS SPECIFIED PROJECT. NONE OF THE IDEAS, DESIGNS, ARRANGEMENTS, OR PLANS SHALL BE USED BY OR DISCLOSED TO ANY PERSON, FIRM, OR CORPORATION FOR ANY PURPOSE WHATSOEVER WITHOUT WRITTEN CONSENT OF PROCESS STUDIO PLLC. WRITTEN DIMENSIONS SHALL HAVE PRECEDENCE OVER SCALE DIMENSIONS. CONTRACTORS SHALL VERIFY AND BE RESPONSIBLE FOR ALL DIMENSIONS AND CONDITIONS ON THE JOB AND THIS OFFICE BE NOTIFIED OF ANY VARIATION FROM THE DIMENSIONS AND CONDITIONS SHOWN BY THESE DRAWINGS. WARNING: REPRODUCTION HEREOF IS A CRIMINAL OFFENSE. UNAUTHORIZED DISCLOSURE MAY CONSTITUTE TRADE SECRET MISAPPROPRIATION IN VIOLATION OF LAW.



N

0' 8' 16' 32' 64'

ARCHITECTURAL SITE PLAN A5 AS102
1/16" = 1'-0"

P s R t O u C d E i S o S
3055 s. grace street
salt lake city, utah 84109
p.801.906.0866
www.processpllc.com

CONCEPT IMAGES:



THE YARD @NORTH SALT LAKE

ARCHITECTURAL SITE PLAN

Project Status	SITE PLAN/CONDITIONAL USE
Project Number	19_0023
Date	06.28.2019
Drawn by	EGE
Checked by	DJY

AS102

Scale 1/16" = 1'-0"

6/28/2019 3:42:51 PM



COURTYARD VIEW FROM NORTH D3 AS103

COURTYARD VIEW FROM EAST A5 AS103

ALL IDEAS, DESIGNS, ARRANGEMENTS, AND PLANS INDICATED OR REPRESENTED IN THIS DRAWING ARE OWNED BY AND THE POPERTY OF PROCESS STUDIO PLLC AND WERE CREATED, EVOLVED, AND DEVELOPED FOR USE ON AND IN CONNECTION WITH THIS SPECIFIED PROJECT. NONE OF THE IDEAS, DESIGNS, ARRANGEMENTS, OR PLANS SHALL BE USED BY OR DISCLOSED TO ANY PERSON, FIRM, OR CORPORATION FOR ANY PURPOSE WHATSOEVER WITHOUT WRITTEN CONSENT OF PROCESS STUDIO PLLC. WRITTEN DIMENSIONS SHALL HAVE PRECEDENCE OVER SCALE DIMENSIONS. CONTRACTORS SHALL VERIFY AND BE RESPONSIBLE FOR ALL DIMENSIONS AND CONDITIONS ON THE JOB AND THIS OFFICE BE NOTIFIED OF ANY VARIATION FROM THE DIMENSIONS AND CONDITIONS SHOWN BY THESE DRAWINGS. WARNING: REPRODUCTION HEREOF IS A CRIMINAL OFFENSE. UNAUTHORIZED DISCLOSURE MAY CONSTITUTE TRADE SECRET MISAPPROPRIATION IN VIOLATION OF LAW.

PROCESS STUDIO
3055 s. grace street
salt lake city, utah 84109
p.801.906.0866
www.processpllc.com

CONCEPT IMAGES:



THE YARD @NORTH SALT LAKE

SITE VIEWS

Project Status	SITE PLAN/CONDITIONAL USE
Project Number	19_0023
Date	06.28.2019
Drawn by	EGE
Checked by	DJY

AS103

Scale

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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: July 23, 2019

SUBJECT: Final plat for Orchard Grove PUD located at 378 East Odell Lane

---

RECOMMENDATION

The Development Review Committee (DRC) recommends approval to the Planning Commission the final plat for Orchard Grove PUD located at 378 East Odell Lane subject to the following:

1. Correction of minor engineering redlines to the plat, namely lot addresses & corrected street dedication;
2. Correction of redlines on construction drawings, namely choosing an alternate tree species under the power lines and avoiding the clear view area of intersections and adding the garbage enclosure detail; and
3. Submittal of an approval letter from South Davis Water District and South Davis Sewer District.

BACKGROUND

The P-District rezone request and the development agreement along with the preliminary plan were approved by the City Council on June 18, 2019. The approval included an additional decrease in density for a total of 14 dwelling units and an increase in setback from Orchard Drive to 20 feet.

REVIEW

The final plat has been reviewed for compliance with terms agreed upon in the development agreement and P-District rezone, as well as the subdivision ordinance. The final plat and the construction drawings require the following redline corrections prior to the City Council agenda:

1. Final Plat: Engineer redlines adding lot addresses, labeling Private Drive, and correction of the street dedication.
2. Final Construction Drawings: addition of engineering and standard notes, minor corrections to the drainage plan, addition of garbage enclosure detail, correction of street light detail, and amending the landscape plan choosing a different tree along Odell Lane under the power line and avoiding the clear view area of the intersections.

POSSIBLE MOTION

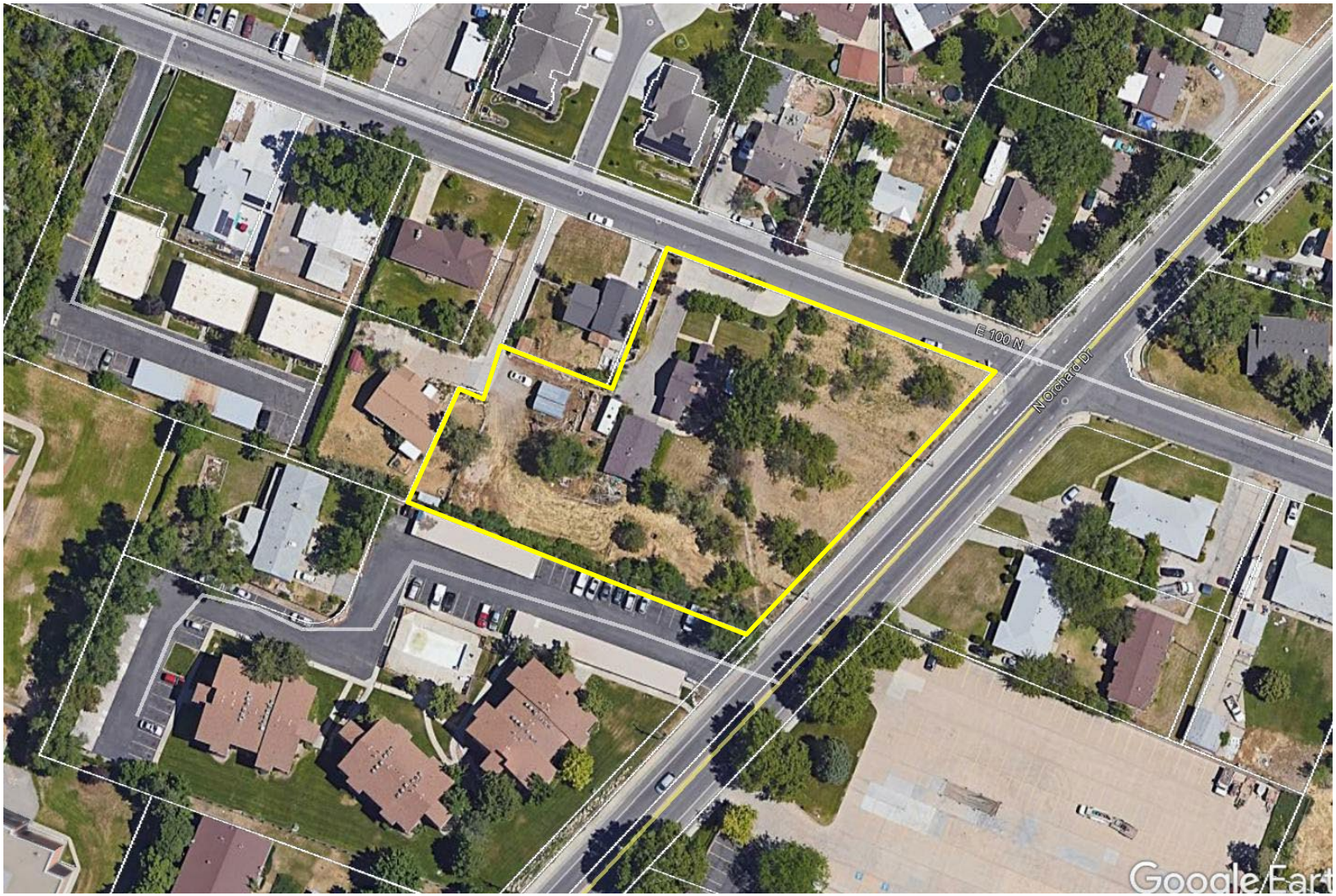
I move that the Planning Commission recommend to the City Council the approval of the proposed final plat for Orchard Grove PUD located at 378 East Odell Lane subject to the following:

1. Correction of minor engineering redlines to the plat, namely lot addresses & corrected street dedication;
2. Correction of redlines on construction drawings, namely choosing an alternate tree species under the power lines and avoiding the clear view area of intersections and adding the garbage enclosure detail; and
3. Submittal of an approval letter from South Davis Water District and South Davis Sewer District.

Attachments:

1) Aerial
2) Final Plat
3) Landscape Plan

Final Plat
Orchard Grove Townhomes
Aerial

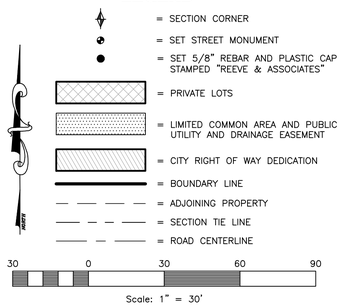


Reeve & Associates, Inc. - Solutions You Can Build On

ORCHARD GROVE
A PLANNED LOT DEVELOPMENT

PART OF THE SOUTHWEST QUARTER OF SECTION 1, TOWNSHIP 1 NORTH, RANGE 1 WEST, SALT LAKE BASE AND MERIDIAN, U.S. SURVEY
NORTH SALT LAKE CITY, DAVIS COUNTY, UTAH
JULY, 2019

LEGEND



NOTES

1. ALL BUILDING TIES ARE PERPENDICULAR UNLESS OTHERWISE NOTED.
2. ALL AREAS NOT LABELED AS PRIVATE LOTS OR LIMITED COMMON AREA ARE TO BE CONSIDERED COMMON AREA.
3. ALL COMMON AND LIMITED COMMON AREAS ARE CONSIDERED PUBLIC UTILITY AND DRAINAGE EASEMENT.
4. PROJECT BENCHMARK: FOUND DAVIS COUNTY SURVEY BRASS CAP MONUMENT AT THE SOUTHWEST CORNER OF SECTION 1, TOWNSHIP 1 NORTH, RANGE 1 WEST, SALT LAKE BASE & MERIDIAN, U.S. SURVEY WITH AN ELEVATION OF 4337.62' NAVD 88 AS DERIVED FROM GPS RTK VRS MEASUREMENTS.
5. ALL STRUCTURES IN THIS SUBDIVISION AND/OR DEVELOPMENT ARE NOT LOCATED WITHIN THE 100 YEAR FLOODWAY OF THE CURRENT EFFECTIVE FEMA FIRM MAP 49011C0509E.
6. APPROVAL OF THIS DEVELOPMENT PLAT BY NORTH SALT LAKE CITY DOES NOT CONSTITUTE ANY REPRESENTATION AS TO THE ADEQUACY OF SUB-SURFACE SOIL CONDITION NOR THE LOCATION OR DEPTH OF GROUNDWATER TABLES.
7. ALL COORDINATES SHOWN HEREON ARE BASED ON THE DAVIS COUNTY SURVEYOR'S OFFICE DATUM.
8. THE INTERIOR WATER LINE AND STORM DRAIN IMPROVEMENTS ARE PRIVATE AND ARE TO BE MAINTAINED BY THE HOA.

BASIS OF BEARINGS

THE BASIS OF BEARINGS FOR THIS PLAT IS THE SECTION LINE BETWEEN THE SOUTHWEST CORNER AND THE SOUTH QUARTER CORNER OF SECTION 1, TOWNSHIP 1 NORTH, RANGE 1 WEST, SHOWN HEREON AS: N89°54'24"E

NARRATIVE

THE PURPOSE OF THIS PLAT IS TO DIVIDE THIS PROPERTY INTO LOTS AND PRIVATE STREETS AS SHOWN ON THE PLAT. ALL BOUNDARY CORNERS NOT FOUND WERE SET WITH A ⅝" REBAR AND PLASTIC CAP STAMPED "REEVE & ASSOCIATES".

BOUNDARY DESCRIPTION

PART OF THE SOUTHWEST QUARTER OF SECTION 1, TOWNSHIP 1 NORTH, RANGE 1 WEST, SALT LAKE BASE AND MERIDIAN, U.S. SURVEY, DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT ON THE WESTERLY RIGHT OF WAY LINE OF ORCHARD DRIVE, SAID POINT BEING N89°54'24"E 1762.01 FEET AND N00°05'36"W 436.11 FEET FROM THE SOUTHWEST CORNER OF SAID SECTION 1; THENCE N69°57'40"W 222.02 FEET; THENCE N24°31'50"E 112.35 FEET; THENCE S70°08'36"E 60.94 FEET; THENCE N22°36'24"E 109.61 FEET TO THE SOUTHERLY RIGHT OF WAY LINE OF ODELL LANE; THENCE ALONG SAID SOUTHERLY RIGHT OF WAY LINE THE FOLLOWING TWO (2) COURSES: (1) S69°40'45"E 220.15 FEET; AND (2) ALONG A TANGENT CURVE TURNING TO THE RIGHT WITH A RADIUS OF 17.51 FEET, AN ARC LENGTH OF 20.88 FEET, A DELTA ANGLE OF 68°20'19", A CHORD BEARING OF S35°30'35"E, AND A CHORD LENGTH OF 19.66 FEET TO THE WESTERLY RIGHT OF WAY LINE OF ORCHARD DRIVE; THENCE S43°03'24"W ALONG SAID WESTERLY RIGHT OF WAY LINE, 227.61 FEET TO THE POINT OF BEGINNING.

CONTAINING 51,036 SQUARE FEET OR 1.172 ACRES MORE OR LESS

CURVE TABLE

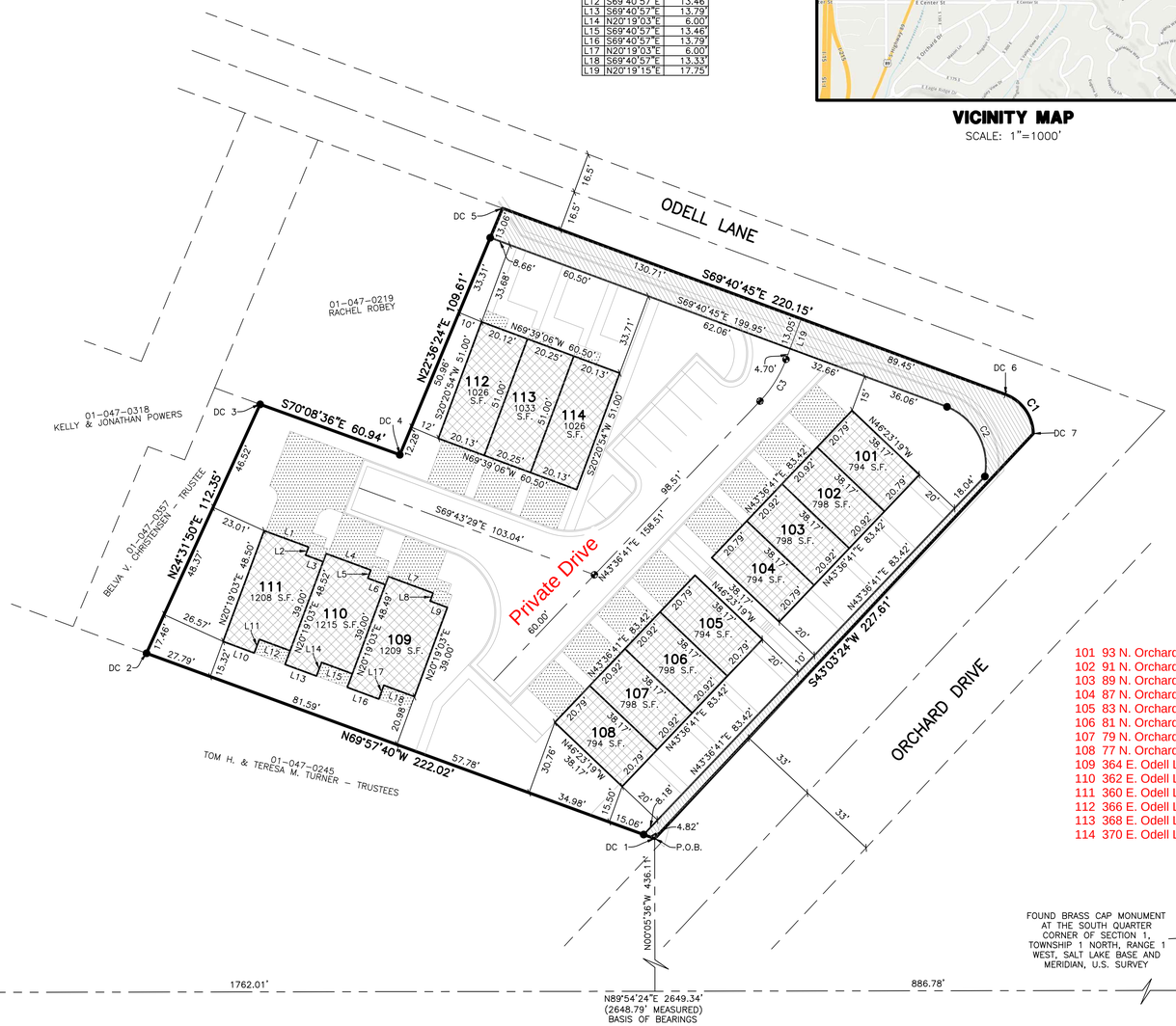
#	RADIUS	ARC LENGTH	CHD LENGTH	TANGENT	CHD BEARING	DELTA
C1	17.51'	20.88'	19.66'	11.88'	S35°30'35"E	68°20'19"
C2	25.65'	35.26'	32.55'	21.06'	S28°30'10"E	78°46'33"
C3	50.00'	20.32'	20.19'	10.30'	N31°57'58"E	23°17'26"

LINE TABLE

LINE	BEARING	DISTANCE
L1	S69°43'29"E	19.46'
L2	S20°19'03"W	3.51'
L3	S69°40'57"E	7.67'
L4	S69°43'29"E	19.58'
L5	S20°19'03"W	3.53'
L6	S69°40'57"E	7.67'
L7	S69°43'29"E	19.58'
L8	S20°19'03"W	3.50'
L9	S69°40'57"E	7.54'
L10	S69°40'57"E	13.67'
L11	N20°19'03"E	6.00'
L12	S69°40'57"E	13.46'
L13	S69°40'57"E	13.79'
L14	N20°19'03"E	6.00'
L15	S69°40'57"E	13.46'
L16	S69°40'57"E	13.79'
L17	N20°19'03"E	6.00'
L18	S69°40'57"E	13.33'
L19	N20°19'15"E	17.75'



VICINITY MAP
SCALE: 1"=1000'



101 93 N. Orchard Dr.
102 91 N. Orchard Dr.
103 89 N. Orchard Dr.
104 87 N. Orchard Dr.
105 83 N. Orchard Dr.
106 81 N. Orchard Dr.
107 79 N. Orchard Dr.
108 77 N. Orchard Dr.
109 364 E. Odell Lane
110 362 E. Odell Lane
111 360 E. Odell Lane
112 366 E. Odell Lane
113 368 E. Odell Lane
114 370 E. Odell Lane

COORDINATE TABLE

DC #	NORTHING	EASTING
1	103109.88	109686.36
2	103185.95	109477.78
3	103288.16	109524.43
4	103267.46	109581.74
5	103368.65	109623.88
6	103292.19	109830.33
7	103276.18	109841.75

ADDRESS TABLE

#	ADDRESS
101	XXXX
102	XXXX
103	XXXX
104	XXXX
105	XXXX
106	XXXX
107	XXXX
108	XXXX
109	XXXX
110	XXXX
111	XXXX
112	XXXX
113	XXXX
114	XXXX

SURVEYOR'S CERTIFICATE

I, TREVOR J. HATCH, DO HEREBY CERTIFY THAT I AM A REGISTERED PROFESSIONAL LAND SURVEYOR IN THE STATE OF UTAH IN ACCORDANCE WITH TITLE 58, CHAPTER 22, PROFESSIONAL ENGINEERS AND LAND SURVEYORS ACT; AND THAT I HAVE COMPLETED A SURVEY OF THE PROPERTY DESCRIBED ON THIS PLAT IN ACCORDANCE WITH SECTION 17-23-17 AND HAVE VERIFIED ALL MEASUREMENTS, AND HAVE PLACED MONUMENTS AS REPRESENTED ON THIS PLAT, AND THAT THIS PLAT OF ORCHARD GROVE IN NORTH SALT LAKE, DAVIS COUNTY, UTAH, HAS BEEN DRAWN CORRECTLY TO THE DESIGNATED SCALE AND IS A TRUE AND CORRECT REPRESENTATION OF THE HEREIN DESCRIBED LANDS INCLUDED IN SAID SUBDIVISION, BASED UPON DATA COMPILED FROM RECORDS IN THE DAVIS COUNTY RECORDER'S OFFICE AND FROM SAID SURVEY MADE BY ME ON THE GROUND, I FURTHER CERTIFY THAT THE REQUIREMENTS OF ALL APPLICABLE STATUTES AND ORDINANCES OF NORTH SALT LAKE, DAVIS COUNTY CONCERNING ZONING REQUIREMENTS REGARDING LOT MEASUREMENTS HAVE BEEN COMPLIED WITH.

SIGNED THIS _____ DAY OF _____, 20__.

9031945
UTAH LICENSE NUMBER

PROFESSIONAL LAND SURVEYOR
9031945
TREVOR J. HATCH
STATE OF UTAH

OWNERS DEDICATION AND CERTIFICATION

WE THE UNDERSIGNED OWNERS OF THE HEREIN DESCRIBED TRACT OF LAND, DO HEREBY SET APART AND SUBDIVIDE THE SAME INTO LOTS AND PRIVATE STREETS AS SHOWN ON THE PLAT AND NAME SAID TRACT ORCHARD GROVE, ~~AND DO HEREBY DEDICATE TO UDOT FOR PUBLIC USE ALL THOSE PARTS OR PORTIONS OF SAID TRACT OF LAND DESIGNATED AS "RIGHT OF WAY DEDICATION TO UDOT",~~ AND DO HEREBY DEDICATE TO NORTH SALT LAKE CITY FOR PUBLIC USE ALL THOSE PARTS OR PORTIONS OF SAID TRACT OF LAND DESIGNATED AS "RIGHT OF WAY DEDICATION TO CITY" AND DO HEREBY DEDICATE THE AREAS SHOWN HEREON AS PRIVATE ACCESS DRIVES, PRIVATE UTILITY, STORM WATER DETENTION PONDS, AND DRAINAGE EASEMENTS AS PUBLIC UTILITY AND DRAINAGE EASEMENTS, WITH NO BUILDINGS OR STRUCTURES BEING ERECTED WITHIN SUCH EASEMENTS AND ALSO TO DEDICATE ALL AREAS LABELED COMMON AND LIMITED COMMON AREA AS PUBLIC UTILITY AND DRAINAGE EASEMENT.

SIGNED THIS _____ DAY OF _____, 20____.

BELVA V. CHRISTENSEN – TRUSTEE

ACKNOWLEDGMENT

STATE OF UTAH)ss.
COUNTY OF _____)

ON THE _____ DAY OF _____, 20___, PERSONALLY APPEARED BEFORE ME, THE UNDERSIGNED NOTARY PUBLIC, _____ (AND) _____ SIGNER(S) OF THE ABOVE OWNER'S DEDICATION AND CERTIFICATION, WHO BEING BY ME DULY SWORN, DID ACKNOWLEDGE TO ME _____ SIGNED IT FREELY, VOLUNTARILY, AND FOR THE PURPOSES THEREIN MENTIONED.

COMMISSION EXPIRES

NOTARY PUBLIC

DEVELOPER:

BRIGHTON HOMES
215 NORTH REDWOOD ROAD, SUITE 8
NORTH SALT LAKE, UT. 84054
(801) 397-9755

RECOMMENDED FOR APPROVAL

THIS _____ DAY OF _____, 20___.

CITY ENGINEER

RECOMMENDED FOR APPROVAL

THIS _____ DAY OF _____, 20___.

CITY ATTORNEY

RECOMMENDED FOR APPROVAL

THIS _____ DAY OF _____, 20___.

CHAIRMAN, PLANNING COMMISSION

CITY COUNCIL'S APPROVAL

PRESENTED TO THE CITY COUNCIL OF NORTH SALT LAKE CITY,

THIS _____ DAY OF _____, 20___.

CITY RECORDER ATTEST:_____

MAYOR:_____

PROJECT INFORMATION

Surveyor: T. HATCH
Designer: N. ANDERSON
Begin Date: 7-2-19
Project Name: ORCHARD GROVE
Number: 6440-15
Scale: 1"=30'
Revision:
Checked:

Reeve & Associates, Inc.
5160 S 1500 W, RIVERDALE, UTAH 84405
TEL: (801) 621-3100 FAX: (801) 621-2666 www.reeve-assoc.com
LAND PLANNERS • CIVIL ENGINEERS • LAND SURVEYORS
TRAFFIC ENGINEERS • STRUCTURAL ENGINEERS • LANDSCAPE ARCHITECTS

DAVIS COUNTY RECORDER

ENTRY NO._____ FEE PAID _____ FILED FOR RECORD AND RECORDED, _____ AT _____ IN BOOK _____ OF THE OFFICIAL RECORDS, PAGE _____. RECORDED FOR:

DAVIS COUNTY RECORDER

_____ DEPUTY.

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Plant Table

TREES

Quantity	Symbol	Scientific Name	Common Name	Size
19		Malus 'Spring Snow'	Spring Snow Crabapple	2" cal.
4		Pinus nigra	Austrian Pine	6' B&B
7		Gleditsia triacanthos 'Imperial'	Imperial Honey Locust	2" cal.

SHRUBS

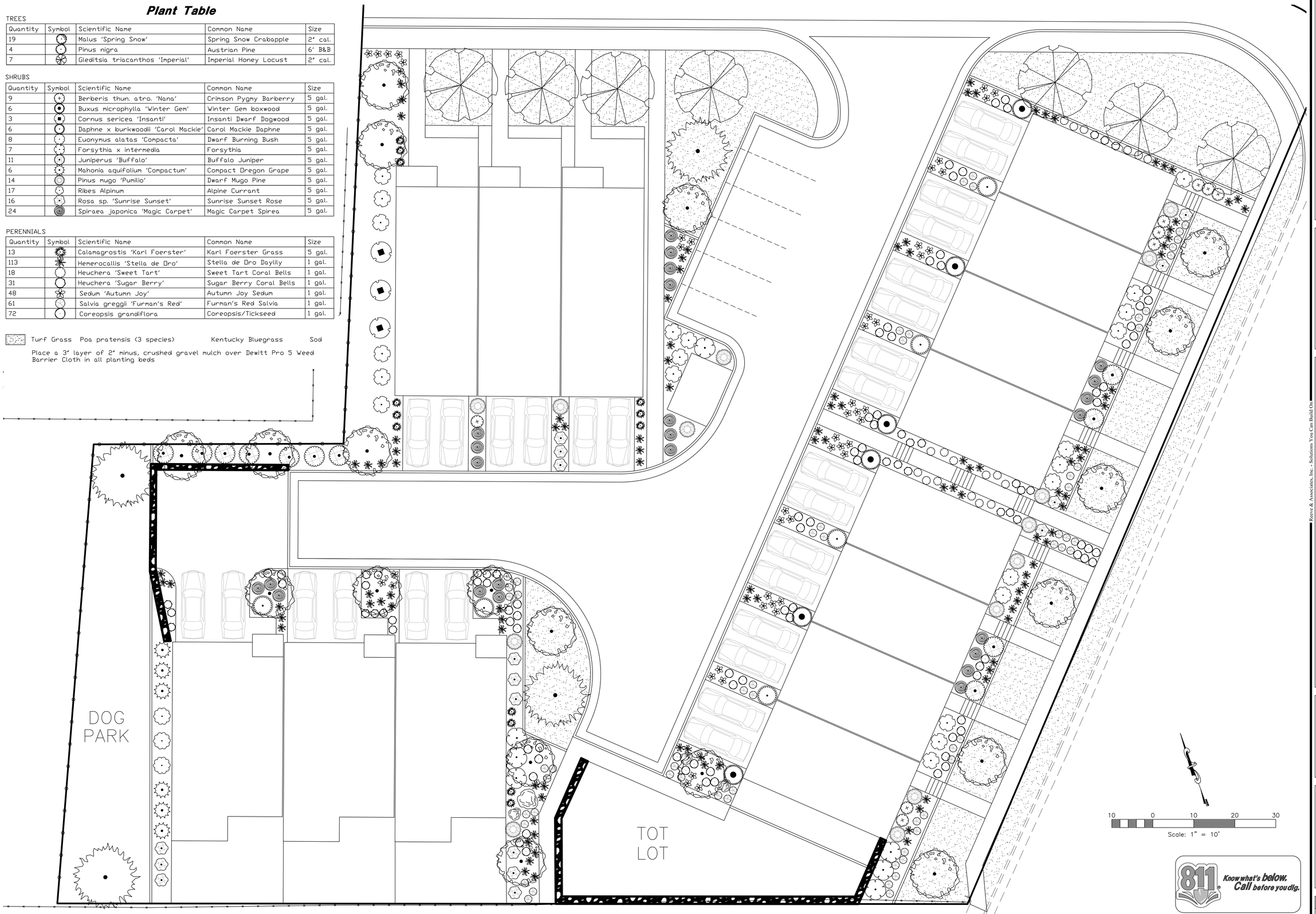
Quantity	Symbol	Scientific Name	Common Name	Size
9		Berberis thun. atro. 'Nana'	Crimson Pygmy Barberry	5 gal.
6		Buxus microphylla 'Winter Gem'	Winter Gem boxwood	5 gal.
3		Cornus sericea 'Insanti'	Insanti Dwarf Dogwood	5 gal.
6		Daphne x burkwoodii 'Carol Mackie'	Carol Mackie Daphne	5 gal.
8		Euonymus alatas 'Compacta'	Dwarf Burning Bush	5 gal.
7		Forsythia x intermedia	Forsythia	5 gal.
11		Juniperus 'Buffalo'	Buffalo Juniper	5 gal.
6		Mahonia aquifolium 'Compactum'	Compact Oregon Grape	5 gal.
14		Pinus mugo 'Pumilio'	Dwarf Mugo Pine	5 gal.
17		Ribes Alpinum	Alpine Currant	5 gal.
16		Rosa sp. 'Sunrise Sunset'	Sunrise Sunset Rose	5 gal.
24		Spiraea japonica 'Magic Carpet'	Magic Carpet Spirea	5 gal.

PERENNIALS

Quantity	Symbol	Scientific Name	Common Name	Size
13		Calamagrostis 'Karl Foerster'	Karl Foerster Grass	5 gal.
113		Hemerocallis 'Stella de Oro'	Stella de Oro Daylily	1 gal.
18		Heuchera 'Sweet Tart'	Sweet Tart Coral Bells	1 gal.
31		Heuchera 'Sugar Berry'	Sugar Berry Coral Bells	1 gal.
48		Sedum 'Autumn Joy'	Autumn Joy Sedum	1 gal.
61		Salvia greggii 'Furman's Red'	Furman's Red Salvia	1 gal.
72		Coreopsis grandiflora	Coreopsis/Tickseed	1 gal.

Turf Grass Poa pratensis (3 species) Kentucky Bluegrass Sod

Place a 3" layer of 2" minus, crushed gravel mulch over Dewitt Pro 5 Weed Barrier Cloth in all planting beds



811 Know what's below. Call before you dig.

Reeve & Associates, Inc.
(A DBA OF REEVE & ASSOCIATES, UTAH 84405)
5160 SOUTH 1500 WEST RIVERDALE, UTAH 84405
TEL: (801) 621-3100 FAX: (801) 621-2666 http://www.reeve-assoc.com
LAND PLANNERS • CIVIL ENGINEERS • LAND SURVEYORS
TRAFFIC ENGINEERS • STRUCTURAL ENGINEERS • LANDSCAPE ARCHITECTS

REVISIONS

DATE	DESCRIPTION

Orchard Grove
NORTH SALT LAKE CITY, DAVIS COUNTY, UTAH

Planting Plan

LICENSED LANDSCAPE ARCHITECT
6431061
NATHAN C. PETERSON
07/02/2019
STATE OF UTAH

Project Info.
Landscape Architect: Nathan Peterson
Drafter: N. Peterson
Begin Date: JANUARY 2019
Name: ORCHARD GROVE
Number: 6440-15

Sheet L2 of 4 Sheets

1/7/2019 | npeterson | G:\6440 Brighton Homes\15 - Odell & Orchard, NSL\Landscape\concept landscape.dwg Reeve & Associates, Inc. - Solutions You Can Build On

THESE PLANS AND SPECIFICATIONS ARE THE PROPERTY OF REEVE & ASSOCIATES, INC., 5160 SOUTH 1500 WEST RIVERDALE, UTAH 84405, AND SHALL NOT BE PHOTOCOPIED, RE-DRAWN, OR USED ON ANY PROJECT OTHER THAN THE PROJECT SPECIFICALLY DESIGNED FOR, WITHOUT THEIR WRITTEN PERMISSION. THE OWNERS AND ENGINEERS OF REEVE & ASSOCIATES, INC. DISCLAIM ANY LIABILITY FOR ANY CHANGES OR MODIFICATIONS MADE TO THESE PLANS OR THE DESIGN THEREON WITHOUT THEIR CONSENT.
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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: Kate Werrett, Planner

DATE: July 23, 2019

SUBJECT: Final rezone to P District and Development Agreement for Wellington Place Subdivision at 877 North Cutler Drive

---

RECOMMENDATION

The Development Review Committee (DRC) recommends approval of the final rezone to P District for Wellington Place located at 877 North Cutler Drive, along with the proposed and development agreement with the following conditions:

1. Home plans to align with the architectural requirements listed in the Development Agreement.

BACKGROUND

The application was previously before the Planning Commission on June 11, 2019 with the Concept Plan and initial submission of the rezone request. The final rezone approval was tabled until the Development Agreement was drafted.

The rezoning of the property requires a public hearing by the Planning Commission which was held on June 11, 2019, with a recommendation to the City Council and then final action by the Council.

This application is concurrent to the subdivision preliminary and final plat approval. The proposed development agreement is to be considered in tandem with the rezone. The development agreement addresses the following items:

- Approved General Development Plan, including the site plan;
- Development layout of buildings, fencing, mailbox, lighting, etc.;
- Total residential number of single family lots for a total density of 10.7 dwelling units per acre;
- Architectural design and building materials;
- Roadway ownership and maintenance; and
- Other miscellaneous legal requirements.

REVIEW

Site Plan

The proposed site plan for Wellington Place contains approximately 2.15 acres with 23 single family lots. The internal streets will be privately owned and maintained by a homeowner association. The development will be accessed from Cutler Drive.

The development is comprised of only single family lots which will be sold individually and governed by a private HOA. The 23 single family lots are approximately 3,400 square feet. The overall density of the project is 10.7 dwelling units per acre. The majority of the lots have a 40' width, with the smallest width being 38.69'. The lots have a depth of 82' to 85'. On the smaller lots, single family floor plans with a width of 27' will be used. Other lots will have homes with 30'-32' widths. Each home will have a 2 car garage and a 2 car driveway.

Conceptual Building Plans

As previously approved under the General Development Plan, the proposed architecture for the single family homes incorporates brick, stone, stucco, vinyl siding and cement fiber board. The designs range from traditional to contemporary. The design parameters are established within the development agreement. The attached proposed development agreement incorporates the architectural standards. Attached are

Landscape Plan & Fencing

Improvements to the landscaping shall be completed on each lot and within the respective park strip, where existing along Cutler Drive, within 6 month of final occupancy, in the event that date falls between October 1-April 1, the homeowner shall be allowed until July 1st of the following year to complete the landscaping. The project fencing material shall be permitted to be vinyl, composite, masonry or cedar fencing, in a color coordinated with the materials used in the construction of the homes. The side yard fencing between homes will be vinyl.

POSSIBLE MOTION

Rezone:
I move that the Planning Commission recommend rezone request from General Commercial to P-District for Wellington Place located at 877 North Cutler Drive, along with the proposed development agreement 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.

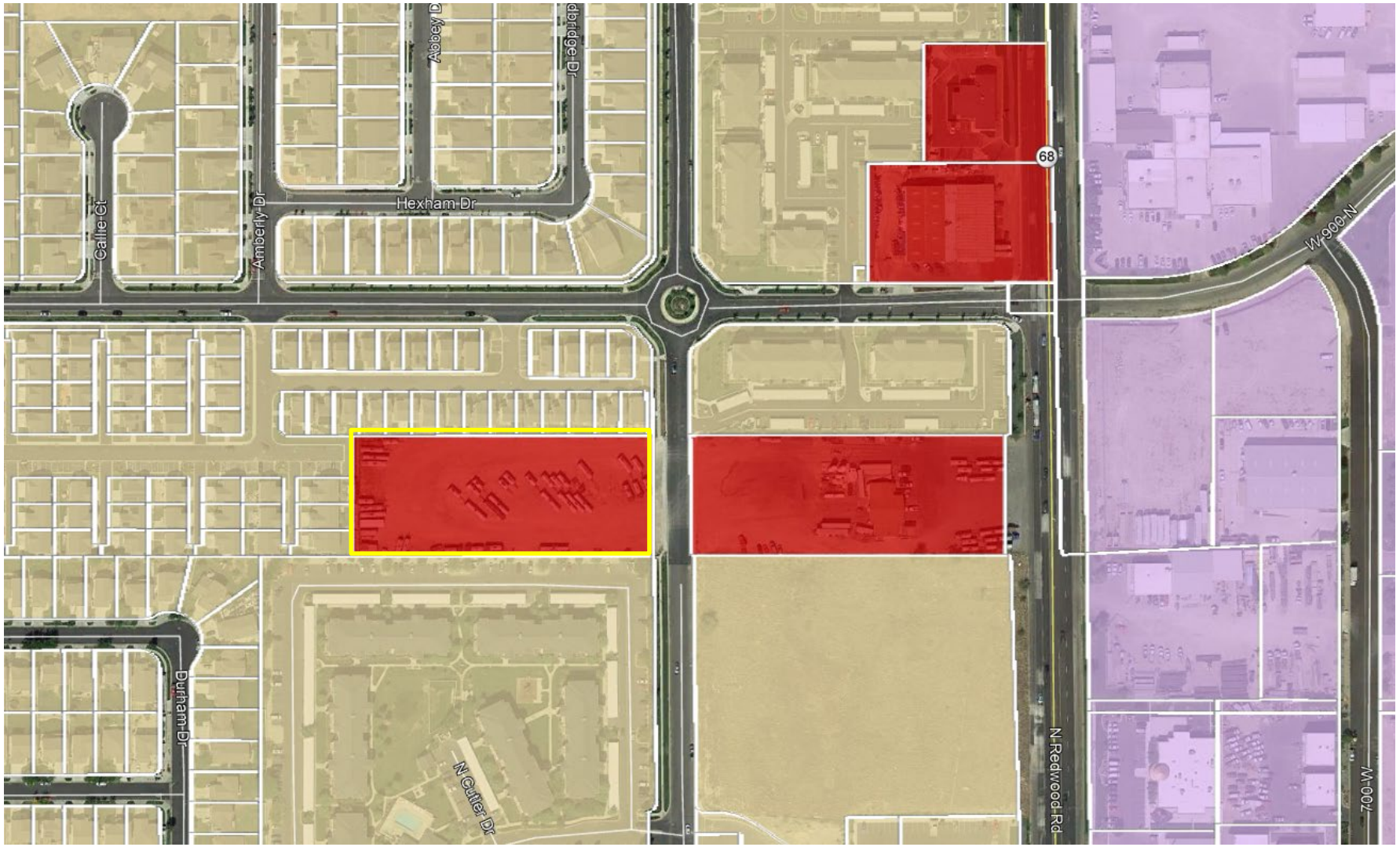
Conditions:

1. Home plans to align with the architectural requirements listed in the Development Agreement.

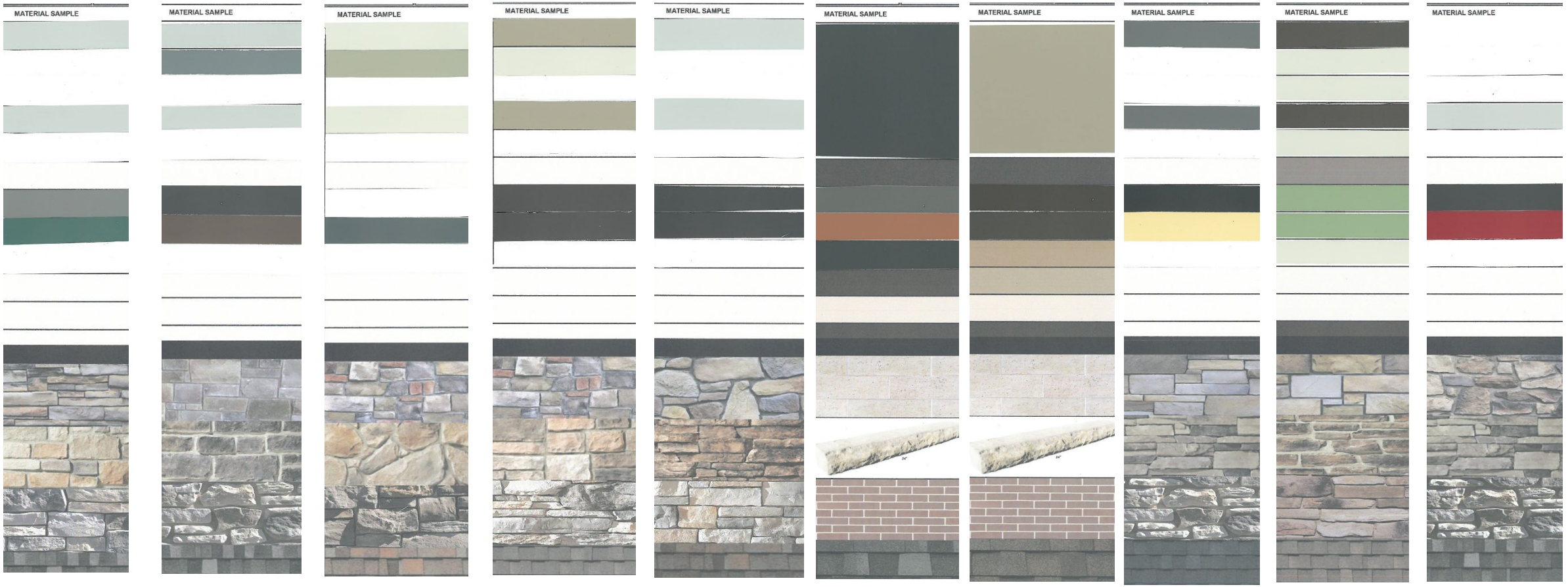
Attachments

1) Aerial/Zoning Map
2) Exterior Color Schemes
3) Proposed Development Agreement

Rezone/General Development Plan
Fox Hollow – 877 North Cutler Drive
Aerial



Wellington Place
Exterior Color Schemes



When Recorded
Return to:
City of North Salt Lake
10 East Center Street
North Salt Lake, UT 84054

DEVELOPMENT AGREEMENT
WELLINGTON PLACE AT NORTH SALT LAKE

THIS DEVELOPMENT AGREEMENT (the "Agreement") is made and entered into as of the _____day of _____, 2019 (the "Effective Date"), by and between **THE CITY OF NORTH SALT LAKE**, a Utah municipal corporation (the "City"), and **BW WELLINGTON, LLC**, a Utah limited liability company, (the "Developer"). The Developer and the City are sometimes collectively referred to herein as the "Parties" or singularly as a "Party."

RECITALS

A. As of the Effective Date hereof, Developer is the owner of the property described on **Exhibit "A"** (the "Property") hereto, located within the City of North Salt Lake, Davis County, Utah.

B. The development of the Property is governed by the City's Title 10—Land Use and Subdivision Ordinances (the "Code"). All Section references contained herein shall refer to the Code.

C. Pursuant to section 10-13-3 of the Code, the Developer has filed an application for and received approval by the City for the following:

(1) a General Development Plan (the "General Development Plan") for the Property consisting of a twenty-three (23) unit single family development; and
(2) the re-zoning of the Property to the Planned P District, (the "P District Zoning") subject to approval of an acceptable development agreement.

D. The project to be developed upon the Property pursuant to the General Development Plan is known as the Wellington Place and is generally located at 877 North Cutler in the City of North Salt Lake (the "Project").

E. Pursuant to the City's approval of the General Development Plan on the 18th day of June, 2019, the Plan consists of twenty-three (23) single family residential units with associated parking, landscaping and other improvements. A copy of the approved General Development Plan is attached hereto as **Exhibit "B."**

F. Pursuant to section 10-13-2-D, exceptions to or modification of the general standards for development within the residential and commercial zoning districts may be granted in the P District Zoning if the City determines that such exceptions are desirable and warranted. By this Agreement, the Parties desire to stipulate the required standards with respect to: land use; building size, layout, materials and architecture; landscaping; parking; signage size, placement, height, and design; lighting; fencing materials; and any other standards specified herein and included within the Project's P District Zoning.

AGREEMENT

NOW, THEREFORE, in consideration of the mutual covenants contained herein, and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the City and Developer hereby agree as follows:

1. Incorporation of Recitals and Exhibits. The above Recitals and Exhibits attached and referenced herein are hereby incorporated into this Agreement.

2. General Development Plan Approval. To the fullest extent of its legal powers and authority and for the duration of the Term (as described below) of this Agreement, the City hereby approves the General Development Plan for the Project, including the density, use, configuration, and specification designations as described in the General Development Plan and as described elsewhere herein. The developer may not substantively deviate from the General Development Plan without prior approval by the City. Subject to the terms of this Agreement and subject to the Developer's compliance with other provisions of the Code not specifically modified herein, the Developer shall have the right to have, Preliminary Design Plan, Site Plan, Final Plat, Construction Plans and Building Permits (as those terms are defined in section 10-3 of the Code) approved by the City and to develop the Project as proposed and approved. The Developer hereby agrees that the Project is subject to all City ordinances except as specifically modified herein by this Agreement. In the event of a conflict between the Code and this Agreement, this Agreement shall control.

3. Term. The vested rights described in this Agreement shall be effective for a period of ten (10) years following the date on which this Agreement is adopted by the city Council of North Salt Lake and signed by the City's Mayor (the "Term").

4. Development of the Project. The Project shall be developed by Developer and/or Developer's successors and assigns in accordance with all of the requirements contained herein.

a. Notwithstanding anything in the Code to the contrary, the general layout, parking, fencing, and landscaping of the project shall be substantially in the form of **Exhibit "C"** of this Agreement and are entitled Site Plan & Landscape Plan.

b. Notwithstanding anything in the Code to the contrary, the land use standards, including but not limited to, setbacks, building heights, uses, etc., for all structures to be developed within the Project shall be as described in attached **Exhibit "D"** and are hereby approved by the City for use in the Project and are entitled P District Land Use Standards.

c. Developer and City hereby agree that architectural standards should be applied to the development of all lots within the Project. These specific rules and standards are shown in **Exhibit "E"** of this Agreement and are entitled, "Architectural Standards for Wellington Place".

d. Phasing Plan. The Developer intends to construct the project in one phase

e. Required Public Improvements. City agrees to coordinate with Developer the placement of conduits, chases and other piping required for the development of the project. The Developer agrees to construct all required public improvements consistent with applicable law, at its expense. The developer shall be required to mill the entirety of the new portion of Cutler Drive to a **minimum** depth of

one (1) inch to facilitate the installation of utilities. The entire section of new road shall then be overlayed with a **minimum** surface of one (1) inch of asphalt.

5. Payment of Fees. Developer agrees to pay fees, except for any waivers, credits or other considerations noted in this agreement, as required by the City's adopted fee schedule in effect at the time of the submittal of their respective development applications. The developer is solely responsible for payment of any required fees to the South Davis Sewer District.

6. Agreement to Run with the Land/Assignment. A memorandum of this Agreement shall be recorded by Developer against the Property in the form attached **Exhibit "F"**. The rights and obligations of Developer under this Agreement shall be those affecting the Property, and shall run with and be binding upon the Property and its successors and assigns, or any portion thereof. The terms of this Agreement shall be deemed to expire as to any portion of the Property upon the issuance of a certificate of occupancy for a structure on the subject portion of the Property, except that the permitted uses set forth on Exhibit D shall survive any termination of this Agreement. Neither Developer nor their successors and assigns shall have the right to assign this Agreement, in whole or in part, unless: (a) such assignee becomes the owner of fee simple title to that portion of the Property affected by the rights and obligations under this Agreement that are being assigned, and (b) the City has consented in writing to the assignment, which consent shall not be unreasonably withheld.

7. Notices. Any notices, requests and demands required or desired to be given hereunder shall be in writing and shall be served personally upon the Party for whom intended, or if mailed, by certified mail, return receipt requested, postage prepaid, to such Party at its address shown below:

To Developer: BW Wellington, LLC
Attn: _____
101 South 200 East, Suite 200
Salt Lake City, Utah 84111

To the City: City of North Salt Lake
Attn: City Manager
10 East Center Street
North Salt Lake, Utah 84054

In the event that either of the Parties desires to change its address as shown above, such Party shall provide written notice to the other Party pursuant to the requirements of this Section 6.

8. Default. In the event either Party fails to perform its obligations hereunder or to comply with the terms thereof, within thirty (30) days after giving written notice of default and the failure of the defaulting Party to cure such default, or if the default is of a nature that it cannot be reasonably cured within 30 days, then to have diligently and in good faith commenced to cure such default, and the non-defaulting Party may, at its election, have the following remedies:

a. All rights and remedies available in equity, including injunctive relief or specific performance, but shall have no claim for money damages.

b. The right to withhold all further approvals, licenses, permits or other rights associated with the Project or any development described in this Agreement until such default has been cured.

c. The right to draw upon any security posted or provided in connection with the Project and this Agreement.

d. The right to terminate this Agreement.

e. The rights and remedies set forth herein shall be cumulative.

9. Entire Agreement. This Agreement, together with the Exhibits attached hereto, documents referenced herein, and all regularly approvals given by the City for the Property and/or the Project or any phase thereof containing the entire agreement of the Parties with respect to the subject matter hereof and supersede any prior promises, representations, warranties or understandings between the Parties which are not contained in this Agreement, regulatory approvals and related conditions.

10. Severability. The Parties hereto agree that the provisions hereto are severable. If any provision of this Agreement is held invalid, the remainder of this Agreement shall be effective and shall remain in full force and effect unless amended or modified by mutual consent of the Parties.

11. Binding Effect. This Agreement shall inure to the benefit of, and be binding upon, the Parties hereto and their respective heirs, representatives, officers, agents, employees, members, successors and assigns.

12. No Third-Party Rights. The obligations of Developer set forth herein shall not create any rights in and/or obligations to any person or Parties other than the City. The Parties hereto alone shall be entitled to enforce or waive any provisions of this Agreement.

[The remainder of this page is intentionally left blank.]

IN WITNESS WHEREOF, the Parties hereto have executed this Agreement by and through their respective, duly authorized representatives as of the day and year first hereinabove written.

ATTEST:

_____
City Recorder

CITY
CITY OF NORTH SALT LAKE

_____
By: Len Arave
Its: Mayor

DEVELOPER

BW WELLINGTON, LLC, a Utah limited liability company

_____
By:
Its:

EXHIBIT "A"
LEGAL DESCRIPTION

All property included in Davis County Parcel Identification numbers: 06-082-0271 and containing approximately 2.15 acres.

Legal Description:

BEG AT A PT 276 1/21 RODS & 626.5 FT S & W 565.43 FT, M/L, TO THE SW COR OF PPTY CONV IN WARRANTY DEED RECORDED 05/19/2016 AS E# 2939759 BK 6520 PG 704 FR NE COR SEC 34-T2N-R1W, SLB&M; & RUN TH W 490.59 FT; TH N 194.5 FT; TH E 490.59 FT, M/L, TO THE NW COR OF PPTY CONV IN SD WARRANTY DEED; TH ALG W LINE OF SD PPTY THE FOLLOWING COURSE: S 00^37'35" E 193.34 FT, M/L, TO THE S LINE OF THIS PPTY AS CONV IN WARRANTY DEED RECORDED 07/25/1991 AS E# 935234 BK 1427 PG 237 TO POB. CONT. 2.15 ACRES

EXHIBIT "B"
GENERAL DEVELOPMENT PLAN

The General Development Plan for the Wellington Place project approved by the City Council on the 18th day of June, 2019.



Acres:	2.15	Typical Lot Size:	40'x'85'
No. of Lots:	23	Typical Lot SF:	3,400
DU/Acre:	10.70		
Current Zoning:	CG	No Street Parking	
Proposed Zoning:	P	Minimum Driveway Depth:	20'
		Parking Per Lot:	4
		2/Garage + 2/Driveway	

May 17, 2019

0 40

CivilScience Engineers Surveyors Planners
Steve McCutchan
3164 Club House Drive
Lehi, UT 84043
smccutchan@civilscience.com
801-557-6945

EXHIBIT "C"
PRELIMINARY/FINAL PLAN

WELLINGTON PLACE P.U.D.

LOCATED IN THE SOUTHEAST QUARTER OF SECTION 34, TOWNSHIP 2 NORTH, RANGE 1 WEST,
SALT LAKE BASE AND MERIDIAN, NORTH SALT LAKE CITY, DAVIS COUNTY, UTAH

Line Table		
Line #	Direction	Length
L1	S 89°51'48" W	1.00'
L2	N 00°08'14" W	19.00'
L3	S 89°51'48" W	1.00'
L4	S 89°51'48" W	14.00'
L5	S 00°08'14" E	14.00'
L6	N 89°51'48" E	13.00'

Curve Table					
Curve #	Length	Radius	Delta	Chord Length	Chord Direction
C1	7.32'	20.00	20°58'35"	7.28'	N 79°22.26" E
C2	13.56'	28.00	90°09'00"	36.60'	S 45°08'14" E
C3	43.66'	28.00	90°09'00"	36.60'	S 44°51'46" W
C4	6.56'	20.00	18°50'53"	6.66'	N 80°08'17" W

NOTES:

1.) All un-fenced property corners will be set with a 5/8" rebar and plastic cap stamped "Bingham Eng." or a rivet where the property corner is in concrete or asphalt.

2.) Wellington Avenue shall be covered by a blanket easement for private and public utilities. Said easement shall be created by this reference.

3.) Wellington Avenue shall have an access easement across Lot 10 to allow access to adjoining private access. Said easement shall be created by this reference.

4.) Wellington Avenue shall be owned and maintained by the Wellington Place Homeowners Association.

5.) All sub-surface utility easements shown hereon are 10.00 feet wide unless otherwise noted.

6.) The coordinates shown hereon are based on the datum of the Davis County Surveyor. Record bearings, distances and coordinate values are shown in brackets [ ]. All other dimensions and coordinate values are measured.

7.) Approval of this development plat by North Salt Lake City does not constitute any representation as to the adequacy of subsurface soil condition or the location or depth of groundwater tables.

8.) The finished floor elevation of any home shall be at least one (1) foot above the lowest top back of curb grade adjacent to the lot.

9.) Street lights on private streets within the P.U.D. shall be operated and maintained by the Wellington Place Homeowners Association.

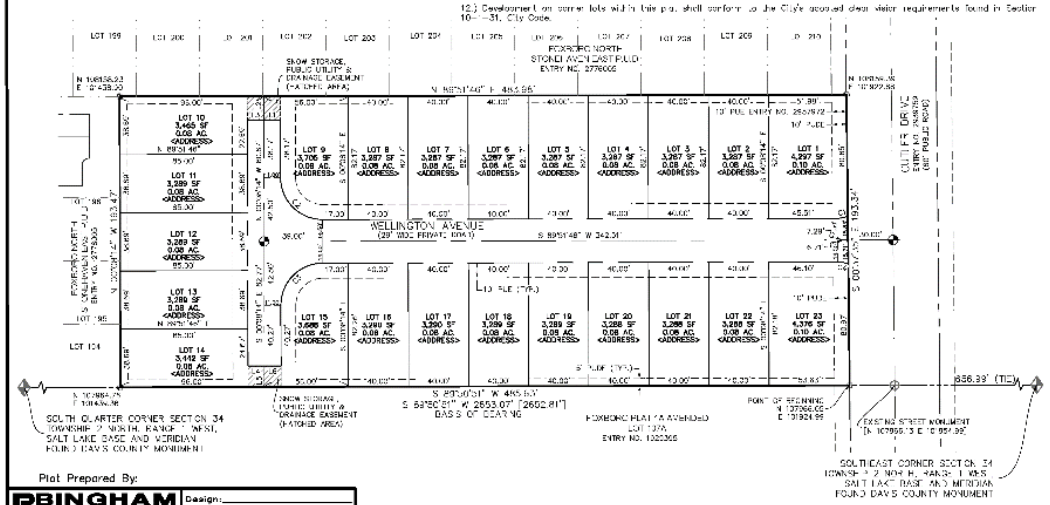
10.) Storm drain mains and inlet boxes located within Wellington Avenue shall be owned and maintained by the Wellington Place Homeowners Association.

11.) The rear lot storm drain piping shall be owned and maintained by the Wellington Place Homeowners Association.

12.) Developer/Lot owner lots with this plat shall conform to the City's accepted clear vision requirements found in Section 10-7-31, City Code.

LEGEND:

- DAVIS COUNTY SECTION CORNER MONUMENTS FOUND
- SMALL MONUMENT TO BE SET
- EXISTING STREET MONUMENT
- SALT MARSH "X" CAP MARKED "BINGHAM ENG."
- SUBDIVISION BOUNDARY LINE
- EXISTING LOT LINE
- LOT LINE
- (PUE) PUBLIC UTILITY EASEMENT OR (PUDE) PUBLIC UTILITY AND DRAINAGE EASEMENT (AS NOTED)
- SECTION LINE
- RIGHT OF WAY LINE
- CL CENTERLINE



Plat Prepared By:

BINGHAM ENGINEERING
252 N. Wright Brothers Dr. Ste 102, Salt Lake City, UT 84116
(801) 532-2520 www.binghameng.com

Design: ____
Drawn: JJS
Checked: GM
Reviewed: JRL

SURVEYOR'S CERTIFICATE

I, D. Gregg Meyers, a Professional Land Surveyor holding License No. 317770 as prescribed by the laws of the state of Utah, do hereby certify that by the authority of the owners, I have made an accurate survey of the tract of land shown on this plat, and described hereon, and have subdivided said tract of land into private roads, lots together with easements hereafter to be known as Wellington Place and that the same has been surveyed and staked on the ground as shown on this plat.

Date: _____

D. Gregg Meyers
P.L.S. No. 317770

PROFESSIONAL LAND SURVEYOR — LICENSE 317770 — D. GREGG MEYERS — STATE OF UTAH

REVIEW ONLY

BOUNDARY DESCRIPTION:

A parcel of land located in the Southeast Quarter of Section 34, Township 2 North, Range 1 West, Salt Lake Base and Meridian, North Salt Lake City, Davis County, Utah, more particularly described as follows:

Beginning at the southwest corner of that portion of Cutler Drive as granted by Warranty Deed as recorded in the office of the Davis County Recorder as Entry No. 2483758, said point being the northeast corner of Lot 107A of Foxboro Plat "A" Amended as recorded in said office as Entry No. 1929395, said point lies on the section line South 89°50'51" West along said section line 686.88 feet from the Southeast Corner of Section 34, Township 2 North, Range 1 West, Salt Lake Base and Meridian (basis of bearing being South 89°50'51" West between the Southeast Corner and the South Quarter Corner of Section 34, 1974 NGVD 1929 datum) and running thence South 89°50'51" West along the north line of said Lot 107A and said section line 485.53 feet to the southeast corner of Foxboro North Stonehaven East P.U.D. as recorded in said office as Entry No. 2776006; thence along the east and south lines of said Foxboro North Stonehaven East P.U.D. the following two (2) courses and distances: 1) North 00°08'14" West 93.47 feet and 2) North 89°51'46" East 483.66 feet to the west right-of-way line of said Cutler Drive; thence South 00°17'08" East along said right-of-way 93.34 feet to the point of beginning.

Containing 93,782 Square Feet or 2.152 Acres, 23 Lots, and 1 Private Street.

OWNER'S DEDICATION AND CONSENT TO RECORD:

Know by all men by these presents, that the undersigned owner of the parcel of land shown on this plat, and described hereon, have caused the parcel to be subdivided into the lots, parcels and private roadways as shown on this plat to be hereafter known as:

WELLINGTON PLACE P.U.D.

Garrett Seely
President
Red Pine Investments, LLC

ACKNOWLEDGMENT

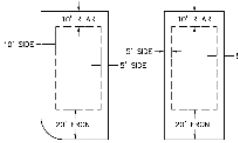
State of Utah)
:ss
County of Davis)

On the _____ day of _____, 2019, personally appeared before me, Garrett Seely, who being by me duly sworn, did say that he is the President of Red Pine Investments, LLC, a Utah Limited Liability Company, and that the foregoing instrument was signed on behalf of said Red Pine Investments, LLC, and said Garrett Seely acknowledged to me that said Red Pine Investments, LLC executed the same.

Notary Public for the State of

My Commission Expires _____

Notary Seal



TYPICAL SETBACK DETAILS

City Council Approve	Recommended for Approve	Recommended for Approve	Recommended for Approve	Davis County Recorder
Presented to the City Council of North Salt Lake City, Utah This _____ day of _____ 2019 at which time this subdivision was approved and accepted. Mayor / Attest: City Recorder	This _____ day of _____, 2019. City Engineer	This _____ day of _____, 2019. Chairman, Planning Commission	This _____ day of _____, 2019. City Attorney	Entry No. _____ Fee Paid _____ Filed for record and recorded this _____ day of _____ 2019 at _____ In Book _____ of Official Records Page _____ County Recorder By: _____ Deputy Recorder

Date 07/03/2019 | Proj # 5412 | Sht 1 of 1

EXHIBIT "D"

WELLINGTON PLACE P DISTRICT LAND USE STANDARDS

1. Purpose. This Exhibit outlines the standards pursuant to which Wellington Place Residential uses shall be developed within the P District. References herein to the term "Code" shall refer to Title 10 of the North Salt Lake City Code, Land Use and Subdivision Ordinances.

2. Residential Standards.
   a. Lot Area:
      i. The minimum lot size shall be 3,286 square feet.
   b. Maximum Building Coverage Area.
      i. The maximum coverage area with structures or buildings shall be 75%.
   c. Maximum Height of Buildings.
      i. The maximum height for all residential structures in the P District shall be thirty-five (35) feet from finished final grade, per city land use ordinance section 10-1-25.
   d. Lot Width and Depth:
      i. The minimum lot width shall be thirty eight (38) feet and depth of eighty (80) feet.
   e. Setbacks, front:
      i. The front yard setback shall be a minimum of twenty (20) feet from the right-of-way line to the garage.
      ii. The side yard street setback shall be a minimum of ten (10) feet from the right-of-way line.
      iii. Living space, porches, stairs, and roof eaves may extend into the front setback up to five (5) feet.
   f. Setbacks, rear:
      i. The minimum rear yard setback from the development boundary shall be a minimum of ten (10) feet.
   g. Setbacks, side:
      i. The minimum side yard setback from the development boundary shall be a minimum of five (5) feet.
   h. Accessory Buildings:
      i. Accessory structures and uses over eighteen (18) inches in height, shall only be permitted in the rear yard and shall be a minimum of six (6) feet behind the home, and a minimum of five (5) feet from the rear and side property line, unless the structure has a minimum one (1) hour fire rating, in which case it may be located one (1) foot from the side and rear property line.
   i. Fence:
      i. The maximum solid fence height within twenty (20) feet of a public street shall be four (4) feet.
      ii. The maximum height for the remainder of the perimeter fence shall be eight (8) feet.
   j. Parking shall be provided as follows:
      i. Each lot shall include a two (2) car garage and a driveway capable of parking two (2) vehicles.

3. Permitted Uses.
    a. Single family dwellings, including leases for terms longer than thirty (30) days.
    b. Accessory dwelling units only in accordance with City Code Section 10-1-44, as amended.
    c. Short term rentals only in accordance with City Code Section 10-1-45, as amended.
    d. Household pets and domestic farm animals only in accordance with City Code Section 10-10-6, as amended.
    e. Home occupations as regulated by North Salt Lake Land Use Code, Section 10-10-5, as amended.

EXHIBIT "E"

ARCHITECTURAL STANDARDS FOR WELLINGTON PLACE

The Architectural Rules and Design Standards and Construction Guidelines, as contained herein, are to be used as guidelines for the owner and builder in preparing plans and specifications for any proposed construction or improvement in The Wellington and for maintaining an orderly construction environment. These guidelines will be used by the Declarant in conjunction with the Declaration of Covenants, Conditions, Restrictions, and Easements (Declaration), and any undefined terms shall have the same meaning as contained therein.

Design Standards:

A. Exterior Elevations

1. The architectural designs and elevations illustrated within Exhibit E are to serve as general examples of the quality, style, colors, and materials to be used in construction of the homes. The examples are not intended to limit the designs, floor plans, or variations expected within the development but to serve as guidelines to the builders and home owners. The examples shown are used solely to demonstrate the use of quality features of the construction within the development, such as:

    a. High quality materials such as brick, stone, stucco, vinyl siding and cement fiber board;

    b. Porches and entries that complement the curb appeal of the home;

    c. Architectural accents that complement the particular style of the home, such as board and batten, shutters, railings, moldings, beams, mullions, doors, metal awnings, outdoor lighting, etc.

    d. There shall be no minimum number of architectural accents required on each home, only that architectural accents be used appropriately on each home.

2. All residential elevations shall be designed and constructed using the following design guidelines:

    a. Overall massing of the front elevation should include multiple façade elements such as gables, hips and projections, or other architectural features to add variety and differentiation.

    b. Multiple rooflines should create different heights of the unit.

    c. Traditional aluminum or vinyl siding is not permitted on the front facade. Aluminum or vinyl facia and trim shall be permitted.

    d. The front façade should include a minimum of two (2) treatments including masonry, fiber cement paneling and stucco.

e. Any front façade treatment shall be extended to the side facades a minimum of eighteen (18) inches.

f. Side and rear elevations may utilize any of the front façade materials and in addition stucco or vinyl siding may be used.

g. Side and rear facades that face a street or park area should also have a minimum of two (2) treatments.

h. Covered porches.

i. The garage façade shall extend no more than 5 feet from the front façade or porch roof line.

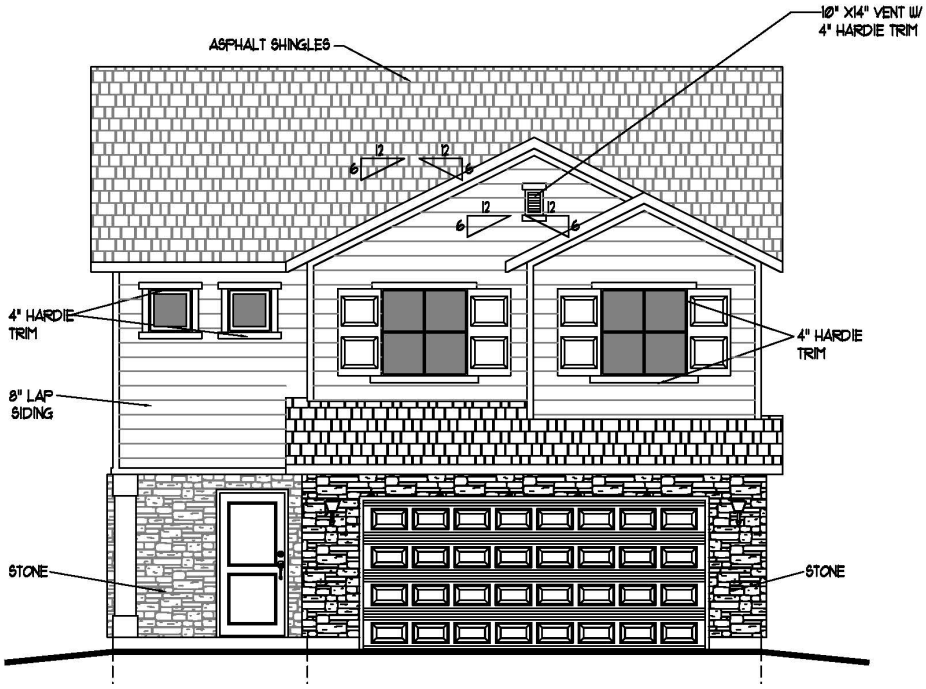
j. All windows on the same wall plane shall be the same height and have the consistent architectural treatments.

3. The minimum number of variations in model floor plans and elevations available to be construction shall be three (3) floor plans and two (2) elevation designs per floor plan.

4. No home of the same model & elevation shall be built on the lot adjacent or directly across the street, except for homes along the Western boundary of the Project where the same floor plan, but different elevations, materials, and colors from the adjacent lot or the lot directly across the street shall be permitted.

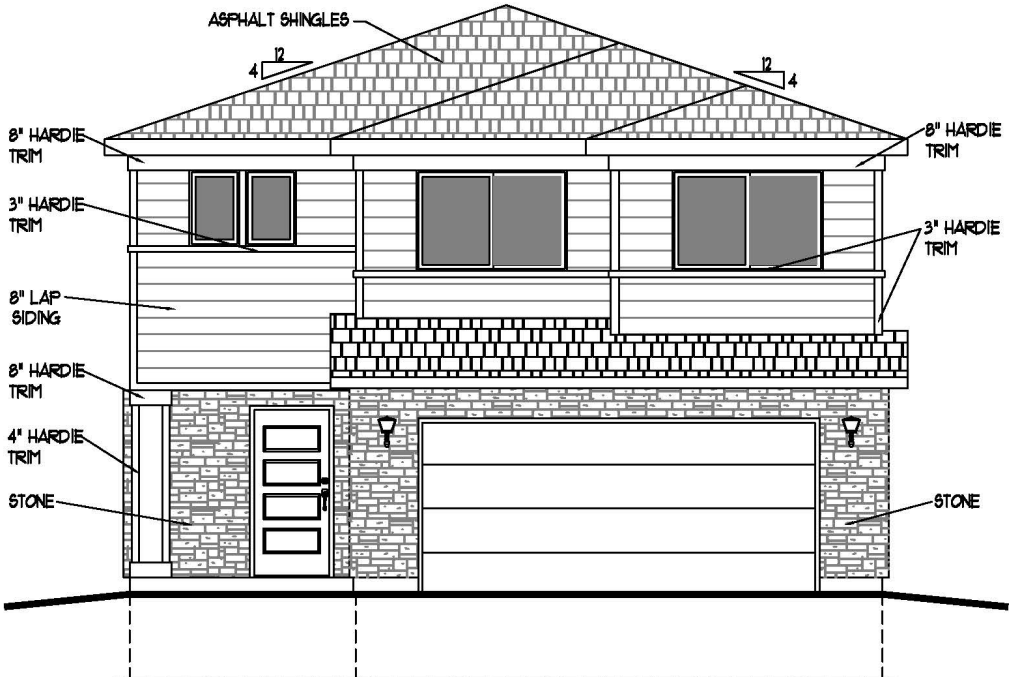
B. Accessory structures shall be finished with similar materials, architectural style, and colors of the main structure.

INSERT ARCHITECTURE EXAMPLES



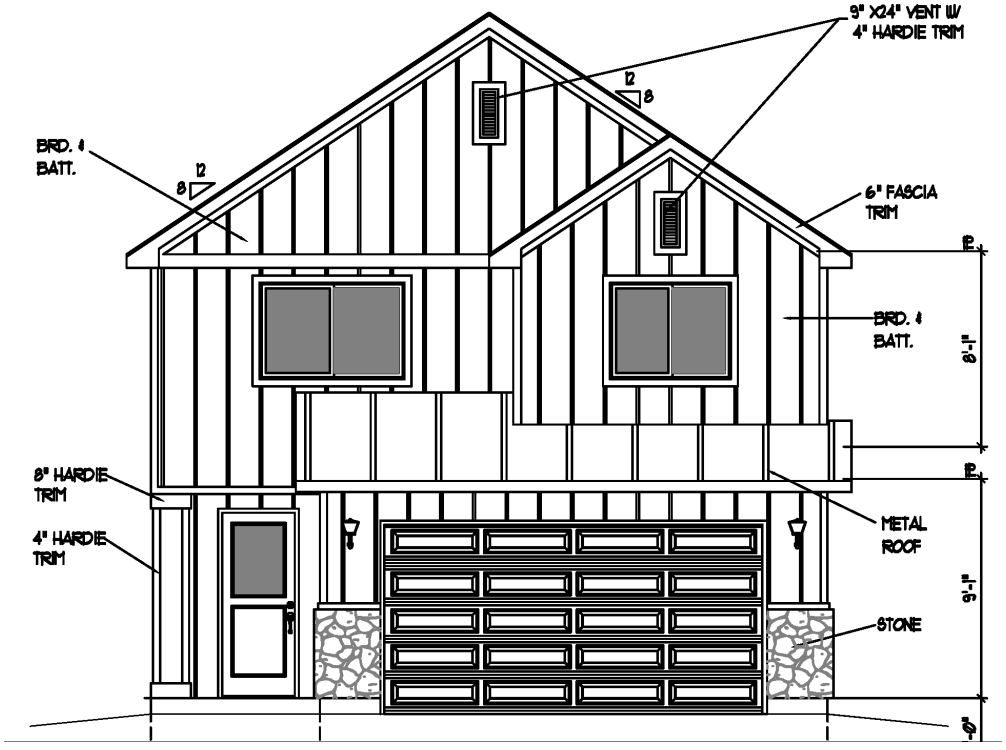

ASPHALT SHINGLES
9" X24" VENT W/
4" HARDIE TRIM
BRD. &
BATT.
4" HARDIE
TRIM
8" LAP
SIDING
7" HARDIE
SILL
10" TRIM
HDR.
6" HARDIE
TRIM
4" HARDIE
TRIM
STONE
8
12


ASPHALT SHINGLES
4X12 CORBEL
(TYP.)
6" HARDIE
HDR. TRIM
2" HARDIE
SILL TRIM
6X4 CORBEL
(TYP.)
8" LAP
SIDING
18" TO 12" TAPERED
COLUMN W/ 30" STONE
WAINSCOT BASE (TYP.)
SHAKE
2"ON 6" HARDIE
SILL TRIM
STONE
12
6


ASPHALT SHINGLES
4 12
12 4
8" HARDIE TRIM
3" HARDIE TRIM
8" LAP SIDING
8" HARDIE TRIM
4" HARDIE TRIM
STONE
8" HARDIE TRIM
3" HARDIE TRIM
STONE


ASPHALT SHINGLES
8 12
BRD. & BATT.
METAL ROOF
BRD. & BATT.
STONE
BRD. & BATT.
METAL ROOF
STONE
8'-1"
9'-1"
2'-0"
3'-0"


ASPHALT SHINGLES
8" FASCIA TRIM
8" HARDIE TRIM
3" HARDIE TRIM
8" LAP SIDING
STONE
8" FASCIA TRIM
8" HARDIE TRIM
3" HARDIE TRIM
8" HARDIE TRIM
4" HARDIE TRIM
STONE
12"
9'-1"
12"
9'-1"
0"


9" X24" VENT W/ 4" HARDIE TRIM
12
8
BRD. & BATT.
12
8
6" FASCIA TRIM
12"
BRD. & BATT.
8'-1"
12"
8" HARDIE TRIM
4" HARDIE TRIM
METAL ROOF
STONE
9'-1"
0"


ASPHALT SHINGLES
12
8
12
8
12
BRD. & BATT.
8" LAP SIDING
8'-1"
12
9'-1"
STONE
STONE
3'-0"


ASPHALT SHINGLES
12
4
12
4
8" HARDIE TRIM
8" FASCIA TRIM
8" HARDIE TRIM
4" HARDIE TRIM
4" HARDIE TRIM
8" LAP SIDING
12
8'-1"
12
9'-1"
STONE
STONE
0"

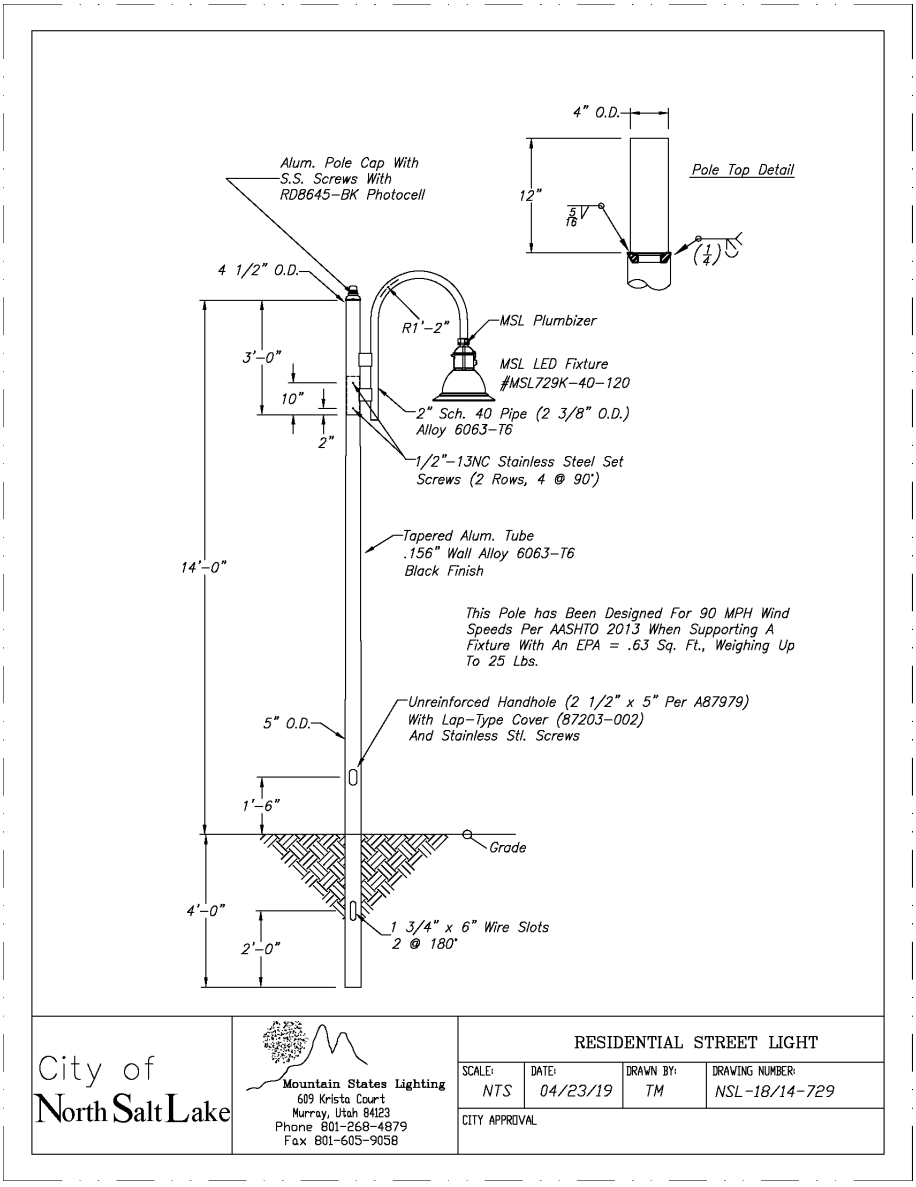
B. Exterior Finishes and Colors

Materials and Colors. Exterior materials shall consist of Masonry, Fiber Cement Board, Stucco, (Vinyl siding on side and rear facades only) with architectural accents, and Asphalt Shingles. The following colors and materials shall be used in the construction of all homes. Minor variations in color/tone may be approved by the Community Development Director in accordance with the general colors shown in the below.

INSERT COLOR GRAPHICS

C. Lamp Posts, Building Lighting

The development shall utilize the following light poles in black. Declarant will install the following commercial quality lamp post, or another mutually agreed upon between the City and Developer:



Declarant will submit a lighting plan detailing the location of the proposed lamp posts with building permit application.

All site/building lighting shall be shielded and directed downward so light spill does not adversely affect adjacent properties or streets.

E. Landscaping

Landscaping shall be completed on each lot and within the respective park strip, where existing, within 6 month of final occupancy, in the event that date falls between October 1-April 1, the homeowner shall be allowed until July 1st of the following year to complete the landscaping.

F. Mailboxes

Mailbox clusters, with mailboxes and newspaper receptacles will be provided by Declarant based on the requirements and approval of the U.S. Postal Service. Replacement necessitated by damage from whatever source shall be at the expense of the builder or owner. All mailbox clusters shall be located adjacent to the interior streets and shall not front Cutler Drive.

G. Fencing Material

The project fencing material shall be permitted to be vinyl, composite, masonry or cedar fencing, in a color coordinated with the materials used in the construction of the homes.

EXHIBIT "F"
RECORDABLE MEMORANDUM OF AGREEMENT

RECORDING REQUESTED BY AND
WHEN RECORDED PLEASE RETURN TO:

City of North Salt Lake
Attn: City Recorder
10 East Center Street
North Salt Lake, UT 84054

MEMORANDUM OF AGREEMENT

THIS MEMORANDUM OF AGREEMENT ("Memorandum") is made by and between **THE CITY OF NORTH SALT LAKE**, a Utah municipal corporation, whose address is 10 East Center Street, North Salt Lake, Utah, 84054, hereinafter referred to as the "City," and **BW WELLINGTON, LLC**, a Utah limited liability company whose address is 101 South 200 East, Suite 200, Salt Lake City, Utah 84111 ("Developer").

Developer and the City have entered into that certain "Development Agreement for Wellington Place", dated _____, 2019 (referred to herein as the "Agreement") regarding the real property to be known as Wellington Place and more particularly described on the attached **Schedule "A"** (the "Property"). Copies of the Agreement are on file in the offices of the City of North Salt Lake.

This Memorandum is executed and recorded in the Davis County Recorder's Office in order to provide third-parties with notice of the Agreement. The effect of the Agreement as to each portion of the Property shall expire upon the issuance of a certificate of occupancy for a structure by the City as to the subject portion.

[Signatures on the Next Page]

IN WITNESS WHEREOF, the Parties have executed this Memorandum as of the date first above written.

"CITY"

CITY OF NORTH SALT LAKE

ATTEST:

_____ By:_____
City Recorder Mayor

State of Utah)
ss.
County of Davis)

This instrument was acknowledged before me on _____, 2019, by _____ as _____ of City of North Salt Lake, a Utah municipal corporation.

[Seal]

_____
NOTARY PUBLIC

My Commission Expires:_____

"DEVELOPER"

BW WELLINGTON, LLC, a Utah limited liability company

By:_____

Title:_____

State of Utah)
ss.
County of Davis)

This instrument was acknowledged before me on _____, 2019, by _____ as _____ of _____, a Utah Limited Liability company.

[Seal]

_____
NOTARY PUBLIC

My Commission Expires:_____

SCHEDULE “A”

LEGAL DESCRIPTION

All property included in Davis County Parcel Identification numbers: 06-082-0271 and containing approximately 2.15 acres.

Legal Description:

BEG AT A PT 276 1/21 RODS & 626.5 FT S & W 565.43 FT, M/L, TO THE SW COR OF PPTY CONV IN WARRANTY DEED RECORDED 05/19/2016 AS E# 2939759 BK 6520 PG 704 FR NE COR SEC 34-T2N-R1W, SLB&M; & RUN TH W 490.59 FT; TH N 194.5 FT; TH E 490.59 FT, M/L, TO THE NW COR OF PPTY CONV IN SD WARRANTY DEED; TH ALG W LINE OF SD PPTY THE FOLLOWING COURSE: S 00^37'35" E 193.34 FT, M/L, TO THE S LINE OF THIS PPTY AS CONV IN WARRANTY DEED RECORDED 07/25/1991 AS E# 935234 BK 1427 PG 237 TO POB. CONT. 2.15 ACRES

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: Kate Werrett, Planner

DATE: July 23, 2019

SUBJECT: Preliminary and Final Plat for the Wellington Place (fka Follow Hollow PUD) located at 877 N Cutler Drive

---

RECOMMENDATION

The Development Review Committee (DRC) recommends approval to the Planning Commission the preliminary plan and final plat for Wellington Place located at 877 N Cutler Drive subject to the following:

1. Approval of the P-District Rezone and Development Agreement by the City Council; and
2. Engineering corrections of civil drawings and plat prior to prior to submittal to the City Council.

BACKGROUND

The purpose of this application is to facilitate the general development plan known as Wellington Place located at approximately 877 N Cutler Drive. The property is a total of approximately 2.15 acres currently zoned and is currently zoned General Commercial (CG). The general development plan for Wellington Place was approved by the City Council on June 18, 2019. In conjunction with the P-District rezone request, the development agreement will include preliminary plan and final plat approval for the project.

REVIEW

The project will be recorded in one phase. The Final Plat and construction drawings have been reviewed for compliance with the development agreement and city code. There are some redline corrections outstanding on the construction drawings and plat which the DRC recommends be addressed prior to approval by the City Council. These include:

1. Final Plat: Engineer redlines adding lot addresses, showing of cluster mailbox easement, and minor wording in the boundary description.
2. Final Construction Drawings: fire hydrant locations, utility line repositioning, water line connections along Cutler Drive, lot grading, and Cutler Drive construction drawings.

The DRC recommends that the final redlines be completed prior to placement on the City Council's

agenda. The DRC has reviewed the plat for compliance with applicable standards. The Engineering division will require final civil drawing corrections prior to final plat approval by the City Council.

POSSIBLE MOTION

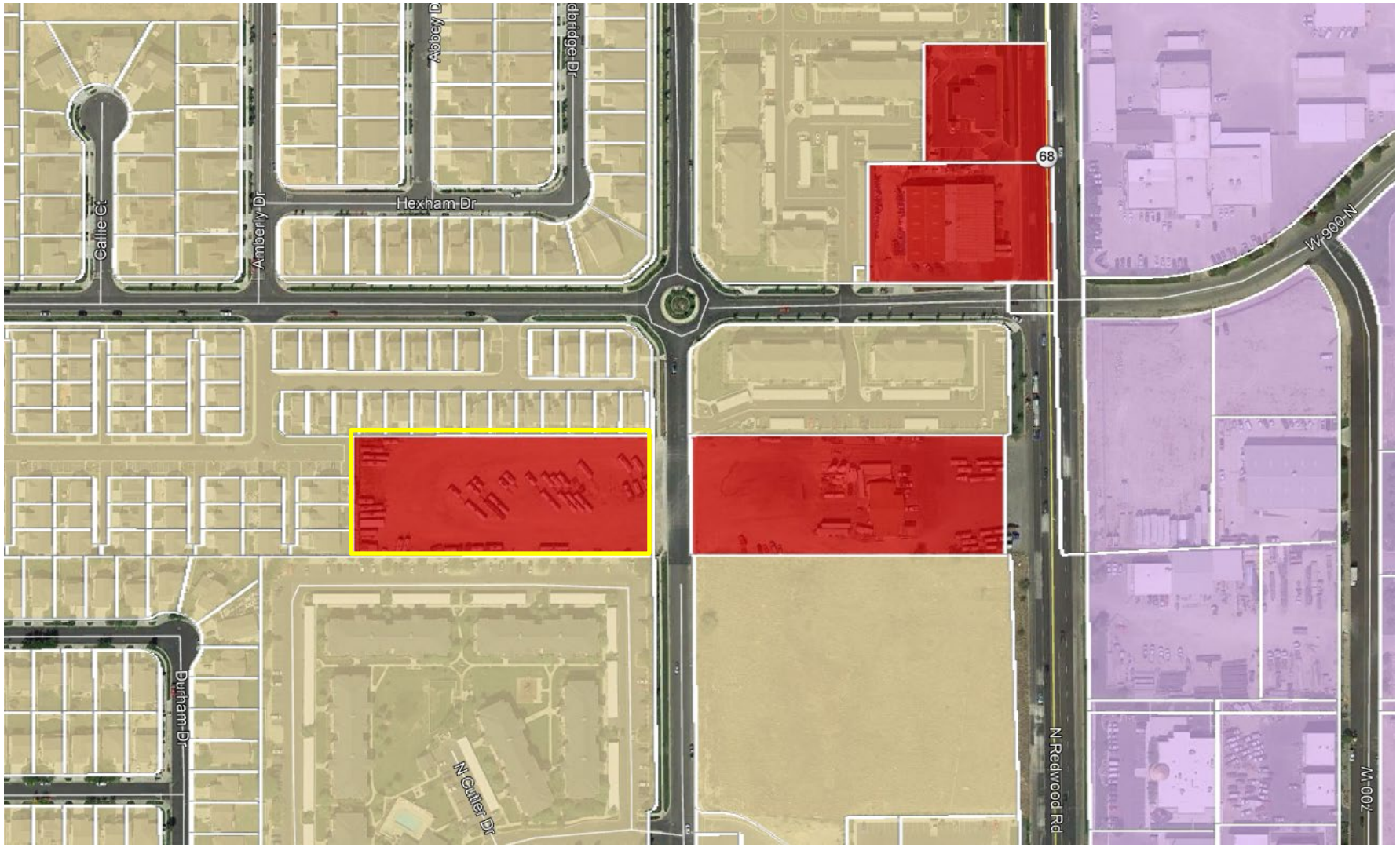
I move that the Planning Commission recommend approval on the proposed preliminary plan and final plat for Wellington Place located at approximately 877 N Cutler Drive, along with the proposed development agreement subject to the following:

1. Approval of the P-District Rezone and Development Agreement by the City Council; and
2. Engineering corrections of civil drawings and plat prior to prior to submittal to the City Council.

Attachments:

1) Aerial Map
2) Final Plat

Rezone/General Development Plan
Fox Hollow – 877 North Cutler Drive
Aerial



WELLINGTON PLACE P.U.D.

LOCATED IN THE SOUTHEAST QUARTER OF SECTION 34, TOWNSHIP 2 NORTH, RANGE 1 WEST,
SALT LAKE BASE AND MERIDIAN, NORTH SALT LAKE CITY, DAVIS COUNTY, UTAH

Line Table		
Line #	Direction	Length
L1	S 89°51'46" W	11.00'
L2	N 00°08'14" W	16.00'
L3	S 89°51'46" W	11.00'
L4	S 89°51'46" W	11.00'
L5	S 00°08'14" E	14.00'
L6	N 89°51'46" E	11.00'

Curve Table					
Curve #	Length	Radius	Delta	Chord Length	Chord Direction
C1	7.32'	20.00'	20°58'35"	7.28'	N 79°22'29" E
C2	43.98'	28.00'	90°00'00"	39.60'	S 45°08'14" E
C3	43.98'	28.00'	90°00'00"	39.60'	S 44°51'46" W
C4	6.98'	20.00'	19°59'53"	6.95'	N 80°08'17" W

LEGEND:

- DAVIS COUNTY SECTION CORNER MONUMENTS FOUND
- STREET MONUMENT TO BE SET
- EXISTING STREET MONUMENT
- SET REBAR W/ CAP MARKED "BINGHAM ENG."
- STREET LIGHT
- SUBDIVISION BOUNDARY LINE
- EXISTING LOT LINE
- LOT LINE
- (PUE) PUBLIC UTILITY EASEMENT OR (PUDE) PUBLIC UTILITY AND DRAINAGE EASEMENT (AS NOTED).
- SECTION LINE
- RIGHT-OF-WAY LINE
- CENTERLINE

NOTES

1.) All un-fenced property corners will be set with a 5/8" rebar and plastic cap stamped "Bingham Eng." or a rivet where the property corner is in concrete or asphalt.

2.) Private roadways shall be covered by a blanket easement for private and public utilities. Said easement shall be created by this reference.

3.) Private roadways shall have an access easement across it to allow access to adjoining private parcels. Said easement shall be created by this reference.

4.) Private roadways shall be owned and maintained by the Wellington Place Homeowners Association.

5.) All public utility easements shown hereon are 10.00 feet wide unless otherwise noted.

6.) The coordinates shown hereon are based on the datum of the Davis County Surveyor. Record bearings, distances and coordinate values are shown in brackets [ ]. All other dimensions and coordinate values are measured.

7.) Approval of this development plat by North Salt Lake City does not constitute any representation as to the adequacy of subsurface soil condition or the location or depth of groundwater tables.

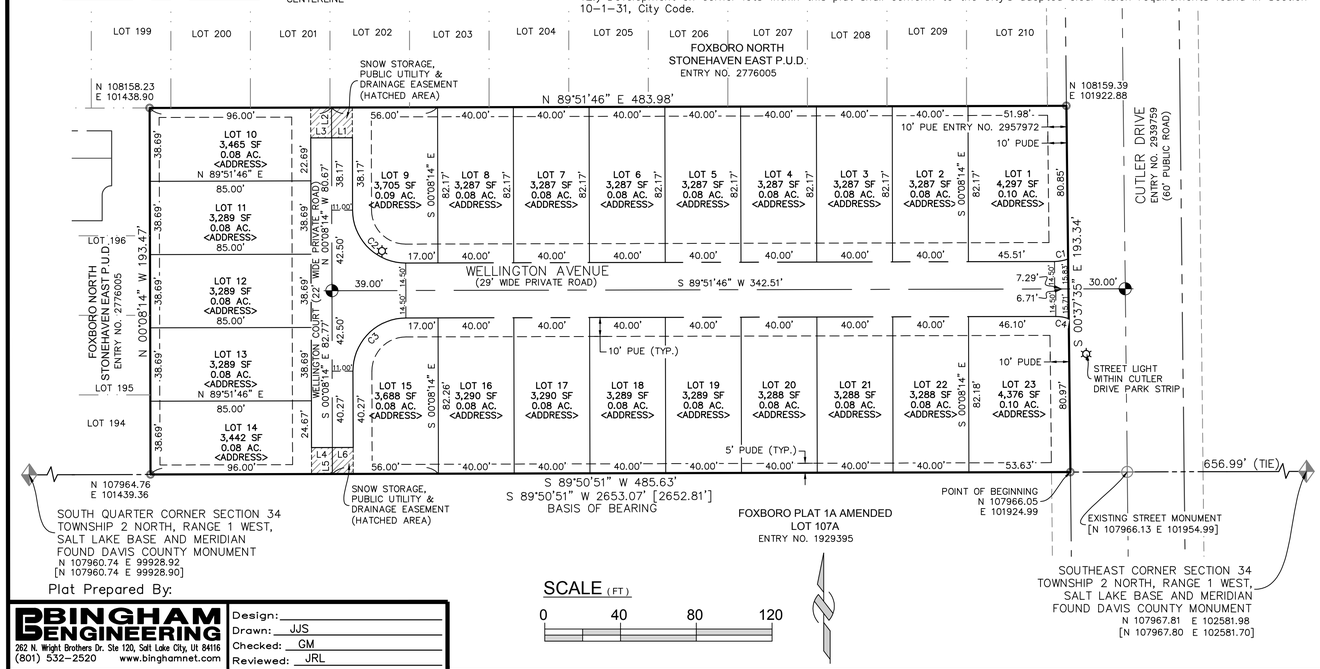
8.) The finished floor elevation of any home shall be at least one (1) foot above the lowest top back of curb grade adjacent to the lot.

9.) Street lights on private streets within the P.U.D. shall be operated and maintained by the Wellington Place Homeowners Association.

10.) Storm drain mains and inlet boxes located within private roadways shall be owned and maintained by the Wellington Place Homeowners Association.

11.) The rear-lot storm drain piping shall be owned and maintained by the Wellington Place Homeowners Association.

12.) Development on corner lots within this plat shall conform to the City's adopted clear vision requirements found in Section 10-1-31, City Code.



SCALE (FT)

0 40 80 120

Plat Prepared By:

BINGHAM ENGINEERING
262 N. Wright Brothers Dr. Ste 120, Salt Lake City, Ut 84116
(801) 532-2520 www.binghamnet.com

Design: ____
Drawn: JJS
Checked: GM
Reviewed: JRL

SURVEYOR'S CERTIFICATE

I, D. Gregg Meyers, a Professional Land Surveyor holding License No. 312770 as prescribed by the laws of the state of Utah, do hereby certify that by the authority of the owners, I have made an accurate survey of the tract of land shown on this plat and described hereon, and have subdivided said tract of land into private roads, lots together with easements hereafter to be known as Wellington Place and that the same has been surveyed and staked on the ground as shown on this plat.

Date: _____

_____
D. Gregg Meyers
P.L.S. No. 312770

PROFESSIONAL LAND SURVEYOR
LICENSE #312770
D. GREGG MEYERS
STATE OF UTAH

REVIEW ONLY

BOUNDARY DESCRIPTION:

A parcel of land located in the Southeast Quarter of Section 34, Township 2 North, Range 1 West, Salt Lake Base and Meridian, North Salt Lake City, Davis County, Utah, more particularly described as follows:

Beginning at the southwest corner of that portion of Cutler Drive as granted by Warranty Deed as recorded in the office of the Davis County Recorder as Entry No. 2939759, said point being the northeast corner of Lot 107A of Foxboro Plat 1A Amended as recorded in said office as Entry No. 1929395, said point lies on the section line South 89°50'51" West along said section line 656.99 feet from the Southeast Corner of Section 34, Township 2 North, Range 1 West, Salt Lake Base and Meridian (basis of bearing being South 89°50'51" West between the Southeast Corner and the South Quarter Corner of Section 34, T2N, R1W, SLB&M), and running thence South 89°50'51" West along the north line of said Lot 107A and said section line 485.63 feet to the southeast corner of Foxboro North Stonehaven East P.U.D. as recorded in said office as Entry No. 2776005; thence along the east and south lines of said Foxboro North Stonehaven East P.U.D. the following two (2) courses and distances: 1) North 00°08'14" West 193.47 feet and 2) North 89°51'46" East 483.98 feet to the west right-of-way line of said Cutler Drive; thence South 00°37'35" East along said right-of-way 193.34 feet to the point of beginning.

Containing 93,762 Square Feet or 2.152 Acres, 23 Lots, and 2 Private Streets.

OWNER'S DEDICATION AND CONSENT TO RECORD

Know by all men by these presents, that the undersigned owner of the parcel of land shown on this plat, and described hereon, have caused the parcel to be subdivided into the lots, parcels and private roadways as shown on this plat to be hereafter known as:

WELLINGTON PLACE P.U.D.

_____
_____ _____
_____
BW Wellington, LLC.

ACKNOWLEDGMENT

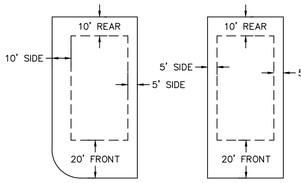
State of Utah)
County of Davis) :ss

On this _____ day of _____, 2019, personally appeared before me, _____ _____, who being by me duly sworn, did say that he/she is the _____ of BW Wellington, LLC, a Utah Limited Liability Company, and that the foregoing instrument was signed on behalf of said BW Wellington, LLC, and said _____ _____ acknowledged to me that said BW Wellington, LLC executed the same.

Notary Public for the State of _____

My Commission Expires _____

Notary Seal



TYPICAL SETBACK DETAILS

City Council Approval	Recommended for Approval	Recommended for Approval	Recommended for Approval	Davis County Recorder
Presented to the City Council of North Salt Lake City, Utah This _____ day of _____, 2019 at which time this subdivision was approved and accepted.	This _____ day of _____, 2019.	This _____ day of _____, 2019.	This _____ day of _____, 2019.	Entry No. _____ Fee Paid _____ Filed for record and recorded this _____ day of _____, 2019 at _____ in Book _____ of Official Records Page _____
Mayor / Attest: City Recorder	City Engineer	Chairman, Planning Commission	City Attorney	County Recorder / By: Deputy Recorder

Date 07/16/2019	Proj. # 5412	Sht 1 of 1

CITY OF NORTH SALT LAKE
PLANNING COMMISSION MEETING
JULY 9, 2019

DRAFT

Commission Chair Ted Knowlton called the meeting to order at 6:32 p.m. and Stephen Garn led those present in the Pledge of Allegiance.

PRESENT: Commission Chair Ted Knowlton
Commissioner Stephen Garn
Commissioner Kent Kirkham
Commissioner William Ward
Commissioner Brandon Tucker
Commissioner BreAnna Larson
Commissioner Natalie Gordon

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

OTHERS PRESENT: Mario Lopez, Salsa's Catering; Carl Rupp, applicant; Jack Rubin, Alex Iorg, Wholesome Ag; Dee Lalliss, Scott Allen, Stan Porter, residents; Dave Newton, applicant; Jordan Atkin, TAG SLC.

1. PUBLIC COMMENTS

There were no public comments.

2. CONSIDERATION OF SUBDIVISION CONCEPT PLAN APPROVAL FOR TAG ORCHARD A TOWNHOME DEVELOPMENT LOCATED AT 142 SOUTH ORCHARD DRIVE, TAG SLC, APPLICANT

Sherrie Llewelyn reported that the Planning Commission tabled this item on June 11, 2019 to give the applicant the opportunity to address concerns related to the layout and the proximity of the units to guest parking. The property, which is currently zoned RM-20, allows for multi-family dwellings at 20 units per acre as a conditional use. The previous concept plan included 27 townhome units; however, due to the dedication of the right of way at 959 square feet the base density is now 26.62 units. This is based upon the density requirements, which are a minimum lot area of 7,000 square feet for the first unit and an additional 1,900 square feet for each additional unit.

The applicant also rearranged the number of units in several of the buildings and the layout of the buildings. This provided additional driveway area for units 10-13 and added additional guest parking spots. This will be platted as a for sale project.

Sherrie Llewelyn showed examples of the two and three story buildings. She said the units along Orchard Drive would be two story at the street and three stories in the rear with the garage. Mrs. Llewelyn then explained that there was a 20 foot drop in elevation from Orchard Drive to the back of the property so the main private street would be a 10% slope for the longest portion of its run.

The standard setbacks under the RM-20 zone are 25 feet for the front, 8 feet for the side (for a total of 20 feet) and 20 feet for the rear setbacks. Under the PUD subdivision the Planning Commission would determine the required setback and may vary from the standard. The proposed layout has a front setback of 15 feet from Orchard Drive after the dedication of 4.5 feet to complete the required 66 foot right of way width. The layout also includes a five foot sidewalk, 6 foot side yard setbacks, and a setback distance from the building to the curb of 22.5 feet. The layout would meet the minimum rear yard setback. As the proposed curb and side yard setbacks are less than the standard the applicant is requesting a variance from the Commission. The maximum height for the RM-20 zone is 35 feet with no maximum number of stories. Under the PUD subdivision the Commission would determine the maximum height if it varied from the standard. The proposed townhomes facing Orchard Drive would be two stories with a pitched roof for a total height of 29 feet. The downhill side of the units would be three stories with two stories at the front door and three stories on the downhill garage side. The middle three buildings would be three stories with a maximum height of 39 feet.

The Development Review Committee (DRC) recommends approval of the concept plan with the findings that the proposed development meets the minimum standards for a PUD subdivision and the Planning Commission has the authority to authorized standards and requirements including lot area, width, yard, height and coverage. As well as the conditions that the Commission approves that the minimum setback standards shall be varied per the ordinance with a 15 foot front setback, a 20 foot rear setback, and a 6 foot side setback and that the Commission approves a variation for a maximum height of 39 feet.

Sherrie Llewelyn reported on coverage, landscaping, and parking. She said that the coverage for the site was 32% with the maximum coverage in the zone by buildings was 50%. The proposed landscaping was 15,194 square feet of 27% of the site, which meets the 10% minimum requirement. The required parking was 2.25 parking spaces per unit with one stall per unit to be covered. Each of the proposed townhomes have a two car wide garage providing 52 parking spaces. Eleven guest parking spaces were proposed; however, the proximity of the guest parking could not be proportionally distributed due to the topography of the site.

As the subdivision and PUD ordinances did not require provisions for amenities, no amenities have been proposed. Two written comments have been received by staff with concerns related to density, storm drainage, and a retaining wall. Staff discussed drainage and retaining concerns with the adjacent property owner and will review the final plans to ensure the situation is addressed.

Commissioner Gordon asked what would occur if the Planning Commission did not grant an exception to the setback requirements. Sherrie Llewelyn replied that the parking would most likely be affected but the same density could be maintained.

Jordan Atkin, TAG SLC, commented that he appreciated the collaboration on the project with staff.

Chair Knowlton said that there was a development north of this project where the front doors were not at street level. He asked if there would be a significant grade change for this project as well. Jordan Atkin replied that they wanted an engaging street face so residents would be able to walk right into the front door of units facing the street with no change in elevation.

Sherrie Llewelyn showed the elevations, which showed two stories on the front and three stories on the rear as this was also a concern for staff.

Chair Knowlton asked if there needed to be a condition to ensure that the buildings were built according to the proposed elevations. Sherrie Llewelyn responded that the civil drawings would provide that assurance as well as restrictions based on the topography of the site.

Commissioner Gordon asked if the CCRs could state that residents were not allowed to park in the visitor parking stalls. Jordan Atkin replied that this was an appropriate request they would place in the CCRs.

Sherrie Llewelyn commented that there was the potential for no parking signage along Orchard Drive in the future but suggested that there be a condition for signage to designate visitor parking stalls.

Chair Knowlton asked what the gray colored material shown on the elevations would be. Jordan Atkin replied that it would be an upgraded type of stucco but said they were still determining exterior materials.

Chair Knowlton clarified that the applicant had requested variances which the Planning Commission could allow or deny.

Commissioner Kirkham said that his question was related to whether approving the setback variance would change the overall density of the project.

Commissioner Gordon commented that she would like to see fewer units but felt that the Commission could approve the setback variance to maintain the proposed parking stall amount.

Commissioner Larson clarified that the setbacks would be 22 feet from the curb with a 15 foot front setback and a 5 foot sidewalk.

Commissioner Gordon moved move that the Planning Commission recommends to the City Council approval of the concept plan for Orchard Drive Townhomes PUD, located at approximately 142 South Orchard Drive with the following findings and conditions:

Findings:

1) **The proposed development meets the minimum standards for a PUD Subdivision in the RM-20 Zone, including lot size, density, landscaping, parking, and building coverage;**
2) **The Planning Commission has the authority to authorize standards and requirements for PUD Subdivisions which may include lot area, width, yard, height and coverage**

Conditions:

1) **The Planning Commission hereby approves that the minimum standards shall be varied per the PUD ordinance provisions for property setbacks as follows: Front-15 feet, Rear-20 feet, and Side 6 feet;**
2) **The Planning Commission hereby approves that the minimum standards shall be varied per the PUD ordinance provisions for maximum height of 39'; and**
3) **That the four center parking spots be signed as guest only/no resident parking.**

Commissioner Garn seconded the motion.

Commission Larson asked for clarification on the 39 foot variation and if it was only for the middle buildings. Sherrie Llewelyn replied that this was correct.

Commissioner Gordon amended her motion so that condition 2 would read "The Planning Commission hereby approves that the minimum standards shall be varied per the PUD ordinance provisions for maximum height of the middle three (3) buildings will all be three stories with a maximum height of 39 feet (as indicated in the staff packet)"

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

3. CONSIDERATION OF A SUBDIVISION CONCEPT PLAN APPROVAL FOR LAKE VIEW PUD, INCLUDING A CONDITIONAL USE PERMIT FOR A FLAG LOT, FOR A 3 LOT SUBDIVISION AT 824 EAGLEPOINTE DRIVE, CARL RUPP, APPLICANT

This item was postponed until later in the meeting as the applicant was not yet present.

4. CONSIDERATION OF AN AMENDMENT TO THE GENERAL DEVELOPMENT PLAN FOR WILLIAMSBURG LUXURY APARTMENTS LOCATED AT 256 SOUTH HIGHWAY 89, RELATED TO ARCHITECTURAL DESIGN AND MATERIALS, PENDLETON CONSTRUCTION

Sherrie Llewelyn reported that the Planning Commission had made a favorable recommendation to the City Council for the final zone change and development agreement on June 11, 2019. The developer has now requested to amend the General Development Plan in relation to the architecture. She explained that this project was originally proposed by a different developer and the new developer has retained their own architect due to the cost of the original architectural firm. They will use the same footprint and layout of the previous approvals.

The City Council reviewed the new architectural proposal and requested that the Planning Commission review and make a recommendation. The previous buildings were colonial inspired with red/brown brick, white stone, and gray and white stucco. The proposed architecture has a more modern design with tan brick, gray stucco and charcoal colored cast stone. The five story buildings will have four residential floors with the lower level as covered parking. The majority of the units will have individual balconies. There will also be entrances on the ends to connect to the sidewalk for the bus stop on the north and the surface parking on the south.

The DRC recommends approval of the amendment related to the architectural change with the conditions that the site plan drawings be amended to include the north and south walkways and all the conditions from the previous recommendation on the final zone change.

Commissioner Garn moved that the Planning Commission recommend to the City Council the approval of the amendment to the General Development Plan for Williamsburg Luxury Apartments at 256 South Highway 89 with the following conditions:

1) **The site plan drawings be amended to include the walkways from the north and south building entrances to the bus stop on the north and the surface parking on the south; and**
2) **All other conditions of the previous recommendation on final zone change, development agreement, and site plan approval shall be met.**

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

The Planning Commission conducted an informal poll and found that the majority of the Commissioners were in favor of the new architecture.

5. CONSIDERATION OF A CONDITIONAL USE PERMIT FOR WHOLESALE AG., A CANNABIS CULTIVIATION FACILITY AT 501 WEST 900 NORTH, DJ SCHANZ, APPLICANT

Kate Werrett reported that Wholesome Ag. LLC, had requested to open an indoor agricultural cultivation business to be located at 501 West 900 North. This use would be a conditional use under "Crop Production" in the MD Zoning District. There will be approximately 10-15 employees at this location with no onsite retail sales. The crop which will be grown is cannabis or medical marijuana. The building will be divided into two areas with 16,404 square feet to be used for plant cultivation and 6,746 square feet for office space. Wholesome Ag. LLC intends to be discreet regarding their product and intends to use this site for cultivation and will likely add processing in the future. Staff has not identified any issues with locating this business at the location requested.

Wholesome Ag. LLC has submitted their application to the State of Utah Department of Agriculture and Food to grow medical marijuana for medicinal uses. Approval and license receipt from the State is required to legally grow the crop in the Utah and is governed by Administrative Rule R68-27. This rule requires the following: submittal of an operating plan with floor plans outlining areas of cultivation, drying, processing, and packaging, various security measures including, alarm system, continuously recording video surveillance with high resolution, security controlled areas, lighted access areas, security logs and ID badges, inventory control systems to follow plants through all phases of production, background checks for facility agents and registration cards, maintenance of material safety data sheets (MSDS) for all pesticides, fertilizers or other agricultural chemicals, along with safe storage and use protocols, transportation manifest control systems, minimum requirements for storage and handling of cannabis, standards for cannabis waste disposal plan, notification and approval of any change in operation plans, renewal requirements, and violation penalties.

Kate Werrett then said that due to the odors associated with the cultivation and processing of the crop, the DRC recommended a carbon scrubber, which filter the air before it is released outside the building, be required or similar odor control system be installed.

The DRC recommended approval with five conditions including: confirmation of a state license prior to business license approval, submission of the State accepted security plan, submission of a letter from South Davis Sewer District confirming approval of discharge into sewer from cultivation operation prior to business license approval, final approval of fire marshal, and installation of odor control system such as a carbon scrubber or other acceptable device approved by the building official.

Commissioner Gordon asked how much water and what type would be needed. Alex Iorg, Wholesome Ag, replied that Phase 1 would require 300 to 500 gallons per day. He said that they would utilize reverse osmosis water purification system and gather runoff water as well. Mr. Iorg said that if they were awarded one of the ten State licenses they would expand and at full build out it would be 1,500 to 2,000 gallons per day but they would not water every day.

Commissioner Garn asked if the plants would be in grow boxes. Alex Iorg replied that they would be grown as single plants in individual containers.

Commissioner Ward asked what the current building was used for. Alex Iorg responded that it was a heating and air company.

Commissioner Gordon asked when they would know whether they were given one of the ten licenses. Alex Iorg replied that the State received more applications than expected so it may be the end of July.

Commissioner Tucker asked what was attractive about this facility. Alex Iorg replied that this site was ideal due to the proximity to Salt Lake, the size of the building, and that it was a standalone building.

Commissioner Ward spoke on the condition for the odor control system/carbon scrubber. Alex Iorg said this was common for the type of business.

Commission Garn asked if it was the plant or the drying process that produced the smell. Jack Rubin replied that it was a fragrant plant.

Alex Iorg commented that they would most likely not process the plant at this location due to the space and layout of the building. He said that processing could create a potent smell.

Commissioner Ward asked about the target date for operation. Jack Rubin replied that the State would like product to be available by the first quarter so if a license was awarded they would begin renovation right away. This would include constructing partitions, lighting, irrigation, security, etc.

Commissioner Kirkham asked what type of security would be used. Jack Rubin replied that there would be 24 hour video surveillance, pass cards, etc. He said that security is a high priority as it took a good amount of capital to start the business. Mr. Rubin also explained that a security breach could put the license in jeopardy.

Commissioner Kirkham asked about the cultivation process. Jack Rubin responded that the product would be grown, trimmed and dried on site. He said the extraction process would be outsourced.

Commissioner Ward asked about Jack Rubin's background. Jack Rubin replied that he had been involved in cannabis cultivation and processing in Connecticut since 2013.

Commissioner Larson disclosed that she was related to the applicant, DJ Schanz, but did not feel this influenced her decision.

Commissioner Ward moved that the Planning Commission approve the conditional use permit for Wholesome Ag. LLC located at 501 West 900 North subject to the following conditions:

1) **Confirmation of a state license prior to business license approval;**
2) **Submission of the State accepted security plan;**
3) **Submission of a letter from South Davis Sewer District confirming discharge into sewer from cultivation acceptable prior to business license approval;**
4) **Final approval from the fire marshal;**
5) **Installation of odor control system such as a carbon scrubber or other acceptable device approved by the building official.**

Commissioner Tucker seconded the motion.

Commissioner Kirkham asked if this would be a gated facility. Jack Rubin replied that there would be no exterior gate.

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

6. CONSIDERATION OF A CONDITIONAL USE PERMIT FOR AN ELECTRONIC SIGN AT SALSA'S CATERING 890 NORTH 500 WEST, MARIO LOPEZ, APPLICANT

Kate Werrett reported the City Code permitted staff to review and approve sign permits, except for any conditional use elements within the application. Salsa's Catering has submitted a sign permit application, which includes an electronic message center, which per 10-4-13 of the City Code is a conditional use. This conditional use permit would only be addressing the message center component of the proposal. Currently, Salsa's Catering has a window decal sign for their business and intends to improve their storefront by adding a wall sign with a proposed message center component. To increase visibility, the wall sign will be located on the northern portion of the west facing wall. Located at 890 North 550 West, Salsa's Catering is within the Manufacturing Distribution (MD) and S-3 Sign Overlay zones.

The new sign will include four separate components with a combined area of 87.8 square feet, which is below the maximum allowed area. The sign will take up roughly 13% of the Salsa's

Catering front façade, which is below the 30% maximum. The City Code provides specific requirements for electronic message centers, which align with industry standards and include that the electronic sign area shall not exceed 75% of the total sign, the duration of changing sign copy shall be at minimum 8 seconds with transitions no longer than 3 seconds, and an electronic message sign shall be equipped with a sensor or other device that automatically determines the ambient illumination and must be programmed to automatically dim according to ambient light conditions. The proposed message center portion area would be 30.9 square feet or 54% of the total size area. The DRC recommends conditioning approval on the incorporation of the items above.

The DRC recommends approval with four conditions including issuance of a sign permit from the City's Building Department prior to message center installation, that the sign is equipped to ensure that the light emission does not exceed 0.3 foot candles above ambient light as measured 55 feet from the display, that a photocell on the sign detects ambient light levels and adjusts the display intensity automatically, and that the duration of changing sign copy shall be at minimum 8 seconds, with transitions no longer than 3 seconds.

Commissioner Gordon asked if food was served on site or if this was only a catering company. Mario Lopez, Salsa's Catering, replied that they would like to start serving food on site again. He said that the owner had been in business at this location for 15 years and was just now getting a sign.

Commissioner Tucker asked if these types of applications could be approved by city staff instead of the Planning Commission. Kate Werrett replied that this would require a change to the City Code.

Sherrie Llewelyn commented that previously there was not an allowance for electronic message boards. Electronic signs were now allowed as a conditional use. She suggested that if the Code were updated, staff may be able to approve these types of signs as long as they were not adjacent to residential use.

Commissioner Kirkham moved that the Planning Commission approve the conditional use permit for an electronic message center sign at Salsa's Catering located at 890 North 550 West subject to the following findings and conditions:

Findings:

1) **The sign is located more than one hundred feet from any dwelling.**

Conditions:

1) **The sign is equipped to ensure that the light emission does not exceed 0.3 foot candles above ambient light as measured 55 feet from the display;**

2) **A photocell on the sign detects ambient light levels and adjusts the display intensity automatically;**
3) **Electronic sign area shall not exceed 75% of total sign;**
4) **Duration of changing sign copy shall be at minimum 8 seconds, with transitions no longer than 3 seconds;**
5) **A sign permit be issued by the City's Building Department prior to installation of a message center sign.**

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

7. CONSIDERATION OF A CONDITIONAL USE PERMIT FOR A DUPLEX AT 379 EAST ODELL LANE, DAVE NEWTON, APPLICANT

Kate Werrett reported that Dave Newton, the new property owner of 379 Odell Lane, had requested that the residential property be recognized by the City as a duplex. Duplexes are a conditional use listed as a "two-family dwelling" in the RM-7 zone. She said that it was likely that when Odell Lane was annexed into North Salt Lake in 1994, the residence already had this accessory dwelling unit. Section 10-6-5 of the City Code notes that for parcels with two to four residential units, two parking stalls per dwelling unit with a minimum of one covered space per unit are required. The DRC recommends conditioning approval on this parking requirement.

Commissioner Ward asked about the difference between a duplex and an accessory dwelling unit. Kate Werrett explained that as a duplex the property owner would not be required to live onsite.

Sherrie Llewelyn commented that there was not a way to prove a previous conditional use or building permit that the second dwelling legally existed previously so this action would provide a legal record that it does exist and the owner could continue that use legally.

Chair Knowlton asked if the site met the lot size requirement for a duplex. Sherrie Llewelyn replied that as it was over 8,500 square feet it did meet the requirement.

Dave Newton, applicant, commented that there was a one car garage with an additional carport and asked if this would meet the requirement. Sherrie Llewelyn replied that the requirement was one covered space per unit so this would meet the requirement.

Commissioner Gordon moved that the Planning Commission approve the conditional use permit for a duplex located at 379 Odell Lane subject to the following condition:

1) **A minimum of two parking stalls per dwelling unit with a minimum of one (1) covered stall per unit be provided.**

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

8. CONSIDERATION OF A SUBDIVISION CONCEPT PLAN APPROVAL FOR LAKE VIEW PUD, INCLUDING A CONDITIONAL USE PERMIT FOR A FLAG LOT, FOR A 3 LOT SUBDIVISION AT 824 EAGLEPOINTE DRIVE, CARL RUPP, APPLICANT

Sherrie Llewelyn reported that these three existing lots, located above the landslide area, were previously owned by Jacobson and Carter. Carl Rupp was able to purchase all three properties and would like to develop them. The properties, which are zoned R1-10, are in the sensitive lands overlay zone which would require a geologic hazards study.

Mrs. Llewelyn showed the layout for three lots including a flag lot, which is a conditional use. All the lots meet the minimum lot size of 10,000 square feet with lot 1 at .575 acres, lot 2 at .626 acres, and lot 3 at 2.144 acres. Per the ordinance flag lots are only permitted with several requirements including that the design of a flag lot requires that stem/staff of the flag have direct frontage onto a public street of a minimum of 30 feet and a maximum length of 150 feet, that the building portion of the lot must meet the minimum lot size of the zone, the lot must be a similar shape of the adjacent lots, all required minimum setbacks for the building portion of the lot are those of the zone, etc.

Staff sent notices to neighboring property owners within 300 feet giving them a 14 day public comment period. The City manager did receive comments from the oil and gas line companies who were not in favor of this development.

Sherrie Llewelyn commented on the proximity to the landslide and said that the City's Geologic Hazards Ordinance required that the applicant obtain concept plan approval before obtaining geologic hazard studies. She said the geotechnical studies would show a certain setback requirement from the landslide, preservation of existing vegetation, drainage requirements, etc.

The DRC recommended approval of the requested concept plan for a three lot subdivision with the three conditions including that approval of a geotechnical study prior to submission of a preliminary plan application, that the staff portion of lot 3 must be increased to the minimum width requirement of 30 feet and the submission of slope analysis demonstrating building envelopes for each lot of at least 5,000 square feet with a slope under 30%.

Sherrie Llewelyn showed an aerial view of the properties with proximity to the landslide and the existing road to those present.

Commissioner Kirkham asked if the gas and oil companies specified why they were against this development. Sherrie Llewelyn replied that the gas line did not go through this property. She said that they were against hillside development in general.

Sherrie Llewelyn commented that a settlement had been reached regarding the landslide lawsuit.

Carl Rupp, applicant, commented that there were several lots closer to the landslide but he had pulled back and was a good distance from the slide.

Commissioner Kirkham asked if there was a significant elevation change from the church parking lot to where the home would be located. Sherrie Llewelyn replied that there was an elevation change but it was not significant.

Commissioner Larson asked if Mr. Rupp would occupy the home to be built on the property and who would maintain the private drive. Carl Rupp confirmed this was accurate and he would manage the drive.

Commissioner Gordon commented that while she was opposed to flag lots that this proposal made sense.

Commissioner Garn move that the Planning Commission approve the conditional use permit for a flag lot and recommend approval to the City Council the concept plan for Lake View Subdivision, a three lot subdivision at 824 Eaglepointe Drive subject to the following conditions:

1) **Approval of a geotechnical study required by Title 10, Chapter 12 of the Land Use Management Code, prior to submission of a preliminary plan application;**
2) **The staff portion of lot 3 must be increased to the minimum width requirement of 30'; and**
3) **Submission of slope analysis demonstrating building envelopes for each lot of at least 5,000 square feet with a slope under 30%.**

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

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

Sherrie Llewelyn reported that the City Council did not have a meeting on July 2nd. She said their next agenda would include a discussion on the form based code, the General Plan, and the Town Center master plan. Other agenda items included phase 2 of The Winnie, the Orchard

Townhomes, the concept plan for Lake View PUD, the golf course management proposal, and potentially the Williamsburg Luxury Apartments.

Commissioner Kirkham asked about the golf course. Sherrie Llewelyn replied that an open house was being held at the golf course as the City was considering leasing the golf course to a management company.

10. APPROVAL OF MINUTES

The Planning Commission meeting minutes of June 25, 2019 were reviewed and approved.

Commissioner Larson moved to approve the Planning Commission meeting minutes from June 25, 2019. Commissioner Tucker seconded the motion. The motion was approved by Commissioners Knowlton, Garn, Kirkham, Ward, Tucker, Larson and Gordon.

11. ADJOURN

Chair Knowlton adjourned the meeting at 7:53 p.m.

_____ _____

Chair Recorder

_____

Secretary